

**Zoning Ordinance Approval**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 61**  
**AGENDA DATE: Thu 08/26/2004**  
**PAGE: 1 of 1**

**SUBJECT:** C14-03-0157 - Harris Ranch - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the south side of Davis Lane, between Brodic Lane and Westgate Boulevard (Slaughter Creek Watershed-Barton Springs Zone) from development reserve (DR) district zoning and rural residence (RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1, and townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2. First reading on June 24, 2004. Vote: 7-0. Second reading on August 26, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at second ordinance reading. Applicant: Robert Brent Harris, John Weldon Harris and Darrow Dean Harris. Agent: Weynand Development, Ltd. (Mike Weynand). City Staff: Wendy Walsh, 974-7719.

**REQUESTING**            Neighborhood Planning  
**DEPARTMENT:**        and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

### THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-03-0157

REQUEST:

Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the south side of Davis Lane, between Brodie Lane and Westgate Boulevard (Slaughter Creek Watershed – Barton Springs Zone) from development reserve (DR) district zoning and rural residence (RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and townhouse & condominium residence (SF-6-CO) district zoning for Tract 2, with conditions.

DEPARTMENT COMMENTS:

On Saturday, August 14<sup>th</sup>, 2004, the Cherry Creek on Brodie Neighborhood Association hosted a planning charette at the ACC Pinnacle campus that focused on proposed land uses and site development standards for rezoning cases in process on Brodie and Davis Lanes. Architects Gerard Kinney and Linda Johnston organized discussion groups and facilitated the meeting. The meeting was attended by representatives of Cherry Creek on Brodie, the Austin Neighborhoods Council, the Sierra Club, the Oak Hill Association of Neighborhoods (OHAN), Deer Park at Maple Run and Tanglewood Oaks Owners Association, as well as Mr. Bill Walters (the property owner), and City zoning staff.

The Conditional Overlay and Restrictive Covenant incorporate the conditions imposed by the City Council at Second Reading.

Neighborhood Planning staff met to discuss the Harris Ranch and Brodie 31 rezoning cases in the context of the planning and zoning that has occurred in the surrounding area. Neighborhood Planning staff supports the applicant's amended request for GR-CO, MF-2 and SF-6 zonings. For the GR-CO portion of the Harris Ranch project, staff supports the addition of a Mixed Use component with the stipulation that no residential units be allowed on the ground floor. Please refer to the memo outlining their evaluation of the two projects provided following this Summary Sheet.

OWNER/APPLICANT: Robert Brent Harris, John Weldon Harris and Darrow Dean Harris

AGENT: Weynand Development, Inc. (Mike Weynand)

DATE OF FIRST READING: June 24, 2004, approved GR-CO district zoning for Tract 1 and SF-6 district zoning for Tract 2, and subject to the TIA requirements, on 1<sup>st</sup> Reading (7-0).

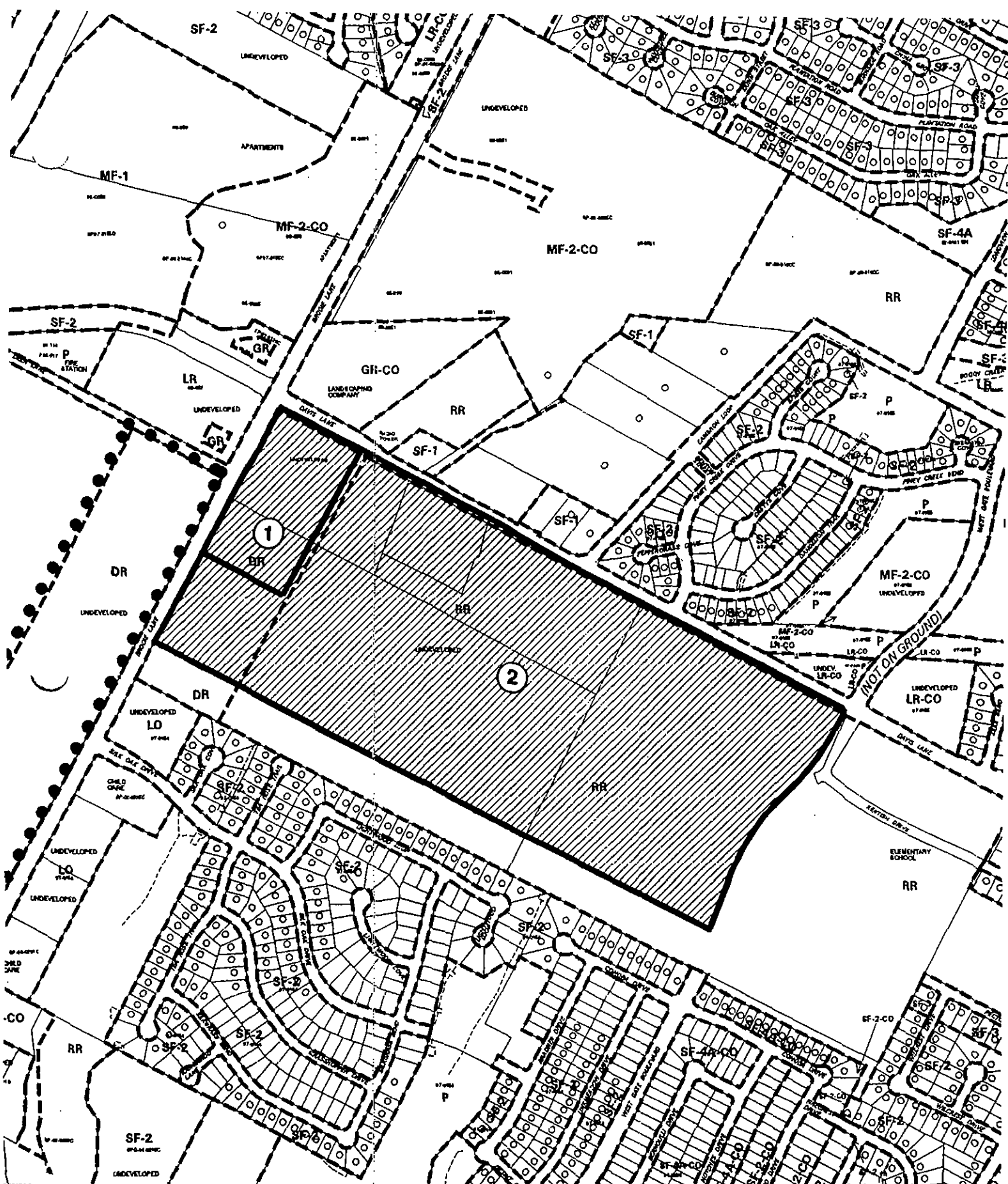
DATE OF SECOND READING: August 26, 2004, Approved GR-CO district zoning for Tract 1 as approved on 1<sup>st</sup> Reading, and SF-6-CO district zoning as approved on 1<sup>st</sup> Reading with the addition of a 50 foot building setback along the entire south property line for Tract 2, on 2<sup>nd</sup> Reading (7-0).




CITY COUNCIL HEARING DATE: September 2, 2004

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Walsh, e-mail: wendy.walsh@ci.austin.tx.us



|   |   |  |
|---|---|--|
| <p><b>SUBJECT TRACT</b> </p> <p><b>PENDING CASE</b> </p> <p><b>ZONING BOUNDARY</b> </p> <p><b>CASE MGR: W. WALSH</b></p> | <p align="center"><b>ZONING</b></p> <p><b>CASE #: C14-03-0157</b></p> <p><b>ADDRESS: DAVIS LN BETWEEN WEST GATE BLVD &amp; BRODIE LN</b></p> <p><b>SUBJECT AREA (acres): 89.522</b></p> <p align="right"><b>DATE: 04-07</b></p> <p align="right"><b>INTLS: SM</b></p> | <p><b>CITY GRID REFERENCE NUMBER</b></p> <p align="center"><b>D15-16</b></p> |
|---|---|--|

1" = 600'

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT THE SOUTH SIDE OF DAVIS LANE BETWEEN BRODIE LANE AND WESTGATE BOULEVARD FROM DEVELOPMENT RESERVE (DR) DISTRICT AND RURAL RESIDENCE (RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT ONE AND TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT FOR TRACT TWO.

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

**PART 1.** The zoning map established by Section 25-2-19.4 of the City Code is amended to change the base districts on the property described in Zoning Case No. C14-03-0157, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From development reserve (DR) district to community commercial-conditional overlay (GR-CO) combining district.

An 8.040 acre tract of land, more or less, out of the Theodore Bissell League Survey No. 18, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From development reserve (DR) district and rural residence (RR) district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district.

An 81.499 acre tract of land, more or less, out of the Theodore Bissell League Survey No. 18, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

locally known as the south side of Davis Lane between Brodie Lane and Westgate Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

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

Service station

Automotive rentals

Automotive washing (of any type)

Pawn shop services

Automotive sales

Automotive repair services

Off-site accessory parking

Guidance services

2. Drive-in services use is a prohibited use of a restaurant use on Tract One.

3. The maximum number of residential dwelling units on Tract Two is 350 units.

4. A 50-foot building setback shall be established and maintained along the south property line of Tract Two.

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

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2004.

**PASSED AND APPROVED**

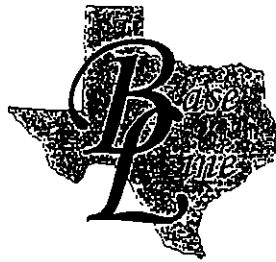
**APPROVED**

David Allan Smith  
City Attorney

**ATTEST:**

Will Wynn  
Mayor

Shirley A. Brown  
City Clerk



*Land Surveyors, Inc.*

*8000 Anderson Square Road*

*Suite 110*

*Austin, Texas 78757*

*Office: 512.374.9722*

*Fax: 512.459.4752*

*EXHIBIT A*

214-05-0151  
Tract 1  
Page 1 of 4  
GR-CO zoning

METES AND BOUNDS DESCRIPTION

BEING 8.040 ACRES, SURVEYED BY BASELINE LAND SURVEYORS, INC., OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3, IN TRAVIS COUNTY, TEXAS, AND BEING 2.851 ACRES OUT OF A REMAINDER OF A 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, AND ROBERT BRENT HARRIS BY DEED OF RECORD IN VOLUME 5080, PAGE 750, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING 5.189 ACRES OUT OF A REMAINDER OF A 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOLUME 4975, PAGE 1342, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron rebar found for a point of intersection in the east right-of-way line of Brodie Lane (R.O.W. Varies) 50 feet right of and at right angles to Engineer's Centerline Station 53+80.53, in the west line of said remainder of a 135.00 acre tract of land, from which a 1/2" iron rebar found for a point of intersection in the west right-of-way line of Brodie Lane, 50 feet left of and at right angles to Engineer's Centerline Station 53+80.53, bears North 62°34'10" West a distance of 100.17 feet;

THENCE North 28°22'52" East (record - North 28°22'52" East), with the east right-of-way line of Brodie Lane and the west line of the remainder of a 135.00 acre tract, a distance of 487.73 feet (record - 490.24 feet) to a calculated point in a 30" mesquite tree for the northwest corner of the remainder of a 135.00 acre tract, in the south right-of-way line of Davis Lane (R.O.W. Varies), from which a 1/2" iron rebar found in the east right-of-way line of Brodie Lane for the southwest corner of Lot 1, Brodie Bunch No. 1, a subdivision of record in Volume 8, Page 173B of the Plat Records of Travis County, Texas bears North 28°22'52" East a distance of 98.00 feet;

THENCE South 62°29'23" East (record - South 60°00'00" East), with the south right-of-way line of Davis Lane and the north line of the remainder of a 135.00 acre tract, a distance of 440.05 feet to a calculated point, from which a 1/2" iron pipe found for the northeast corner of the remainder of a 135.00 acre tract and the northwest corner of a 4.08 acre tract of land conveyed to Lydia Wegner Harris by deed of record in Volume 5080, Page 747 of the Deed Records of Travis County, Texas bears South 62°29'23" East a distance of 256.42 feet;

THENCE South 28°22'52" West, crossing through the remainder of a 135.00 acre tract, along a line parallel with and 440.00' east of (as measured perpendicularly) the west line of the remainder of a 135.00 acre tract and the east right-of-way line of Brodie Lane a distance of 491.32 feet to a calculated point;

THENCE South 27°34'26" West, continuing through the remainder of a 135.00 acre tract and into the remainder of a 46.30 acre tract along a line parallel with and 440.00' east of (as measured perpendicularly) the west line of the remainder of a 135.00 acre tract and the east right-of-way line of Brodie Lane a distance of 304.90 feet to a calculated point

THENCE North 62°25'34" West, continuing through the remainder of a 46.30 acre tract a distance of 440.00 feet to a calculated point in the west line of the remainder of a 46.30 acre tract, being the east right-of-way line of Brodie Lane;

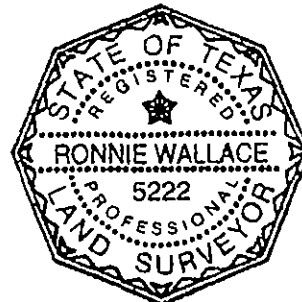
THENCE North 27°34'26" East (record - North 27°34'26" East) along the west line of the remainder of a 46.30 acre tract and the east right-of-way line of Brodie Lane a distance of 308.00 feet to the POINT OF BEGINNING.

This parcel contains 8.040 acres of land, more or less, out of the Theodore Bissell League, Survey No. 18, Abstract No. 3 in Travis County, Texas.

Description prepared from an on-the-ground survey made during July 2002.

Bearing Basis: East right-of-way line of Brodie Lane (R.O.W. varies) per deed of record in Volume 10635, Page 881 of the Real Property Records of Travis County, Texas, and per Travis County construction plans, CIP No. 3001, certified on September 30, 1987.

Ronnie Wallace      8 July 2004  
Ronnie Wallace      Date  
Registered Professional Land Surveyor  
State of Texas No. 5222



Job Number:

Attachments: Survey Drawing:\PROJECTS\HARRIS RANCH\DWG\8 AC. GR CO..DWG

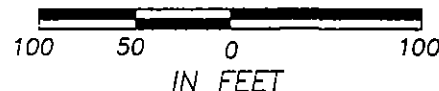
Fieldnote File: BASELINE\PROJECTS\HARRIS\F\_NOTES\8 AC. GR CO. FN



LOT 1  
BRODIE BUNCH NO. 1  
VOL. 8, PG. 173B  
P.R.T.C.T.

LOT 2  
BRODIE BUNCH NO. 1  
VOL. 8, PG. 173B  
P.R.T.C.T.

GRAPHIC SCALE



SEE SHEET 4 FOR LEGEND

R.O.W. LINE

R.O.W. LINE

DAVIS LANE (R.O.W. VARIES)

(S 60°00'00" E)  
S62°29'23"E 440.05'

S62°29'23"E  
(S 60°00'00" E)  
256.42'

4.054 ACRES  
(4.08 ACRES)

LYDIA WEGNER HARRIS  
VOL. 5080, PG. 747  
D.R.T.C.T.

*Theodore Bissell League  
Survey Number 18  
Abstract Number 3*

8.040 ACRES

8.631 ACRES

REMAINDER OF  
135.00 ACRES  
WOODSON W. HARRIS  
VOL. 4975, PG. 1342  
D.R.T.C.T.

INTERSECTION  
STA: 54+72.04

POINT OF  
BEGINNING

DEER LANE  
(R.O.W. VARIES)

POINT OF  
INTERSECTION  
STA: 53+80.53,  
50' LT.

N62°34'10"W

100.17'

POINT OF INTERSECTION  
STA: 53+80.53, 50' RT.

5/8"

MATCHLINE SHEET 3  
MATCHLINE SHEET 4

S28°22'52"W  
491.32'

304.90'  
S27°34'26"W

44.692 ACRES

REMAINDER OF  
46.30 ACRES

JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750

SKETCH TO ACCOMPANY FIELD NOTES OF 8.040 ACRES OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS; BEING 2.851 ACRES OUT OF A REMAINDER OF A 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING 5.189 ACRES OUT OF A REMAINDER OF A 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austin.tx.com

File: Project\Stamms Ranch\DWG18 Ac GR-CO.dwg

Job No.

Snapshot

Scale: Horizontal

Scale: Vertical

Date: 11/08/04

Checked By: JSL

Drawn By: RLW

SHEET

03 of 04



POINT OF  
INTERSECTION  
STA: 53+80.53,  
50' LT.

POINT OF  
BEGINNING

POINT OF INTERSECTION  
STA: 53+80.53, 50' RT.

N62°34'10"W  
100.17'

5/8"

MATCHLINE SHEET 3  
MATCHLINE SHEET 4

44.692 ACRES

REMAINDER OF  
46.30 ACRES

JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

PHILLIPS GAS PIPELINE  
10" NATURAL GAS LIQUID PIPELINE  
(EASEMENT WIDTH UNDEFINED)  
REPUTED ABANDONED PHILLIPS PIPELINE  
15' SOUTH OF OPERATING PIPELINE

R.O.W. LINE

BRODIE LANE (R.O.W. VARIES)

[N 27°34'26"E]  
N27°34'26"E 308.00'

304.90'  
S27°34'26"W

APPROXIMATE CENTERLINE  
OF PIPELINE  
(PER PIPELINE MARKERS)

N62°25'34"W 440.00'

44.692 ACRES

REMAINDER OF  
46.30 ACRES

JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

APPROXIMATE CENTERLINE  
OF PIPELINE  
(PER PIPELINE MARKERS)

PROPOSED SOUTH LINE OF  
EASEMENT

RANCHO GAS PIPELINE  
24" CRUDE OIL PIPELINE  
(EASEMENT WIDTH UNDEFINED)

GRAPHIC SCALE

100 50 0 100  
IN FEET

LEGEND

- ⊙ 1/2" IRON PIPE FOUND)
- 1/2" IRON REBAR FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT
- ( ) RECORD INFORMATION
- [ ] ADJOINER RECORD INFORMATION
- (D.R.T.C.T.) DEED RECORDS OF TRAVIS COUNTY, TEXAS
- (R.P.R.T.C.T.) REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- (O.P.R.T.C.T.) OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- (P.R.T.C.T.) PLAT RECORDS OF TRAVIS COUNTY, TEXAS

GRAPHIC SCALE

100 50 0 100  
IN FEET

SKETCH TO ACCOMPANY FIELD NOTES OF 8.040 ACRES OUT OF  
THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO.  
3 IN TRAVIS COUNTY, TEXAS; BEING 2.851 ACRES OUT OF A  
REMAINDER OF A 46.30 ACRE TRACT OF LAND CONVEYED TO  
JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT  
HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 OF THE  
DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING 5.189  
ACRES OUT OF A REMAINDER OF A 135.00 ACRE TRACT OF  
LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD  
IN VOL. 4975, PG. 1342 OF THE DEED RECORDS OF TRAVIS  
COUNTY, TEXAS.

BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 76757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austin.tx.com

File: Projects\Harris Ranch\DWG18 Ac. GR-CO.dwg

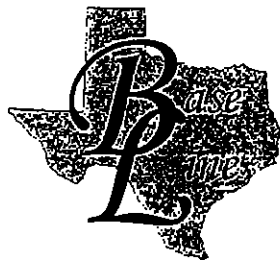
Job No. 1 Snapshot

Scale: Horizontal 1"=100' Scale: Vertical 1"=10'

Date: 12-08-04 Checked By: JSL Drawn By: RLW

SHEET

04 of 04



*Land Surveyors, Inc.*

*8000 Anderson Square Road*

*Suite 110*

*Austin, Texas 78757*

*Office: 512.374.9722*

*Fax: 512.459.4752*

**EXHIBIT B**

**METES AND BOUNDS DESCRIPTION**

BEING 81.499 ACRES, SURVEYED BY BASELINE LAND SURVEYORS, INC., OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3, IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA WEGNER HARRIS BY DEED OF RECORD IN VOLUME 5080, PAGE 747, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING 3.443 ACRES OUT OF THE REMAINDER OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOLUME 4975, PAGE 1342, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, AND ROBERT BRENT HARRIS BY DEED OF RECORD IN VOLUME 5135, PAGE 306, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING 33.120 ACRES OUT OF THE REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, AND ROBERT BRENT HARRIS BY DEED OF RECORD IN VOLUME 5080, PAGE 750, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING 30.095 ACRES OUT OF THE REMAINDER OF A CALLED 67.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, AND ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOLUME 4365, PAGE 348, AND VOLUME 4365, PAGE 352, BOTH OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8" iron rebar found for a point of intersection in the east right-of-way line of Brodie Lane (R.O.W. Varies) 50 feet right of and at right angles to Engineer's Centerline Station 53+80.53, in the west line of said remainder of a 135.00 acre tract of land, from which a 1/2" iron rebar found for a point of intersection in the west right-of-way line of Brodie Lane, 50 feet left of and at right angles to Engineer's Centerline Station 53+80.53, bears North 62°34'10" West a distance of 100.17 feet;

THENCE South 27°34'26" West (record - South 27°34'26" West), with the west line of the remainder of said 135.00 acre tract and the east right-of-way line of Brodie Lane, passing at a distance of 25.96 feet a calculated point for the southwest corner of the remainder of a 135.00 acre tract, same being the northwest corner of the remainder of a 46.30 acre tract, and continuing with the west line of the remainder of a 46.30 acre tract and the east right-of-way line of Brodie Lane for a total distance of 308.00 feet to a calculated point for the POINT OF BEGINNING.

THENCE South 62°25'34" East, crossing through the remainder of a 46.30 acre tract a distance of 440.00 feet to a calculated point;

CL14-05-0151  
SF-6-COZENING  
Page 1 of 14  
Tract 2

THENCE North 27°34'26" East, continuing through the remainder of a 46.30 acre tract and crossing into the remainder of a 135.00 acre tract along a line parallel with and 440.00 feet east of (as measured perpendicularly) the west line of the remainder of a 135.00 acre tract and the east right-of-way line of Brodie Lane a distance of 304.90 feet to a calculated point;

THENCE North 28°22'52" East, crossing through the remainder of a 135.00 acre tract along a line parallel with and 440.00 feet east of (as measured perpendicularly) the west line of the remainder of a 135.00 acre tract and the east right-of-way line of Brodie Lane a distance of 491.32 feet to a calculated point in the north line of the remainder of a 135.00 acre tract, same being the south right-of-way line of Davis Lane (R.O.W. varies), from which a calculated point in a 30" mesquite tree for the northwest corner of the remainder of a 135.00 acre tract, in the south right-of-way line of Davis Lane bears North 62°29'23" West a distance of 440.05 feet;

THENCE South 62°29'23" East (record- South 60°00'00" East), along the north line of the remainder of a 135.00 acre tract and the south right-of-way line of Davis Lane a distance of 256.42 feet to a 1/2" iron pipe found for the northeast corner of the remainder of a 135.00 acre tract, same being the northwest corner of said 4.08 acre tract;

THENCE South 62°26'45" East (record - South 60°00'00" East), with the south right-of-way line of Davis Lane and the north line of the 4.08 acre tract, passing at a distance of 436.74 feet a 1/2" iron rebar found for the northeast corner of the 4.08 acre tract and the northwest corner of said 10.70 acre tract and continuing for a total distance of 496.74 feet to a 1/2" iron rebar found with plastic cap which reads "Baseline Inc.";

THENCE, with the south right-of-way line of Davis Lane and the north line of the 10.70 acre tract, the following two (2) courses:

1. South 60°07'05" East (record - South 58°26'00" East) a distance of 407.81 feet to a 1/2" iron rebar found with plastic cap which reads "Baseline Inc.";
2. South 62°15'55" East a distance of 410.00 feet (record - South 59°39'00" East a distance of 410.00 feet) to a 1/2" iron pipe found for the northeast corner of the 10.70 acre tract and the northwest corner of said remainder of a 67.60 acre tract;

THENCE continue South 62°15'55" East (record - South 59°39'00" East), with the north line of the portion of a remainder of a 67.60 acre tract and the south right-of-way line of Davis Lane, a distance of 1090.01 feet to a 1/2" iron rebar found for a point of curvature, and being the northeast corner of the portion of a remainder of a 67.60 acre tract and the northwest corner of a 3.047 acre tract of land conveyed to the Austin Independent School District by deed of record in Document No. 1999052826 of the Official Public Records of Travis County, Texas, from which a 1/2" iron rebar found for the northeast corner of said 3.047 acre tract in the south right-of-way line of Davis Lane, bears South 62°12'31" East a distance of 129.98 feet (record - South 59°39'00" East a distance of 130.01 feet);

THENCE, along the east line of the portion of a remainder of a 67.60 acre tract and the west line of the 3.047 acre tract, the following seven (7) courses:

1. Along a curve to the right having a radius of 20.00 feet (record - 20.00'), a delta angle of 90°31'18" (record - 90°51'28"), a length of 31.60 feet (record - 31.72 feet), and a chord which bears South 16°45'30" East a distance of 28.41 feet (record -

South 14°13'16" East a distance of 28.50 feet) to a 1/2" iron rebar found for a point of tangency;

2. South 28°38'05" West a distance of 129.09 feet (record - South 31°12'28" West a distance of 129.04 feet) to a 1/2" iron rebar found for a point of curvature;
3. Along a curve to the right having a radius of 955.00 feet (record - 955.00 feet), a delta angle of 14°35'30" (record - 14°35'23"), a length of 243.21 feet (record - 243.18 feet), and a chord which bears South 35°54'03" West a distance of 242.55 feet (record - South 38°30'10" West a distance of 242.52 feet) to a 1/2" iron rebar found for a point of tangency;
4. South 43°13'22" West a distance of 166.73 feet (record - South 45°47'51" West a distance of 166.80 feet) to a 1/2" iron rebar found for a point of curvature;
5. Along a curve to the left having a radius of 1045.00 feet (record - 1045.00 feet), a delta angle of 21°51'25" (record - 21°51'20"), a length of 398.64 feet (record - 398.62 feet), and a chord which bears South 32°16'38" West a distance of 396.23 feet (record - South 34°52'11" West a distance of 396.20 feet) to a 1/2" iron rebar found for a point of tangency;
6. South 21°23'01" West a distance of 299.88 feet (record - South 23°56'31" West a distance of 299.86 feet) to a 1/2" iron rebar found for a point of curvature;
7. Along a curve to the right having a radius of 1355.00 feet (record - 1355.00 feet), a delta angle of 00°38'11", a length of 15.05 feet and a chord which bears South 21°38'50" West a distance of 15.05 feet to a calculated point, from which a 1/2" rebar found for a point of tangency in the east line of the remainder of a 67.60 acre tract and the west line of the 3.047 acre tract bears along a curve to the right, having a radius of 1355.00 feet (record - 1355.00 feet), a delta angle of 05°13'01", a length of 123.38 feet and a chord which bears South 24°34'27" West a distance of 123.33 feet;

THENCE North 62°47'55" West, crossing through the remainder of a 67.60 acre tract, along a line 200.00 feet north of (as measured perpendicularly) the south line of the remainder of a 67.60 acre tract a distance of 1025.85 feet to a calculated point in the approximate west line of the remainder of a 67.60 acre tract and the east line of the 46.30 acre tract;

THENCE crossing through the remainder of a 46.30 acre tract, along the following three (3) courses that are 200.00 feet north of (as measured perpendicularly) the south line of the remainder of a 46.30 acre tract;

1. North 62°41'13" West a distance of 379.11 feet to a calculated point;
2. North 62°40'29" West a distance of 766.46 feet to a calculated point;
3. North 62°18'54" West a distance of 874.93 feet to a calculated point in the west line of the remainder of a 46.30 acre tract, same being the east right-of-way line of Brodie Lane, from which a 1/2" iron rebar found with plastic cap which reads "Baseline Inc.", for the southwest corner of the remainder of a 46.30 acre tract, in

the east right-of-way line of Brodie Lane bears South 27°34'26" West (record – South 27°34'26" West) a distance of 200.00 feet;

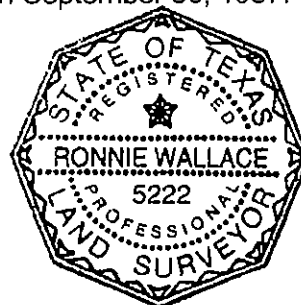
THENCE North 27°34'26" East (record - North 27°34'26" East), with the west line of the remainder of a 46.30 acre tract and the east right-of-way line of Brodie Lane, a distance of 491.96 feet to the POINT OF BEGINNING.

This parcel contains 81.499 acres of land, more or less, out of the Theodore Bissell League, Survey No. 18, Abstract No. 3 in Travis County, Texas.

Description prepared from an on-the-ground survey made during July 2002.

Bearing Basis: East right-of-way line of Brodie Lane (R.O.W. varies) per deed of record in Volume 10635, Page 881 of the Real Property Records of Travis County, Texas, and per Travis County construction plans, CIP No. 3001, certified on September 30, 1987.

Ron C. Wallace      8 July 2004  
Ronnie Wallace      Date  
Registered Professional Land Surveyor  
State of Texas No. 5222



Attachments: Survey Drawing \PROJECTS\HARRIS\DWG\81.5 AC. SF6-CO.DWG  
Fieldnote File: \PROJECTS\HARRIS\F\_NOTES\81.5 AC. S6-CO.DOC

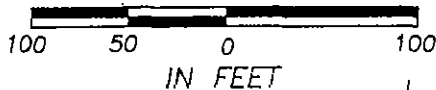
LOT 3  
DEERFIELD AT BRODIE  
SECTION III  
P.R.T.C.T.

INTERSECTION  
STA: 58+93.29



LOT 1  
DEERFIELD AT BRODIE  
SECTION II  
P.R.T.C.T.

GRAPHIC SCALE



DEER LANE  
(R.O.W. VARIES)

POINT OF INTERSECTION  
STA: 53+80.53, 50' LT.

SOUTH CANE PATCH LTD.  
196.27 ACRES  
DOC. NO. 2000028175  
O.P.R.T.C.T.

R.O.W. LINE

BEARING BASIS

[S 27°34'26" W]  
S27°34'26" W

G.212 ACRES  
DEDICATED FOR R.O.W.  
BRODIE BUNCH NO. 1  
VOL. 8, PG. 173B  
P.R.T.C.T.

R.O.W. LINE

R.O.W. LINE

DAVIS LANE (R.O.W. VARIES)  
N62°29'23" W 440.05'

(N 60°00'00" W)

- ⊙ 1/2" IRON PIPE FOUND
- 1/2" IRON REBAR FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT
- ( ) RECORD INFORMATION
- [ ] ADJOINER RECORD INFORMATION

D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS

R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS

O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS

CURVE TABLE

| CURVE      | RADIUS   | LENGTH  | DELTA     | BEARING     | CHORD   |
|------------|----------|---------|-----------|-------------|---------|
| C1         | 20.00'   | 31.60'  | 90°31'18" | S16°45'30"E | 28.41'  |
| (C1)       | 20.00'   | 31.72'  | 90°51'28" | S14°13'16"E | 28.50'  |
| C2         | 955.00'  | 243.21' | 14°35'30" | S35°54'03"W | 242.55' |
| (C2)       | 955.00'  | 243.18' | 14°35'23" | S38°30'10"W | 242.52' |
| C3         | 1045.00' | 398.64' | 21°51'25" | S32°16'38"W | 396.23' |
| (C3)       | 1045.00' | 398.62' | 21°51'20" | S34°52'11"W | 396.20' |
| C4         | 1355.00' | 15.05'  | 0°38'11"  | S21°38'50"W | 15.05'  |
| (1355.00') |          |         |           |             |         |
| C5         | 1355.00' | 123.38' | 5°13'01"  | S24°34'27"W | 123.33' |
| (1355.00') |          |         |           |             |         |

POINT OF  
COMMENCING

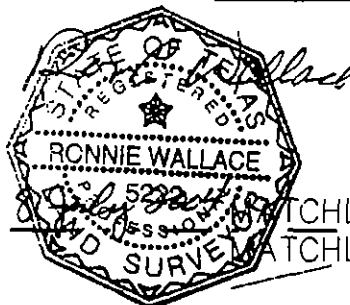
REMAINDER OF  
135.00 ACRES  
WOODSON W. HARRIS  
VOL. 4975, PG. 1342  
D.R.T.C.T.

POINT OF INTERSECTION  
STA: 53+80.53, 50' RT.

100.17' 5/8"  
N62°34'10" W

25.96'

PHILLIPS GAS PIPELINE  
10" NATURAL GAS LIQUID PIPELINE  
(EASEMENT WIDTH UNDEFINED)  
REPUTED ABANDONED PHILLIPS PIPELINE  
15' SOUTH OF OPERATING PIPELINE



MATCHLINE SHEET 5  
MATCHLINE SHEET 14

N28°22'52"E

491.32'

MATCHLINE SHEET 5  
MATCHLINE SHEET 6

N27°34'26"E

304.90'

SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE HISSKILL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT OF A REMAINDER OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 308; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 48.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.095 ACRES OUT OF A REMAINDER OF A CALLED 67.80 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4385, PG. 348 AND VOL. 4385, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austlnr.com

File: Projects\Harris Ranch\06181.499 Ac. SF6-CG.dwg

Job No.

Snapshot:

Scale (Horizontal):

1"=100'

Scale (Vertical):

Date: 07/07/04

Checked By: JS

Drawn By: RLW

SHEET

05 OF 14

R.O.W. LINE

(S 60°00'00" E)

S62°26'45"E

496.74'

436.74'

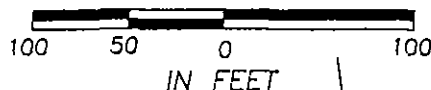
S62°29'23"E 256.42'  
(S 60°00'00" E)REMAINDER OF  
135.00 ACRES  
WOODSON W. HARRIS  
VOL. 4975, PG. 1342  
D.R.T.C.T.

NORTH

(4.08 ACRES)  
LYDIA WEGNER HARRIS  
VOL. 5080, PG. 747  
D.R.T.C.T.

81.499 ACRES

GRAPHIC SCALE

(10.70 ACRES)  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5135, PG. 306  
D.R.T.C.T.(46.30 ACRES)  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.MATCHLINE SHEET 6  
MATCHLINE SHEET 13

SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA WEGNER HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT OF A REMAINDER OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 306; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.095 ACRES OUT OF A REMAINDER OF A CALLED 87.80 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4365, PG. 348 AND VOL. 4365, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

## BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austin.tx.com

File: Projects\Harris Ranch\DWG\161.459 Ac. SF5-CO.dwg

Job No.

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1"=100'

Scale (Vert.)

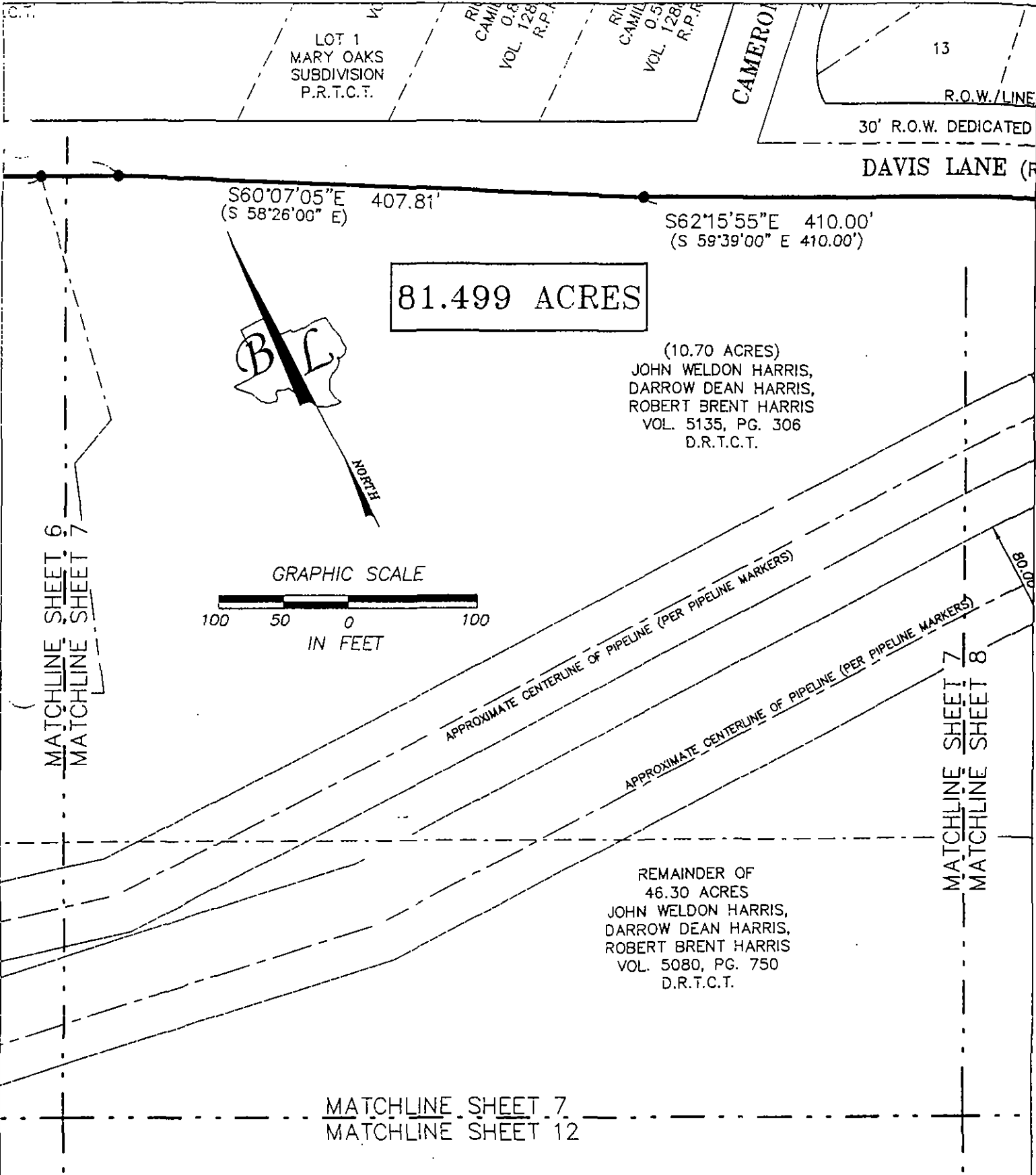
Date: 07/04

Checked By: JSL

Drawn By: RLW

SHEET

06 OF 14



SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE HISSKILL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA WELDON HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT OF A REMAINDER OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 306; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.095 ACRES OUT OF A REMAINDER OF A CALLED 87.80 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4365, PG. 348 AND VOL. 4365, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

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8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

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ron-baseline@austin.tx.com

File: Projects\grms Ranch\Drawn\81.499 Ac. SF6-CO.dwg

Job No.

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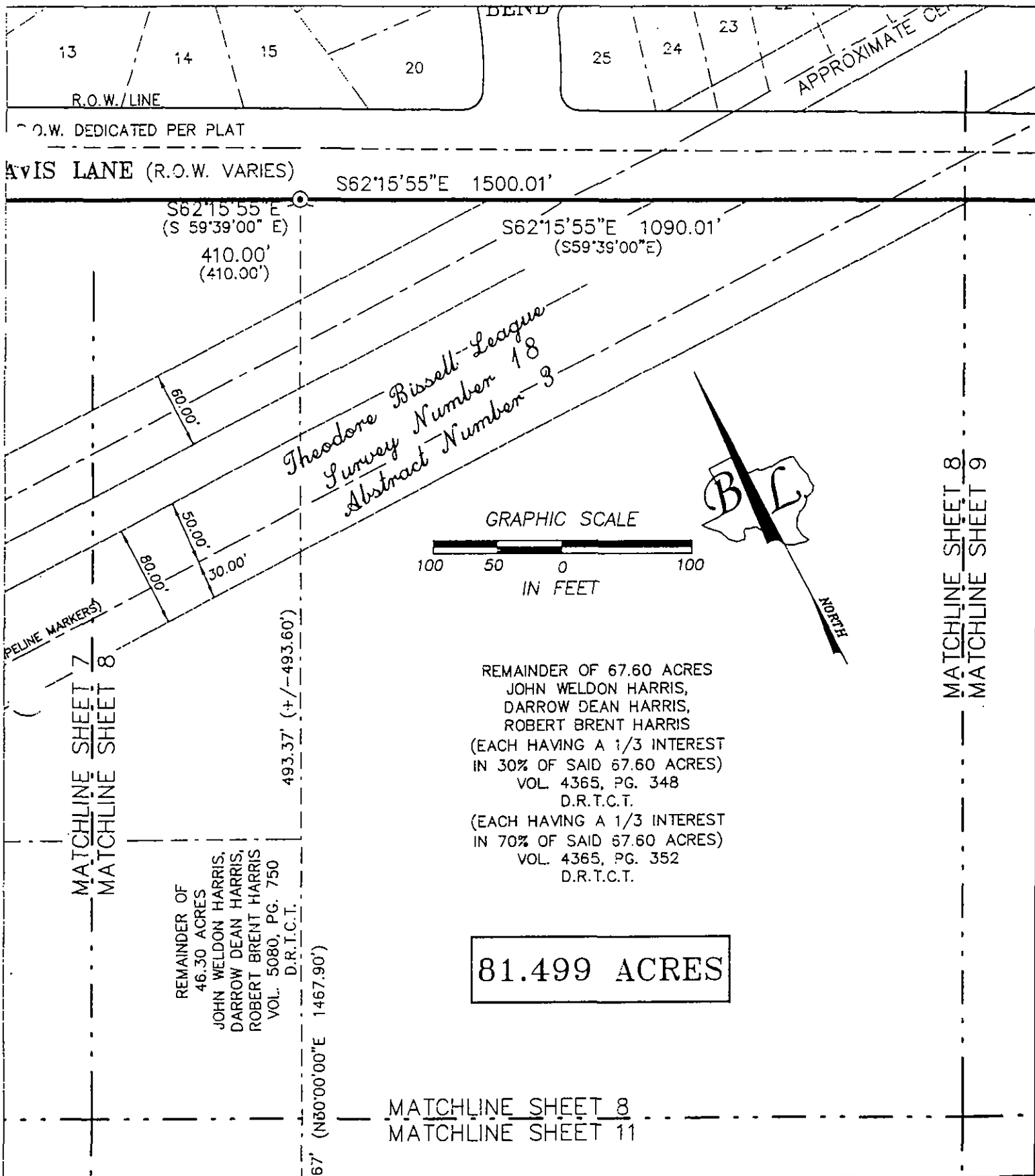
Date: 12/07/04

Checked By: JSL

Drawn By: RLW

SHEET  
07 OF 14





SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA WEE HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT REMAINDER OF A CALLED 138.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 306; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.095 ACRES OUT OF A REMAINDER OF A CALLED 67.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4365, PG. 348 AND VOL. 4365, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

# BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

8600 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

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ron-baseline@austin.tx.com

File: Projects/Harris Ranch/Dwg181.499 Ac. SFE-CO.dwg

Job No.

Snapsort

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1"=100'

Scale: Feet

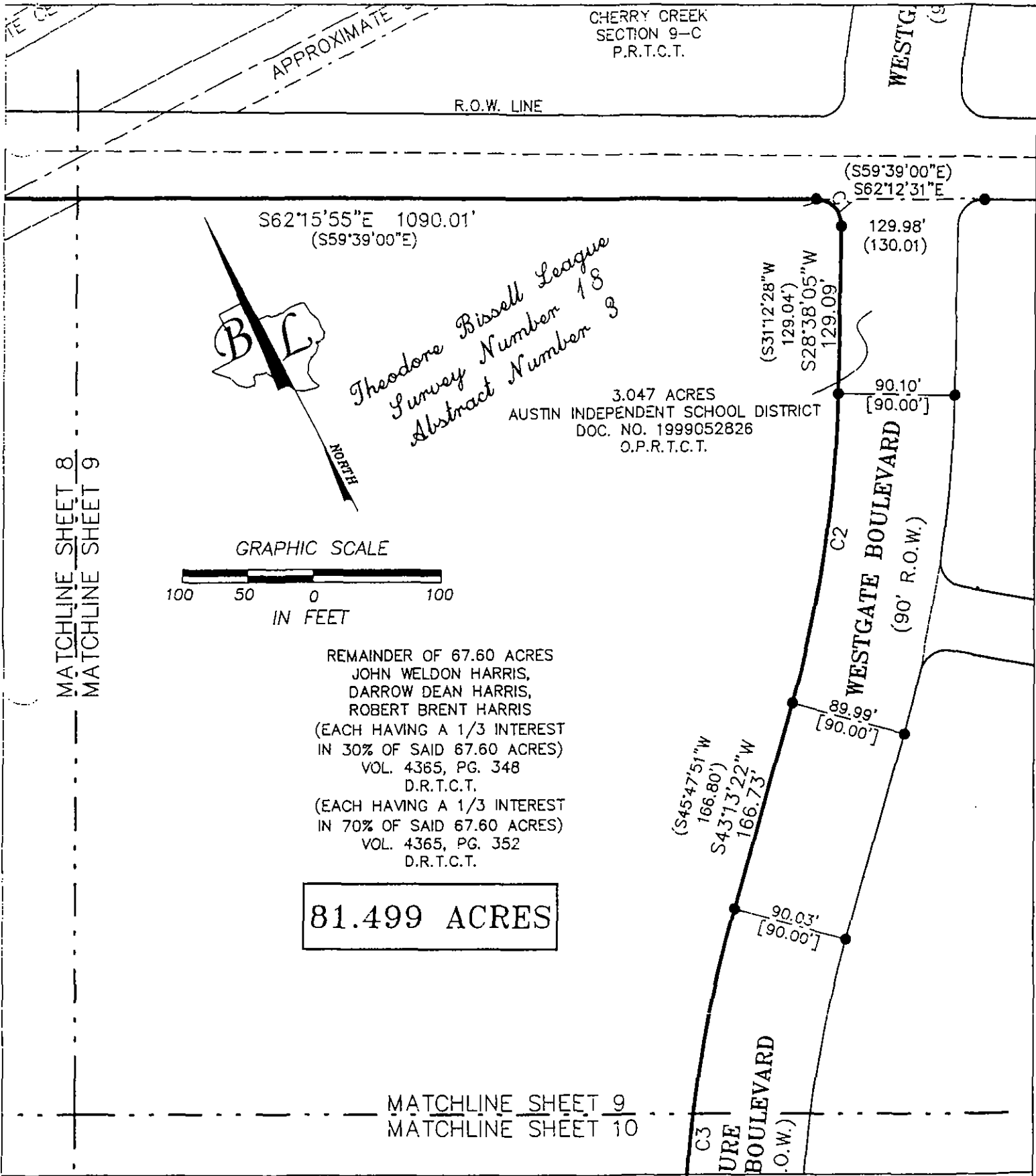
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SHEET

08 OF 14



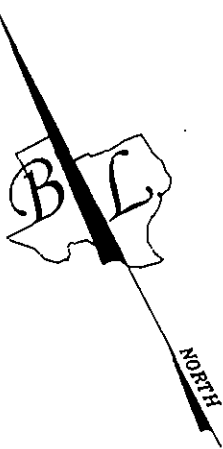
SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.064 ACRES THAT IS ALL OF A CALLED 4.06 ACRE TRACT OF LAND CONVEYED TO LYDIA HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT OF A REMAINDER OF A CALLED 136.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4978, PG. 1342; BEING 10.767 ACRES THAT IS ALL OF A CALLED 10.76 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 306; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 48.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.095 ACRES OUT OF A REMAINDER OF A CALLED 67.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4365, PG. 348 AND VOL. 4365, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

**BASELINE LAND SURVEYORS, INC.**  
 PROFESSIONAL LAND SURVEYING SERVICES  
 3000 ANDERSON SQUARE ROAD, SUITE 110  
 AUSTIN, TEXAS 78757  
 OFFICE: 512.374.9722 FAX: 512.459.4752  
 ron.baseline@austin.tx.com

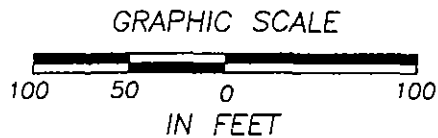
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| Date: 3/16/04  | Checked By: JSL |
| Drawn By: RLW  |                 |

**SHEET 09 OF 14**

MATCHLINE SHEET 9  
MATCHLINE SHEET 10



REMAINDER OF 67.60 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
(EACH HAVING A 1/3 INTEREST  
IN 30% OF SAID 67.60 ACRES)  
VOL. 4365, PG. 348  
D.R.T.C.T.  
(EACH HAVING A 1/3 INTEREST  
IN 70% OF SAID 67.60 ACRES)  
VOL. 4365, PG. 352  
D.R.T.C.T.



MATCHLINE SHEET 11  
MATCHLINE SHEET 10

81.499 ACRES

N62°47'55"W 1025.85'

REMAINDER OF 67.60 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
(EACH HAVING A 1/3 INTEREST  
IN 30% OF SAID 67.60 ACRES)  
VOL. 4365, PG. 348  
D.R.T.C.T.  
(EACH HAVING A 1/3 INTEREST  
IN 70% OF SAID 67.60 ACRES)  
VOL. 4365, PG. 352  
D.R.T.C.T.

C3  
FUTURE  
WESTGATE BOULEVARD  
(90' R.O.W.)  
89.95'  
[90.00']  
AUSTIN INDEPENDENT SCHOOL DISTRICT  
3.047 ACRES  
DOC. NO. 1999052826  
O.P.R.T.C.T.  
89.99'  
[90.00']  
C4  
C5

(S 23°56'31" W 299.86')  
(S 21°23'01" W 299.88')

CHERRY CREEK  
SECTION 17  
VOL. 94, PG. 341  
P.R.T.C.T.

BLOCK C

16 17 18 19 20 21 22 23 24 25 26

SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE RUSSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA NEER HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT OF A REMAINDER OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 306; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.095 ACRES OUT OF A REMAINDER OF A CALLED 67.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4365, PG. 348 AND VOL. 4365, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

3000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austin.tx.com

File: Project\Harris Ranch\Draw\81.499 Ac. SF6-CO.dwg

Job No.

Snapshot

Scale: 1"=100'

Scale (vert.):

Date: 07/04

Checked By: JSL

Drawn By: RLW

SHEET

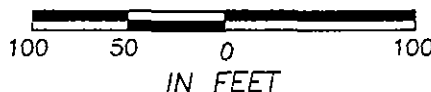
10 OF 14

MATCHLINE SHEET 8  
MATCHLINE SHEET 11

*Theodore Bissell League  
Survey Number 18  
Abstract Number 3*

REMAINDER OF 67.60 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
(EACH HAVING A 1/3 INTEREST  
IN 30% OF SAID 67.60 ACRES)  
VOL. 4365, PG. 348  
D.R.T.C.T.  
(EACH HAVING A 1/3 INTEREST  
IN 70% OF SAID 67.60 ACRES)  
VOL. 4365, PG. 352  
D.R.T.C.T.

GRAPHIC SCALE



NORTH

MATCHLINE SHEET 12  
MATCHLINE SHEET 11

REMAINDER OF  
46.30 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

81.499 ACRES

MATCHLINE SHEET 11  
MATCHLINE SHEET 10

N62°41'13"W  
379.11'

REMAINDER OF  
46.30 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

N62°47'55"W 1025.85'  
REMAINDER OF 67.60 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
(EACH HAVING A 1/3 INTEREST  
IN 30% OF SAID 67.60 ACRES)  
VOL. 4365, PG. 348  
D.R.T.C.T.  
(EACH HAVING A 1/3 INTEREST  
IN 70% OF SAID 67.60 ACRES)  
VOL. 4365, PG. 352  
D.R.T.C.T.

BLOCK B

5

6

7

8

9

10' P.U.E.  
VOL. 8917, PG. 433

16

17

SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.05 ACRE TRACT OF LAND CONVEYED TO LYDIA HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 306; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.095 ACRES OUT OF A REMAINDER OF A CALLED 67.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4365, PG. 348 AND VOL. 4365, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

**BASELINE LAND SURVEYORS, INC.**

PROFESSIONAL LAND SURVEYING SERVICES

8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austin.tx.com

File: Projects\Harris Ranch\DWG\81.499 Ac. 556-00.dwg

Job No.

Snapshot:

Scale (Horizontal)

1"=100'

Scale (Vertical)

Date: 11-27-04

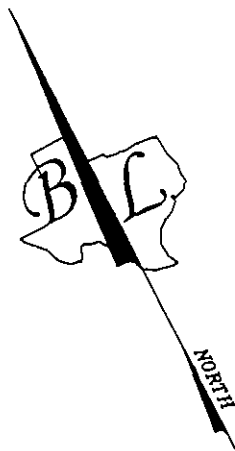
Checked By: JSL

Drawn By: RLW

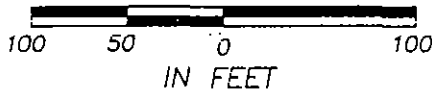
SHEET

11 OF 14

MATCHLINE SHEET 7  
MATCHLINE SHEET 12



GRAPHIC SCALE



REMAINDER OF  
46.30 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

81.499 ACRES

MATCHLINE SHEET 13  
MATCHLINE SHEET 12

MATCHLINE SHEET 12  
MATCHLINE SHEET 11

N62°40'29"W 766.46'

N62°41'13"W  
379.11'

REMAINDER OF  
46.30 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

BLOCK 3

CHERRY CREEK  
SECTION 11  
VOL. 91, PG. 74  
P.R.T.C.T.

BLOCK B

15

16

17

18

19

20

21

1

2

3

4

5

SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT REMAINDER OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 306; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.095 ACRES OUT OF A REMAINDER OF A CALLED 67.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4365, PG. 348 AND VOL. 4365, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

**BASELINE LAND SURVEYORS, INC.**

PROFESSIONAL LAND SURVEYING SERVICES

8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austin.tx.com

File: Projects\Harris Ranch\DWG\181.499 Ac. SF5-CO.dwg

Job No:

Snapshot:

Scale (horizontal):

1"=100'

Scale (vertical):

Date: 07/07/04

Checked By: JSL

Drawn By: RLW

SHEET

12 OF 14

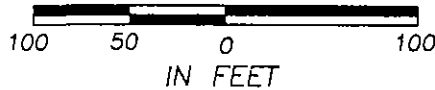
MATCHLINE SHEET 6  
MATCHLINE SHEET 13

*Theodore Bissell League  
Survey Number 18  
Abstract Number 3*



NORTH

GRAPHIC SCALE



REMAINDER OF  
46.30 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

**81.499 ACRES**

MATCHLINE SHEET 14  
MATCHLINE SHEET 13

MATCHLINE SHEET 13  
MATCHLINE SHEET 12

N62°18'54"W 874.93'

N62°40'29"W 766.46'

REMAINDER OF  
46.30 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

15 LOT 14

LOT 13

1

1

14

15

SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.064 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA WILKIE HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 306; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.096 ACRES OUT OF A REMAINDER OF A CALLED 67.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4365, PG. 348 AND VOL. 4365, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

**BASELINE LAND SURVEYORS, INC.**

PROFESSIONAL LAND SURVEYING SERVICES

8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austin.tx.com

|  |                       |
|--|-----------------------|
| File: Project\Harris Ranch\DWG\81.499 Ac. SF6-00.dwg | Snapshot:             |
| Job No:  | Scale: Horiz: 1"=100' |
| Date: 11/27/04                                       | Checked By: JSL       |
| Drawn By: RLW  |                       |

SHEET  
13 OF 14

MATCHLINE SHEET 5  
MATCHLINE SHEET 14

Samuel W. Hamilton League  
Survey Number 16

R.O.W. LINE

BEARING BASIS  
[S 27°34'26" W]  
S27°34'26" W

POINT OF  
BEGINNING

S62°25'34"E 440.00'

RANCHO GAS PIPELINE  
24" CRUDE OIL PIPELINE  
(EASEMENT WIDTH UNDEFINED)

REMAINDER OF  
46.30 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

Theodore Bissell League  
Survey Number 18  
Abstract Number 3

81.499 ACRES

BRODIE LANE (R.O.W. VARIES)

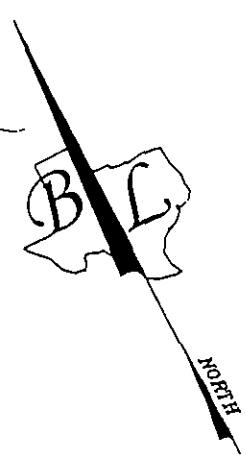
N 27°34'26" E 491.96'  
[N 27°34'26" E]  
BEARING BASIS

N62°18'54"W 874.93'

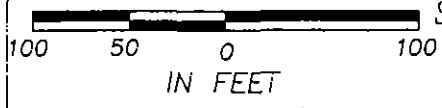
REMAINDER OF  
46.30 ACRES  
JOHN WELDON HARRIS,  
DARROW DEAN HARRIS,  
ROBERT BRENT HARRIS  
VOL. 5080, PG. 750  
D.R.T.C.T.

[S 27°34'26" W]  
S27°34'26" W  
200.00'

MATCHLINE SHEET 14  
MATCHLINE SHEET 13



GRAPHIC SCALE



CHERRY CREEK SECTION TWELVE  
VOL. 91, PG. 20  
P.R.T.C.T.

LOT 20  
BLOCK A  
(2.778 ACRES)

LOT 15

LOT 14

SKETCH TO ACCOMPANY FIELD NOTES OF 81.499 ACRES OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3 IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.05 ACRE TRACT OF LAND CONVEYED TO LYDIA HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 747; BEING 3.443 ACRES OUT REMAINDER OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOL. 4975, PG. 1342; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5135, PG. 308; BEING 33.120 ACRES OUT OF A REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEED OF RECORD IN VOL. 5080, PG. 750 AND BEING 30.085 ACRES OUT OF A REMAINDER OF A CALLED 87.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOL. 4385, PG. 348 AND VOL. 4385, PG. 352; ALL OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

8000 ANDERSON SQUARE ROAD, SUITE 110

AUSTIN, TEXAS 78757

OFFICE: 512.374.9722 FAX: 512.459.4752

ron-baseline@austin.tx.com

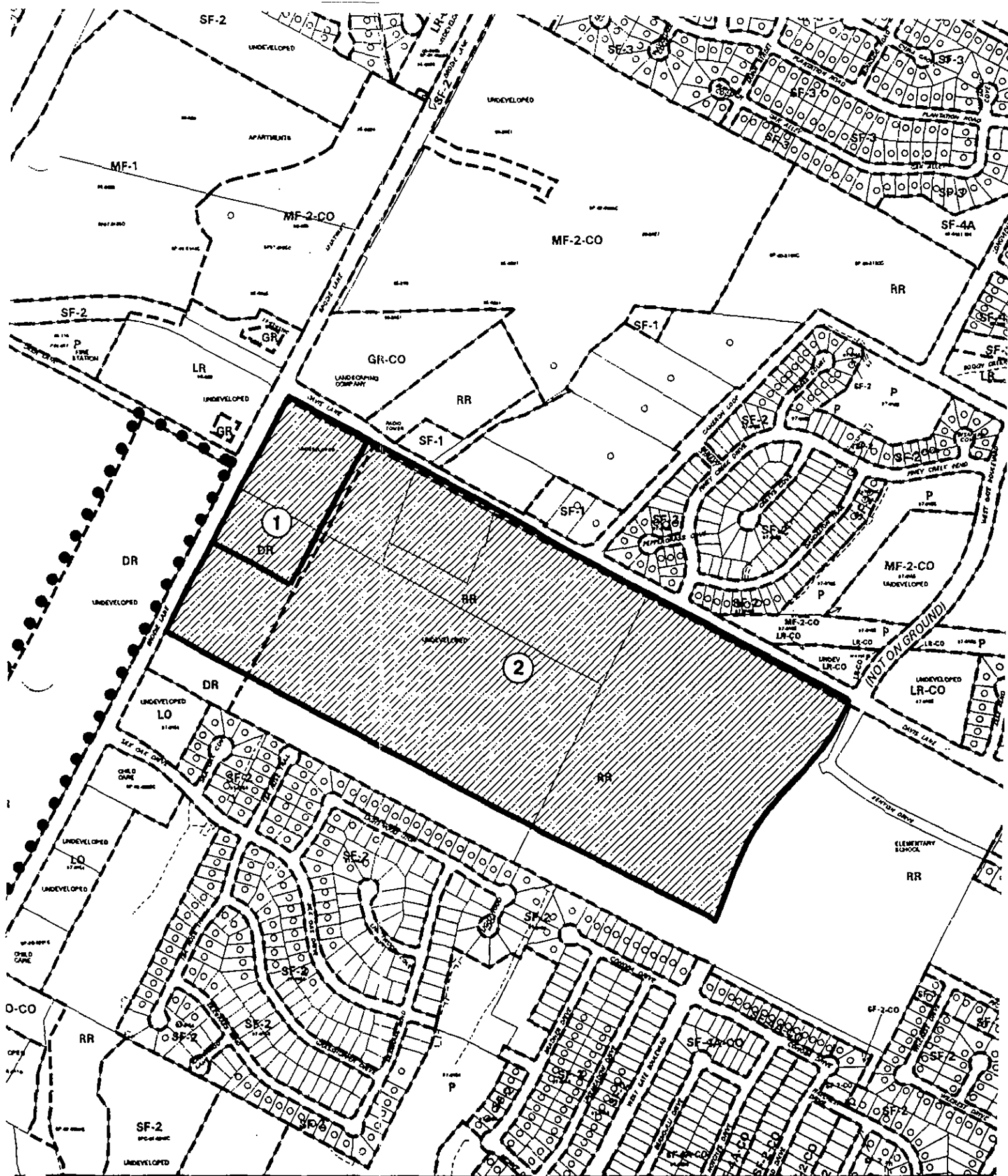
File: Projects\Harris Ranch\DWG\81.499 Ac. SF6-CO.dwg

Job Ac: Snapshot:

Scale: Horiz. 1"=100' Scale: Vert.:

Date: 11/17/04 Checked By: JSL Drawn By: RLW

SHEET  
14 OF 14



SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY  
 CASE MGR: W. WALSH



CASE #: C14-03-0157

ADDRESS: DAVIS LN BETWEEN WEST

GATE BLVD & BRODIE LN  
 SUBJECT AREA (acres): 89.522

ZONING EXHIBIT C

DATE: 04-07

INTLS: SM

CITY GRID  
 REFERENCE  
 NUMBER  
 D15-18

1" = 600'



**RESTRICTIVE COVENANT**

OWNERS: John Weldon Harris

Darrow Dean Harris

Robert Brent Harris

ADDRESS: 3329 Davis Lane, Austin, Texas 78745

CONSIDERATION: Ten and No/100 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: Two tracts of land consisting of an 8.040 acre tract and an 81,499 acre tract out of the Theodore Bissell League Survey No. 18, in Travis County, the tracts of land being more particularly described by metes and bounds in Exhibits "A" and "B" attached and incorporated into this covenant.

WHEREAS, the Owners of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owners 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 Owners of the Property, its heirs, successors, and assigns.

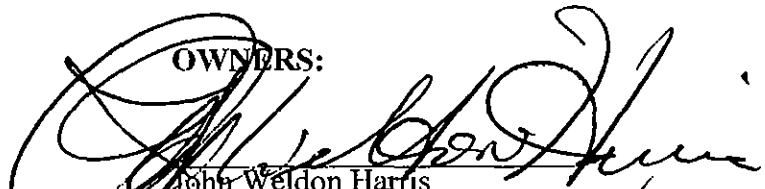
1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generates traffic that exceeds the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by Alliance Texas Engineering Co., dated December 2003, or as amended and approved by the Director of the Watershed Protection and Development Review Department. Development on the Property is subject to the recommendations contained in the memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department dated August 16, 2004. The TIA shall be kept on file at the Watershed Protection and Development Review Department.
2. At the time an application for approval of a site plan is submitted for development of the Property, or any portion of the Property, an Integrated Pest Management (IPM) plan shall be submitted to the Watershed Protection and Development Review Department for review and approval. The IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual that are in effect on the date of this covenant.
3. At the time an application for approval of a site plan is submitted for development of the Property, or any portion of the Property, a landscape plan shall be submitted to the Watershed Protection and Development Review Department for review and approval. Ninety percent of the total plant material used, exclusive of turf, shall be native to Central

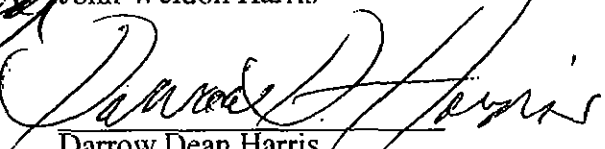
Texas or on the Grow Green Native and Adapted Landscape Plants list, attached as Exhibit "C". Plants on the Invasive Species/Problem Plants list, attached as Exhibit "D", may not be included.

4. The use of coal tar based asphalt sealants for construction or repair of asphaltic concrete paving is prohibited on the Property.
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 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.

EXECUTED this the 19 day of August, 2004.

OWNERS:

  
John Weldon Harris

  
Darrow Dean Harris

  
Robert Brent Harris

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney  
City of Austin

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 20th day of August, 2004,  
by John Weldon Harris.

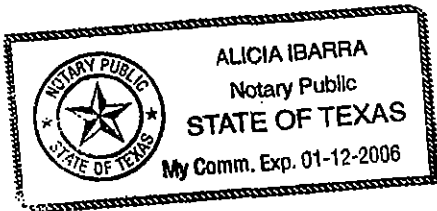


Emma Kelly  
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 19 day of August, 2004,  
by Darrow Dean Harris.

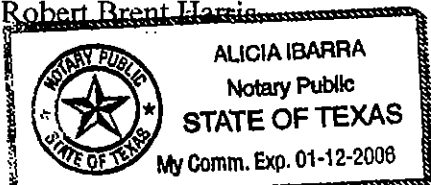


Alicia Ibarra  
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 19 day of August, 2004,  
by Robert Brent Harris.



Alicia Ibarra  
Notary Public, State of Texas

After Recording, Please Return to:  
City of Austin  
Department of Law  
P. O. Box 1088  
Austin, Texas 78767-1088  
Attention: Diana Minter, Legal Assistant



*Land Surveyors, Inc.*

*8000 Anderson Square Road  
Suite 110*

*Austin, Texas 78757*

*Office: 512.374.9722*

*Fax: 512.459.4752*

TRACT 1  
GR-CO  
Page 1 of 4

C14-03-0157

## EXHIBIT A

### METES AND BOUNDS DESCRIPTION

BEING 8.040 ACRES, SURVEYED BY BASELINE LAND SURVEYORS, INC., OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3, IN TRAVIS COUNTY, TEXAS, AND BEING 2.851 ACRES OUT OF A REMAINDER OF A 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, AND ROBERT BRENT HARRIS BY DEED OF RECORD IN VOLUME 5080, PAGE 750, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING 5.189 ACRES OUT OF A REMAINDER OF A 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOLUME 4975, PAGE 1342, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron rebar found for a point of intersection in the east right-of-way line of Brodie Lane (R.O.W. Varies) 50 feet right of and at right angles to Engineer's Centerline Station 53+80.53, in the west line of said remainder of a 135.00 acre tract of land, from which a 1/2" iron rebar found for a point of intersection in the west right-of-way line of Brodie Lane, 50 feet left of and at right angles to Engineer's Centerline Station 53+80.53, bears North 62°34'10" West a distance of 100.17 feet;

THENCE North 28°22'52" East (record - North 28°22'52" East), with the east right-of-way line of Brodie Lane and the west line of the remainder of a 135.00 acre tract, a distance of 487.73 feet (record - 490.24 feet) to a calculated point in a 30" mesquite tree for the northwest corner of the remainder of a 135.00 acre tract, in the south right-of-way line of Davis Lane (R.O.W. Varies), from which a 1/2" iron rebar found in the east right-of-way line of Brodie Lane for the southwest corner of Lot 1, Brodie Bunch No. 1, a subdivision of record in Volume 8, Page 173B of the Plat Records of Travis County, Texas bears North 28°22'52" East a distance of 98.00 feet;

THENCE South 62°29'23" East (record - South 60°00'00" East), with the south right-of-way line of Davis Lane and the north line of the remainder of a 135.00 acre tract, a distance of 440.05 feet to a calculated point, from which a 1/2" iron pipe found for the northeast corner of the remainder of a 135.00 acre tract and the northwest corner of a 4.08 acre tract of land conveyed to Lydia Wegner Harris by deed of record in Volume 5080, Page 747 of the Deed Records of Travis County, Texas bears South 62°29'23" East a distance of 256.42 feet;

THENCE South 28°22'52" West, crossing through the remainder of a 135.00 acre tract, along a line parallel with and 440.00' east of (as measured perpendicularly) the west line of the remainder of a 135.00 acre tract and the east right-of-way line of Brodie Lane a distance of 491.32 feet to a calculated point;

THENCE South 27°34'26" West, continuing through the remainder of a 135.00 acre tract and into the remainder of a 46.30 acre tract along a line parallel with and 440.00' east of (as measured perpendicularly) the west line of the remainder of a 135.00 acre tract and the east right-of-way line of Brodie Lane a distance of 304.90 feet to a calculated point

THENCE North 62°25'34" West, continuing through the remainder of a 46.30 acre tract a distance of 440.00 feet to a calculated point in the west line of the remainder of a 46.30 acre tract, being the east right-of-way line of Brodie Lane;

THENCE North 27°34'26" East (record - North 27°34'26" East) along the west line of the remainder of a 46.30 acre tract and the east right-of-way line of Brodie Lane a distance of 308.00 feet to the POINT OF BEGINNING.

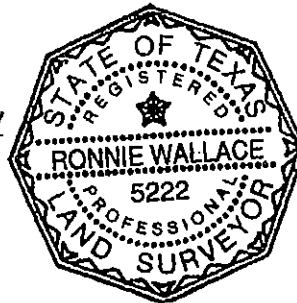
This parcel contains 8.040 acres of land, more or less, out of the Theodore Bissell League, Survey No. 18, Abstract No. 3 in Travis County, Texas.

Description prepared from an on-the-ground survey made during July 2002.

Bearing Basis: East right-of-way line of Brodie Lane (R.O.W. varies) per deed of record in Volume 10635, Page 881 of the Real Property Records of Travis County, Texas, and per Travis County construction plans, CIP No. 3001, certified on September 30, 1987.

Ronnie Wallace  
Ronnie Wallace  
Registered Professional Land Surveyor  
State of Texas No. 5222

8 July 2004  
Date



Job Number:

Attachments: Survey Drawing:\PROJECTS\HARRIS RANCH\DWG\8 AC. GR CO..DWG

Fieldnote File: BASELINE\PROJECTS\HARRIS\F\_NOTES\8 AC. GR CO. FN



*Land Surveyors, Inc.*

*8000 Anderson Square Road*

*Suite 110*

*Austin, Texas 78757*

*Office: 512.374.9722*

*Fax: 512.459.4752*

TRACT 2  
SF-6-60  
Page 1 of 14  
C14-03-0157

## *EXHIBIT B*

### METES AND BOUNDS DESCRIPTION

BEING 81.499 ACRES, SURVEYED BY BASELINE LAND SURVEYORS, INC., OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3, IN TRAVIS COUNTY, TEXAS, AND BEING 4.054 ACRES THAT IS ALL OF A CALLED 4.08 ACRE TRACT OF LAND CONVEYED TO LYDIA WEGNER HARRIS BY DEED OF RECORD IN VOLUME 5080, PAGE 747, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING 3.443 ACRES OUT OF THE REMAINDER OF A CALLED 135.00 ACRE TRACT OF LAND CONVEYED TO WOODSON W. HARRIS BY DEED OF RECORD IN VOLUME 4975, PAGE 1342, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING 10.787 ACRES THAT IS ALL OF A CALLED 10.70 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, AND ROBERT BRENT HARRIS BY DEED OF RECORD IN VOLUME 5135, PAGE 306, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; BEING 33.120 ACRES OUT OF THE REMAINDER OF A CALLED 46.30 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, AND ROBERT BRENT HARRIS BY DEED OF RECORD IN VOLUME 5080, PAGE 750, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING 30.095 ACRES OUT OF THE REMAINDER OF A CALLED 67.60 ACRE TRACT OF LAND CONVEYED TO JOHN WELDON HARRIS, DARROW DEAN HARRIS, AND ROBERT BRENT HARRIS BY DEEDS OF RECORD IN VOLUME 4365, PAGE 348, AND VOLUME 4365, PAGE 352, BOTH OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8" iron rebar found for a point of intersection in the east right-of-way line of Brodie Lane (R.O.W. Varies) 50 feet right of and at right angles to Engineer's Centerline Station 53+80.53, in the west line of said remainder of a 135.00 acre tract of land, from which a 1/2" iron rebar found for a point of intersection in the west right-of-way line of Brodie Lane, 50 feet left of and at right angles to Engineer's Centerline Station 53+80.53, bears North 62°34'10" West a distance of 100.17 feet;

THENCE South 27°34'26" West (record - South 27°34'26" West), with the west line of the remainder of said 135.00 acre tract and the east right-of-way line of Brodie Lane, passing at a distance of 25.96 feet a calculated point for the southwest corner of the remainder of a 135.00 acre tract, same being the northwest corner of the remainder of a 46.30 acre tract, and continuing with the west line of the remainder of a 46.30 acre tract and the east right-of-way line of Brodie Lane for a total distance of 308.00 feet to a calculated point for the POINT OF BEGINNING.

THENCE South 62°25'34" East, crossing through the remainder of a 46.30 acre tract a distance of 440.00 feet to a calculated point:

THENCE North 27°34'26" East, continuing through the remainder of a 46.30 acre tract and crossing into the remainder of a 135.00 acre tract along a line parallel with and 440.00 feet east of (as measured perpendicularly) the west line of the remainder of a 135.00 acre tract and the east right-of-way line of Brodie Lane a distance of 304.90 feet to a calculated point;

THENCE North 28°22'52" East, crossing through the remainder of a 135.00 acre tract along a line parallel with and 440.00 feet east of (as measured perpendicularly) the west line of the remainder of a 135.00 acre tract and the east right-of-way line of Brodie Lane a distance of 491.32 feet to a calculated point in the north line of the remainder of a 135.00 acre tract, same being the south right-of-way line of Davis Lane (R.O.W. varies), from which a calculated point in a 30" mesquite tree for the northwest corner of the remainder of a 135.00 acre tract, in the south right-of-way line of Davis Lane bears North 62°29'23" West a distance of 440.05 feet;

THENCE South 62°29'23" East (record- South 60°00'00" East), along the north line of the remainder of a 135.00 acre tract and the south right-of-way line of Davis Lane a distance of 256.42 feet to a 1/2" iron pipe found for the northeast corner of the remainder of a 135.00 acre tract, same being the northwest corner of said 4.08 acre tract;

THENCE South 62°26'45" East (record - South 60°00'00" East), with the south right-of-way line of Davis Lane and the north line of the 4.08 acre tract, passing at a distance of 436.74 feet a 1/2" iron rebar found for the northeast corner of the 4.08 acre tract and the northwest corner of said 10.70 acre tract and continuing for a total distance of 496.74 feet to a 1/2" iron rebar found with plastic cap which reads "Baseline Inc.";

THENCE, with the south right-of-way line of Davis Lane and the north line of the 10.70 acre tract, the following two (2) courses:

1. South 60°07'05" East (record - South 58°26'00" East) a distance of 407.81 feet to a 1/2" iron rebar found with plastic cap which reads "Baseline Inc.";
2. South 62°15'55" East a distance of 410.00 feet (record - South 59°39'00" East a distance of 410.00 feet) to a 1/2" iron pipe found for the northeast corner of the 10.70 acre tract and the northwest corner of said remainder of a 67.60 acre tract;

THENCE continue South 62°15'55" East (record - South 59°39'00" East), with the north line of the portion of a remainder of a 67.60 acre tract and the south right-of-way line of Davis Lane, a distance of 1090.01 feet to a 1/2" iron rebar found for a point of curvature, and being the northeast corner of the portion of a remainder of a 67.60 acre tract and the northwest corner of a 3.047 acre tract of land conveyed to the Austin Independent School District by deed of record in Document No. 1999052826 of the Official Public Records of Travis County, Texas, from which a 1/2" iron rebar found for the northeast corner of said 3.047 acre tract in the south right-of-way line of Davis Lane, bears South 62°12'31" East a distance of 129.98 feet (record - South 59°39'00" East a distance of 130.01 feet);

THENCE, along the east line of the portion of a remainder of a 67.60 acre tract and the west line of the 3.047 acre tract, the following seven (7) courses:

1. Along a curve to the right having a radius of 20.00 feet (record - 20.00'), a delta angle of 90°31'18" (record - 90°51'28"), a length of 31.60 feet (record - 31.72 feet), and a chord which bears South 16°45'30" East a distance of 28.41 feet (record -

South 14°13'16" East a distance of 28.50 feet) to a 1/2" iron rebar found for a point of tangency;

2. South 28°38'05" West a distance of 129.09 feet (record - South 31°12'28" West a distance of 129.04 feet) to a 1/2" iron rebar found for a point of curvature;
3. Along a curve to the right having a radius of 955.00 feet (record – 955.00 feet), a delta angle of 14°35'30" (record - 14°35'23"), a length of 243.21 feet (record - 243.18 feet), and a chord which bears South 35°54'03" West a distance of 242.55 feet (record - South 38°30'10" West a distance of 242.52 feet) to a 1/2" iron rebar found for a point of tangency;
4. South 43°13'22" West a distance of 166.73 feet (record - South 45°47'51" West a distance of 166.80 feet) to a 1/2" iron rebar found for a point of curvature;
5. Along a curve to the left having a radius of 1045.00 feet (record – 1045.00 feet), a delta angle of 21°51'25" (record - 21°51'20"), a length of 398.64 feet (record - 398.62 feet), and a chord which bears South 32°16'38" West a distance of 396.23 feet (record - South 34°52'11" West a distance of 396.20 feet) to a 1/2" iron rebar found for a point of tangency;
6. South 21°23'01" West a distance of 299.88 feet (record - South 23°56'31" West a distance of 299.86 feet) to a 1/2" iron rebar found for a point of curvature;
7. Along a curve to the right having a radius of 1355.00 feet (record – 1355.00 feet), a delta angle of 00°38'11", a length of 15.05 feet and a chord which bears South 21°38'50" West a distance of 15.05 feet to a calculated point, from which a 1/2" rebar found for a point of tangency in the east line of the remainder of a 67.60 acre tract and the west line of the 3.047 acre tract bears along a curve to the right, having a radius of 1355.00 feet (record – 1355.00 feet), a delta angle of 05°13'01", a length of 123.38 feet and a chord which bears South 24°34'27" West a distance of 123.33 feet;

THENCE North 62°47'55" West, crossing through the remainder of a 67.60 acre tract, along a line 200.00 feet north of (as measured perpendicularly) the south line of the remainder of a 67.60 acre tract a distance of 1025.85 feet to a calculated point in the approximate west line of the remainder of a 67.60 acre tract and the east line of the 46.30 acre tract;

THENCE crossing through the remainder of a 46.30 acre tract, along the following three (3) courses that are 200.00 feet north of (as measured perpendicularly) the south line of the remainder of a 46.30 acre tract;

1. North 62°41'13" West a distance of 379.11 feet to a calculated point;
2. North 62°40'29" West a distance of 766.46 feet to a calculated point;
3. North 62°18'54" West a distance of 874.93 feet to a calculated point in the west line of the remainder of a 46.30 acre tract, same being the east right-of-way line of Brodie Lane, from which a 1/2" iron rebar found with plastic cap which reads "Baseline Inc.", for the southwest corner of the remainder of a 46.30 acre tract. in



the east right-of-way line of Brodie Lane bears South 27°34'26" West (record – South 27°34'26" West) a distance of 200.00 feet;

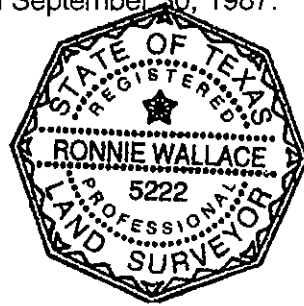
THENCE North 27°34'26" East (record - North 27°34'26" East), with the west line of the remainder of a 46.30 acre tract and the east right-of-way line of Brodie Lane, a distance of 491.96 feet to the POINT OF BEGINNING.

This parcel contains 81.499 acres of land, more or less, out of the Theodore Bissell League, Survey No. 18, Abstract No. 3 in Travis County, Texas.

Description prepared from an on-the-ground survey made during July 2002.

Bearing Basis: East right-of-way line of Brodie Lane (R.O.W. varies) per deed of record in Volume 10635, Page 881 of the Real Property Records of Travis County, Texas, and per Travis County construction plans, CIP No. 3001, certified on September 30, 1987.

Ron L. Wallace      8 July 2004  
Ronnie Wallace      Date  
Registered Professional Land Surveyor  
State of Texas No. 5222



Attachments: Survey Drawing \PROJECTS\HARRIS\DWG\81.5 AC. SF6-CO.DWG  
Fieldnote File: \PROJECTS\HARRIS\F\_NOTES\81.5 AC. S6-CO.DOC

## EXHIBIT C

# Grow Green Native and Adapted Landscape Plants

### Trees

|   |  |
|---|--|
| Ash, Texas <i>Fraxinus texensis</i>           | Oak, Escarpment Live <i>Quercus fusiformis</i>                   |
| Arizona Cypress <i>Cupressus arizonica</i>    | Oak, Lacey <i>Quercus glaucoides</i>                             |
| Big Tooth Maple <i>Acer grandidentatum</i>    | Oak, Monterey (Mexican White) <i>Quercus polymorpha</i>          |
| Cypress, Bald <i>Taxodium distichum</i>       | Oak, Shumard <i>Quercus shumardii</i>                            |
| Cypress, Montezuma <i>Taxodium mucronatum</i> | Oak, Texas Red <i>Quercus texana</i> ( <i>Quercus buckleyi</i> ) |
| Elm, Cedar <i>Ulmus crassifolia</i>           | Pecan <i>Carya illinoensis</i>                                   |
| Elm, Lacebark <i>Ulmus parvifolia</i>         | Soapberry <i>Sapindus drummondii</i>                             |
| Honey Mesquite <i>Prosopis glandulosa</i>     |  |
| Oak, Bur <i>Quercus macrocarpa</i>            |  |
| Oak, Chinquapin <i>Quercus muhlenbergii</i>   |  |
| Oak, Southern Live <i>Quercus virginiana</i>  |  |

### Small Trees/Large Shrubs

|   |  |
|---|--|
| Anacacho Orchit Tree <i>Bauhinia congesta</i>                     | Persimmon, Texas <i>Diospyros texana</i>               |
| Buckeye, Mexican <i>Ungnadia speciosa</i>                         | Pistachio, Texas <i>Pistacia texana</i>                |
| Buckeye, Rec <i>Aesculus pavia</i>                                | Plum, Mexican <i>Prunus mexicana</i>                   |
| Caolina Buckthorn <i>Rhamnus caroliniana</i>                      | Pomegranate <i>Punica granatum</i>                     |
| Cherry Laurel <i>Prunus caroliniana</i>                           | Redbud, Mexican <i>Cercis canadensis</i> 'mexicana'    |
| Crape Myrtle <i>Lagerstroemia indica</i>                          | Redbud, Texas <i>Cercis canadensis</i> var. 'texensis' |
| Desert Willow <i>Chilopsis linearis</i>                           | Retama Jerusalem Thorn <i>Parkinsonia aculeata</i>     |
| Dogwood, Roughleaf <i>Cornus drummondii</i>                       | Senna, Flowering <i>Cassia corymbosa</i>               |
| Escarpment Black Cherry <i>Prunus serotina</i> var. <i>eximia</i> | Smoke Tree, American <i>Cotinus obovatus</i>           |
| Eve's Necklace <i>Sophora affinis</i>                             | Sumac, Flameleaf <i>Rhus lanceolata</i>                |
| Goldenball Leadtree <i>Leucaena retusa</i>                        | Viburnum, Rusty Blackhaw <i>Viburnum rufidulum</i>     |
| Holly, Possumhaw <i>Ilex decidua</i>                              | Viburnum, Sandankwa <i>Viburnum suspensum</i>          |
| Holly, Yaupon <i>Ilex vomitoria</i>                               |  |
| Mountain Laurel, Texas <i>Sophora secundiflora</i>                |  |

## Shrubs

|  |   |
|--|---|
| Abelia, Glossy <i>Abelia grandiflora</i>                             | Nandina <i>Nandina domestica</i> 'Compacta nana' 'Gulf Stream'  |
| Agarita <i>Berberis trifoliata</i>                                   | Oleander <i>Nerium oleander</i>                                 |
| Agave (Century Plant) <i>Agave sp.</i>                               | Palmetto <i>Sabal minor</i>                                     |
| American Beautyberry <i>Callicarpa americana</i>                     | Prickly Pear <i>Opuntia engelmannii</i> var. <i>lindheimeri</i> |
| Artemisia <i>Artemisia</i> 'Powis Castle'                            | Rose, Belinda's Dream <i>Rosa</i> 'Belinda's Dream'             |
| Barbados Cherry <i>Mulpighia glabra</i>                              | Rose, Lamarne <i>Rosa</i> 'Lamarne'                             |
| Barberry, Japanese <i>Berberis thunbergii</i> 'Atropurpurea'         | Rose, Livin' Easy <i>Rosa</i> 'Livin' Easy'                     |
| Basket Grass (Sacahuista) <i>Nolina texana</i>                       | Rose, Marie Pavie <i>Rosa</i> 'Marie Pavie'                     |
| Black Dalea <i>Dalea frutescens</i>                                  | Rose, Martha Gonzales <i>Rosa</i> 'Martha Gonzales'             |
| Bush Germander <i>Teucrium fruticans</i>                             | Rose, Mutabilis <i>Rosa</i> 'Mutabilis'                         |
| Butterfly Bush <i>Buddleja davidii</i>                               | Rose, Nearly Wild <i>Rosa</i> 'Nearly Wild'                     |
| Butterfly Bush, Woolly <i>Buddleja marrubifolia</i>                  | Rose, Old Blush <i>Rosa</i> 'Old Blush'                         |
| Coralberry <i>Symphoricarpos orbiculatus</i>                         | Rose, Perle d'or <i>Rosa</i> 'Perle d'or'                       |
| Cotoneaster <i>Cotoneaster sp.</i>                                   | Rock Rose <i>Pavonia lasiopetala</i>                            |
| Eleagnus <i>Eleagnus pungens</i>                                     | Rosemary <i>Rosmarinus officinalis</i>                          |
| Esperanza/Yellow Bells <i>Tecoma stans</i>                           | Sage, Mountain <i>Salvia regia</i>                              |
| Flame Acanthus <i>Anisacanthus quadrifidus</i> var. <i>wrightii</i>  | Sage, Texas (Cenizo) <i>Leucophyllum frutescens</i>             |
| Fragrant Mimosa <i>Mimosa borealis</i>                               | Senna, Lindheimer <i>Cassia lindheimeriana</i>                  |
| Holly, Burford <i>Ilex cornuta</i> 'Burfordii'                       | Southern Wax Myrtle <i>Myrica cerifera</i>                      |
| Holly, Dwarf Chinese <i>Ilex cornuta</i> 'Rotunda nana'              | Sumac, Evergreen <i>Rhus virens</i>                             |
| Holly, Dwarf Yaupon <i>Ilex vomitoria</i> 'Nana'                     | Sumac, Fragrant (Aromatic) <i>Rhus aromatica</i>                |
| Jasmine, Primrose <i>Jasminum mesnyi</i>                             | Texas Sotol <i>Dasylirion texanum</i>                           |
| Kidneywood <i>Eysenhardtia texana</i>                                | Turk's Cap <i>Malvaviscus arboreus</i>                          |
| Lantana, Native <i>Lantana horrida</i>                               | Yucca, Paleleaf <i>Yucca pallida</i>                            |
| Mistflower, Blue (Blue Boneset) <i>Eupatorium coelestinum</i>        | Yucca, Red <i>Hesperaloe parviflora</i>                         |
| Mistflower, White (Shrubby White Boneset) <i>Ageratina havanense</i> | Yucca, softleaf <i>Yucca recurvifolia</i>                       |
| Mock Orange <i>Philadelphus coronarius</i>                           | Yucca, Twistleaf <i>Yucca rupicola</i>                          |

## Perennials

|  |  |
|--|--|
| Black-eyed Susan <i>Rudbeckia hirta</i>                                    | Lantana, Trailing <i>Lantana montevidensis</i>             |
| Bulbine <i>B. frutescens</i> or <i>caulescens</i>                          | Marigold, Mexican Mint <i>Tagetes lucida</i>               |
| Bush Morning Glory <i>Ipomoea fistulosa</i>                                | Obedient Plant, Fall <i>Physostegia virginiana</i>         |
| Butterfly Weed <i>Asclepias tuberosa</i>                                   | Oregano, Mexican <i>Polioanthus longiflora</i>             |
| Butterfly Weed 'Mexican' <i>Asclepias curassavica</i>                      | Penstemon <i>Penstemon</i> sp.                             |
| Cast Iron Plant <i>Aspidistra elatior</i>                                  | Phlox, Fragrant <i>Phlox pilosa</i>                        |
| Chile Pequin <i>Capsicum annuum</i>  | Pink Skullcap <i>Scutellaria suffrutescens</i>             |
| Cigar Plant <i>Cuphea micropetala</i>                                      | Plumbago <i>Plumbago auriculata</i>                        |
| Columbine, Red <i>Aquilegia canadensis</i>                                 | Poinciana, Red Bird of Paradise, Pride of Barbados         |
| Columbine, Yellow <i>Aquilegia chrysantha</i> 'Texas Gold'                 | <i>Caesalpinia pulcherrima</i>                             |
| Coreopsis <i>Coreopsis lanceolata</i>                                      | Primrose, Missouri <i>Oenothera macrocarpa</i>             |
| Daisy, Blackfoot <i>Melampodium leucanthum</i>                             | Purple Coneflower <i>Echinacea purpurea</i>                |
| Daisy, Copper Canyon <i>Tagetes lemmonii</i>                               | Ruellia <i>Ruellia brittoniana</i>                         |
| Damiantina <i>Crysactina mexicana</i>                                      | Sage, Cedar <i>Salvia roemeriana</i>                       |
| Fall Aster <i>Aster oblongifolius</i>                                      | Sage, Jerusalem <i>Phlomis fruticosa</i>                   |
| Fern, River <i>Thelypteris kunthii</i>                                     | Sage, Majestic <i>Salvia guaranitica</i>                   |
| Firebush <i>Hamelia patens</i>   | Sage, Mealy Blue <i>Salvia farinacea</i>                   |
| Gaura <i>Gaura lindheimeri</i>   | Sage, Mexican Bush <i>Salvia leucantha</i>                 |
| Gayfeather <i>Liatris mucronata</i>  | Sage, Penstemon, Big Red Sage <i>Salvia penstemonoides</i> |
| Gregg Dalea <i>Dalea greggii</i>   | Sage, Russian <i>Perovskia atricplifolia</i>               |
| Hibiscus, Perennial <i>Hibiscus moscheutos</i> , <i>Hibiscus coccineus</i> | Sage, Scarlet or 'Tropical' <i>Salvia coccinea</i>         |
| Honeysuckle, Mexican <i>Justicia spicigera</i>                             | Salvia, Gregg (Cherry Sage) <i>Salvia greggii</i>          |
| Hymenoxys (Four Nerve Daisy) <i>Tetaneuris scaposa</i>                     | Shrimp Plant <i>Justicia brandegeana</i>                   |
| Indigo Spires <i>Salvia 'Indigo Spires'</i>                                | Texas Betony <i>Stachys coccinea</i>                       |
| Iris, Bearded <i>Iris albicans</i>   | Verbena, Prairie <i>Verbena bipinnatifida</i>              |
| Iris, Butterfly/Bicolor (African) <i>Dietes</i> sp.                        | Yarrow <i>Achillea millefolium</i>                         |
| Lamb's Ear <i>Stachys byzantina</i>  | Zexmenia <i>Wedelia texana</i>                             |
| Lantana <i>Lantana x hybrida</i> (many varieties)                          |  |

## Ornamental Grasses

Bluestem, Big *Andropogon gerardii*  
 Bluestem, Bushy *Andropogon*  
*glomeratus*  
 Bluestem, Little *Schizachyrium*  
*scoparium*  
 Fountain Grass, Dwarf *Pennisetum*  
*alopecuroides*  
 Indian Grass *Sorghastrum nutans*  
 Inland Sea Oats *Chasmanthium*  
*latifolium*

Mexican Feathergrass (Wiregrass) *Stipa*  
*temuissima*  
 Muhly, Bamboo *Muhlenbergia dumosa*  
 Muhly, Big *Muhlenbergia lindheimeri*  
 Muhly, Deer *Muhlenbergia rigens*  
 Muhly, Gulf *Muhlenbergia capillaris*  
 Muhly, Seep *Muhlenbergia reverchonii*  
 Sideoats Grama *Bouteloua curtipendula*  
 Wild Rye *Elymus canadensis*

## Vines

Asian Jasmine *Trachelospermum*  
*asiaticum*  
 Carolina Jessamine *Gelsemium*  
*sempervirens*  
 Coral Vine *Antigonon leptopus*  
 Crossvine *Bignonia capreolata*  
 Fig Vine *Ficus pumila*

Honeysuckle, Coral *Lonicera*  
*sempervirens*  
 Lady Banksia Rose *Rosa banksiae*  
 Passion Vine *Passiflora incarnata*  
 Trumpet Vine *Campsis radicans*  
 Virginia Creeper *Parthenocissus*  
*quinquefolia*

## Groundcover

Aztec Grass *Ophiopogon japonicus*  
 Frogfruit *Phyla incisa*  
 Horseherb *Calyptocarpus vialis*  
 Leadwort *Plumbago Ceratostigma*  
*plumbaginoides*  
 Liriope *Liriope muscari*  
 Monkey Grass (Mondo Grass)  
*Ophiopogon japonicus*  
 Oregano *Origanum vulgare*  
 Periwinkle, Littleleaf *Vinca minor*  
 Pigeonberry *Rivina humilis*

Purple Heart *Secreasea pallida*  
 Santolina (Lavender Cotton) *Santolina*  
*chamaecyparissus*  
 Sedge, Berkeley *Carex tumulicola*  
 Sedge, Meadow *Carex perdentata*  
 Sedge, Texas *Carex texensis*  
 Sedum (Stonedrop) *Sedum nuttallianum*  
 Silver Ponyfoot *Dichondra argentea*  
 Woolly Stemodia *Stemodia lunata*  
*(Stemodia tomentosa)*

## Turf Grasses

Bermuda 'Tif 419', 'Sahara', 'Baby',  
 'Common'  
 Buffalo '609', 'Stampede', 'Prairie'  
 St. Augustine 'Baby', 'Common',  
 'Raleigh', 'Delmar'

Zoysia, Fine Leaf 'Matrella', 'Emerald',  
 'Zorro'  
 Zoysia, Coarse Leaf 'Japonica', 'Jamur',  
 'El Toro', 'Palis'

## EXHIBIT D

### Invasive Species/Problem Plants

#### PLANTS TO AVOID

##### **INVASIVES**

(Plants that are non-native to the Central Texas ecosystem and tend to out-compete native species)

##### **Do Not Plant**

(Travel by seeds, berries, and spores so can be transported long distances. They have already invaded preserves and greenbelts):

- Arizona Ash
- Chinaberry
- Chinese Pistache
- Chinese Tallow
- Chinese Privet
- Elephant Ear
- Holly Fern
- Japanese Honeysuckle
- Ligustrum, Wax Leaf
- Mimosa
- Mulberry, Paper
- Nandina (large, berrying varieties)
- Photinia, Chinese
- Pyracantha
- Tamarisk
- Tree of Heaven

##### **Do Not Plant Near**

##### **Parks/Preserves/Greenbelts**

(travel by runners, rhizomes, and stems so only invade neighboring areas):

- Bamboo
- English Ivy
- Vinca (Periwinkle)

##### **PROBLEM TREES AND SHRUBS**

(Typically fast-growing, highly adaptable, but often have weak wood and are short-lived. Most are susceptible to insect and disease problems.)

- Arizona Ash
- Azalea (not adapted to Austin soils)
- Boxelder
- Camellia
- Chinaberry
- Chinese Privet
- Chinese Tallow
- Cottonwood
- Ligustrum
- Lombardy Poplar
- Mimosa
- Mulberry, Paper
- Photinia, Chinese
- Siberian Elm
- Silver Maple
- Sweetgum
- Sycamore
- Tree of Heaven

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-03-0157

**Z.P.C. DATE:** March 16, 2004  
April 6, 2004  
May 4, 2004  
May 18, 2004

**ADDRESS:** South side of Davis Lane, between Brodie Lane and Westgate Boulevard

**OWNERS AND APPLICANTS:** Robert Brent Harris; **AGENT:** Weynand Development, Ltd.  
John Weldon Harris and Darrow Dean Harris (Mike Weynand)

**ZONING FROM:** DR; RR

**TO:** CS; MF-3; SF-6; SF-4A

\*\*\***AMENDED TO:** GR; MF-2; SF-6\*\*\*

**AREA:** 103.400 acres

\*\*\***AMENDED TO:** 89.522 acres\*\*\*

### **SUMMARY STAFF RECOMMENDATION (AS AMENDED):**

The staff's recommendation is to grant:

- 1) community commercial – conditional overlay (GR-CO) combining district zoning for Tract 1 with the Conditional Overlay prohibiting the following uses: service station; automotive sales; automotive rentals; automotive repair service; automotive washing (any type); and off-site accessory parking;
- 2) multi-family residence low density (MF-2) district zoning for Tract 2; and
- 3) townhouse and condominium residence (SF-6) district zoning for Tract 3, as shown in Exhibit B.

The Restrictive Covenant over the entire property would limit the site development to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in the final TIA memorandum provided as Attachment A (April 27, 2004).

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

March 16, 2004: *POSTPONED TO 4-6-04 AT THE REQUEST OF STAFF*  
*[J.M; J.G 2<sup>ND</sup>] (8-0) K.J – ABSENT*

April 6, 2004: *POSTPONED TO 05/04/04 (NEIGHBORHOOD)*  
*[J.M; J.D 2<sup>ND</sup>] (7-0) K.J – ABSENT*

May 4, 2004: *POSTPONED TO 5/18/04 (APPLICANT)*  
*[J.G; J.D 2<sup>ND</sup>] (5-0) J.M; C.H; J.P – ABSENT*

May 18, 2004: *APPROVED GR-CO FOR 8.04 ACRES; PROHIBITING ALL AUTO RELATED USES AS RECOMMENDED BY STAFF; PROHIBIT PAWNSHOPS SERVICES, GUIDANCE SERVICES, RESTAURANT WITH DRIVE THROUGH SERVICES; SF-2 ZONING FOR THE REMAINDER OF PROPERTY; RESTRICTIVE COVENANT FOR THE TRAFFIC IMPACT ANALYSIS.*  
*[B.B; J.P 2<sup>ND</sup>] (6-2) J.G; K.J – NAY*

*\* COMMISSION RECOMMENDED COMPREHENSIVE PLANNING PROCESS FOR THE GENERAL AREA*

**ISSUES:**

On Saturday, August 14<sup>th</sup>, 2004, the Cherry Creek on Brodie Neighborhood Association hosted a planning charette at the ACC Pinnacle campus that focused on proposed land uses and site development standards for rezoning cases in process on Brodie and Davis Lanes. Architects Gerard Kinney and Linda Johnston organized discussion groups and facilitated the meeting. The meeting was attended by representatives of Cherry Creek on Brodie, the Austin Neighborhoods Council, the Sierra Club, the Oak Hill Association of Neighborhoods (OHAN), Deer Park at Maple Run and Tanglewood Oaks Owners Association, as well as Mr. Bill Walters (the property owner for zoning case C814-04-0024 also under consideration), and City zoning staff.

Following the Zoning and Platting Commission meeting, the applicant's representatives met with members of the Cherry Creek on Brodie and Tanglewood Oaks neighborhood association to provide and discuss a conceptual site plan for the proposed multi-family and townhouse / condominium portions of the development. Please refer to Exhibit B-1.

The applicant would like to discuss the Zoning and Platting Commission's recommendation. The applicant is willing to enter into a Restrictive Covenant with the City that provides that at the time a site plan is submitted, it will include an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted plant materials.

On May 11, 2004, the applicant submitted revised field notes to exclude a 200 foot wide area (approximately 14.2 acres – 12.1 acres of land presently zoned RR; 2.1 acres of DR) along the entire length of the south property line. This 200' wide area will remain zoned DR and RR.

NOTE: Subsequent to applicant's amendment of the zoning boundary, there is a petition of 3.98%. Prior to amending the zoning boundary, there was a valid petition of 28.70% filed by the adjacent property owners in opposition to this rezoning request.

The applicant is in agreement with the staff's alternate recommendation, as amended.

The applicant has met with the Cherry Creek on Brodie and Tanglewood Oaks neighborhood associations to discuss the proposed project.

The Watershed Protection and Development Review Department staff has clarified that the subject property is within the Barton Springs Zone, including both recharge and contributing zones, and is subject to Save Our Springs Ordinance. Please refer to Attachment C.

**DEPARTMENT COMMENTS:**

The subject property is undeveloped; with the Brodie Lane frontage zoned development reserve (DR) district zoning and the remainder, located south of Davis Lane and east to West Gate Boulevard, is zoned rural residence (RR) district. Two hazardous pipelines, as recognized by City Code, traverse the property in a southwest to northeast direction. New development must be set back 200 feet from hazardous pipelines, unless approval is obtained from the Fire Chief or development complies with standards for construction near a pipeline as prescribed by the Fire Criteria Manual. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).



*Applicant's Request*

The applicant has requested rezoning of the property to provide a mix of commercial, multi-family, townhouse / condominium and single family residential development. As shown in Exhibit B. (Applicant's Conceptual Zoning Tract Map), the applicant has requested four zoning districts, as follows:

- Tract 1: Community commercial (GR) district zoning at the southeast corner of Brodie and Davis Lanes (approximately eight acres) with the intent of providing three sit-down restaurants (15,000 square feet), and includes the option for a bank. The applicant is in agreement with the staff recommended Conditional Overlay to prohibit automotive-related uses.
- Tract 2: Multi-family residence low density (MF-2) district zoning is proposed for approximately 19 acres along Davis Lane.
- Tract 3: Townhouse and condominium residence (SF-6) district zoning is proposed for approximately 62 acres on the south side of Davis Lane to the east and southeast property lines.

*Staff recommendation*

Staff supports the applicant's requested zoning districts as described above and as follows:

- For Tract 1, GR-CO zoning provides the opportunity for a commercial and retail component to serve the proposed development as well as the surrounding existing neighborhoods. GR zoning is also consistent with that existing on the north side of the property, footprint zoning to the west (north of Deer Lane), a proposed PUD on the west side of Brodie Lane that includes retail, restaurant and service uses, and clusters commercial development at the corner of Brodie and Davis Lanes and thus, at a distance from existing residential areas. Given the property's location within the Barton Springs Zone, the Conditional Overlay prohibits automotive-related uses.
- For Tract 2, MF-2 zoning provides a multi-family component to the housing opportunities envisioned for this development, is appropriately located along Davis Lane which is classified as a minor arterial, is consistent with that found to the north along Brodie Lane and West Gate Boulevard (MF-2-CO), and serves as a transition between the proposed commercial development and the proposed SF-6 and SF-2 districts.
- For Tract 3, SF-6 zoning further diversifies the housing types available within the general area by introducing the opportunity for townhouse and condominium development and is situated along Davis Lane and the extension of West Gate Boulevard, both of which are classified as arterial roadways.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b>                            | <b>LAND USES</b>   |
|--------------|--|--|
| <i>Site</i>  | DR; RR                                   | Two single family residences   |
| <i>North</i> | GR-CO; RR; SF-1; SF-2; P; MF-2-CO; LR-CO | Undeveloped; Radio tower; Single family residences – both large lot and standard lot               |
| <i>South</i> | LO; SF-2; P; SF-4A-CO                    | Undeveloped; Single family residences – both standard lot and small lot; Child care; Drainage area |
| <i>East</i>  | RR; SF-2                                 | Elementary school; Single family residences  |
| <i>West</i>  | MF-2-CO; MF-1; GR; LR; SF-2; P; DR; I-RR | Apartments; Undeveloped; Fire station; City preserve land  |

**AREA STUDY:** N/A**TIA:** Is required – Please refer to Attachment A**WATERSHED:** Slaughter Creek –  
Barton Springs Zone**DESIRED DEVELOPMENT ZONE:** No**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

|  |                                   |
|--|-----------------------------------|
| 12 – Brodie Lane Homeowners Association                      | 327 – Neighborhood of Westgate    |
| 217 – Tanglewood Forest Neighborhood Association             | 385 – Barton Springs Coalition    |
| 384 – Save Barton Creek Association                          |                                   |
| 428 – Barton Springs / Edwards Aquifer Conservation District | 511 – Austin Neighborhood Council |
| 465 – Cherry Creek on Brodie Neighborhood Association        |                                   |
| 627 – Onion Creek Homeowners Association                     | 918 – Davis Hills Estate HOA      |
| 649 – Plantation Neighborhood Association                    |                                   |
| 943 – Save Our Springs Alliance                              |                                   |
| 967 – Circle C Neighborhood Association                      |                                   |

**SCHOOLS:**

Cowan Elementary School

Covington Middle School

Crockett High School

**CASE HISTORIES:**

| <b>NUMBER</b> | <b>REQUEST</b>   | <b>ZONING AND PLATTING COMMISSION / PLANNING COMMISSION</b>                         | <b>CITY COUNCIL</b> |
|---------------|--|---|---------------------|
| C814-04-0024  | DR to PUD for retail uses, automotive repair service; convenience storage, 2 restaurants and 2 | Pending consideration by the ZAP, subject to completing the Traffic Impact Analysis | Pending             |

|             |  |   |  |
|-------------|--|---|--|
|             | conservation<br>easement areas on<br>30 acres                |   |  |
| C14-02-0118 | LO-CO to GR  | Recommended GR-CO<br>with CO to prohibit<br>Automotive washing<br>(automatic or<br>mechanical); Automotive<br>repair services;<br>Commercial off-street<br>parking; Extermination<br>services; Funeral<br>services; Pawn shop<br>services; and Service<br>station; 2,000 trips; and<br>maximum height of 40<br>feet | Approved GR-CO<br>district zoning as<br>recommended by ZAP.<br>(7-31-03)   |
| C14-00-2251 | RR; DR; SF-6;<br>SF-6-CO; LR;<br>LR-CO; GR to<br>GR; MF-2-CO | Recommended GR-CO<br>with CO for TIA;<br>prohibit pawn shops;<br>provide 50' wide<br>vegetative buffer on the<br>east property line.  | <b>Approved GR-CO for<br/>Tract 1 with the<br/>following CO:</b> drive-in<br>service is prohibited as<br>an accessory use to<br>commercial uses;<br>prohibit service station;<br>automotive sales;<br>automotive rentals;<br>automotive repair<br>service; automotive<br>washing (any type); off-<br>site accessory parking;<br>communication service<br>facilities; safety services;<br>local utility services;<br>pawn shops; FAR<br>limited to 0.07847; FAR<br>for general retail sales<br>(general and<br>convenience) is limited<br>to 0.05336 to 1; and<br>FAR for restaurant<br>general is limited to<br>0.04709 to 1.<br><b>Approved MF-2-CO<br/>for Tract 2. CO limits<br/>property to 8 units per<br/>acre; 250' vegetative<br/>buffer along the north<br/>property line and<br/>extending eastward to<br/>the northeast corner of<br/>the tract; 50' wide</b> |

|   |  |  |  |
|---|--|--|--|
|   |  |  | vegetative buffer along the east property line; improvements within buffer zones limited to drainage, underground utility improvements or those required by the City; construction of water quality and detention facilities is prohibited within 50' of the entire north property line. (10-4-01) |
| C14-97-0156<br>(Southland Oaks MUD - Brodie at West Slaughter Lane) | I-RR & I-SF-2 to RR; SF-1; SF-2; SF-3; SF-4; SI-5; SI-6; MF-1; MF-2; MF-3; MF-4; NO; LO; GO; LR; GR; CS; P | To Grant staff recommendation  | Approved RR; SF-2; SF-4A; LO; P with conditions (6-25-98)  |
| C14-97-0155<br>(Southland Oaks MUD - Cameron Loop at Davis Lane)    | I-RR & I-SF-2 to RR; SF-1; SF-2; SF-3; SI-4; SF-5; SF-6; MF-1; MF-2; MF-3; MF-4; LR; GR; P                 | To Grant staff recommendation of RR; SF-1 through SF-6; MF-1 through MF-4; LR; GR; CS; P with conditions | Approved PC recommendation of SF-2; SF-3; MF-2-CO; LR-CO; P (7-9-98)   |
| C14-95-0025   | SF-2, LR & GR to MF-2  | To Grant MF-2-CO, w/conditions (4/18/95)   | Granted MF-2-CO with CO limiting development to 17 units per acre. (6/1/95)  |
| C14-94-0092   | I-RR to SF-4A  | To Grant SF-4A and SF-2-CO with CO prohibiting direct access from Crownspoint to West Gate               | Approved SF-4A-CO with CO requiring connection through the property between Crownspoint Drive and Firecrest Drive to West Gate shall incorporate a 90 degree turn before connection to West Gate (9-1-94)  |

#### **RELATED CASES:**

The DR portion of the property (Brodie Lane frontage) was annexed into the City limits on November 15, 1984. The RR portion of the property (the remainder, east to West Gate Boulevard) was annexed into the City's Limited-Purpose Jurisdiction on December 15, 1988 and into the City's Full Purpose Jurisdiction on December 31, 1997.

A Development Assessment of the property was provided to the applicant and agent in January 2001 (CD-01-0015). The Development Assessment identified the property as being located outside of the Barton Springs Zone. The agent has requested that the Assessment be made part of the staff packet and is provided as Exhibit C. Attachment C clarifies the location of the property within the Barton Springs Zone.

The City, Austin Independent School District (AISD) and the property owners have an executed (June 199) Memorandum of Understanding regarding the purchase, dedication of right-of-way and construction of West Gate Boulevard and Kentish Drive (the latter serving Cowan Elementary School). In accordance with Memorandum, AISD expects that the developer will be required to construct Westgate Boulevard upon completion of the subdivision platting process. This result is contemplated in the Memorandum and as well as assurances that the right-of-way will be dedicated to the City to effect the construction. Please refer to Attachment B.

There are no related subdivision or site plan cases on the subject property.

**ABUTTING STREETS:**

| STREET              | RIGHT-OF-WAY | PAVEMENT WIDTH | CLASSIFICATION | DAILY TRAFFIC    |
|---------------------|--------------|----------------|----------------|------------------|
| Brodie Lane         | 90 feet      | 2 @ 24 feet    | Arterial       | 19,260<br>(2002) |
| Davis Lane          | Varies       | Varies         | Arterial       | N/A              |
| West Gate Boulevard | Varies       | Varies         | Arterial       | N/A              |

- There are sidewalks along Brodie Lane, but not along Davis Lane or West Gate Boulevard.
- Capital Metro bus service is not available within 1/4 mile of this property.
- Brodie and Davis Lane are listed in the Bicycle Plan, but West Gate Boulevard is unlisted.

**CITY COUNCIL DATE:**

June 17, 2004

**ACTION:** Approved postponement request by the Neighborhood to June 24, 2004 – Neighborhood's first request (7-0)

June 24, 2004

Approved GR-CO district zoning on Tract 1 as ZAP recommended; approved SF-6-CO district zoning for the remainder of the rezoning area -- the CO establishes a maximum of 350 units, on 1<sup>st</sup> Reading only (7-0)

At 2<sup>nd</sup> / 3<sup>rd</sup> Readings, provide a conceptual planning scenario for Harris Ranch, Brodie 31 and the surrounding area.

August 26, 2004

Approved GR-CO district zoning for Tract 1 as approved on 1<sup>st</sup> Reading, and SF-6-CO district zoning as approved on 1<sup>st</sup> Reading with the addition of a 50 foot building setback along the entire south property line for Tract 2, on 2<sup>nd</sup> Reading (7-0).

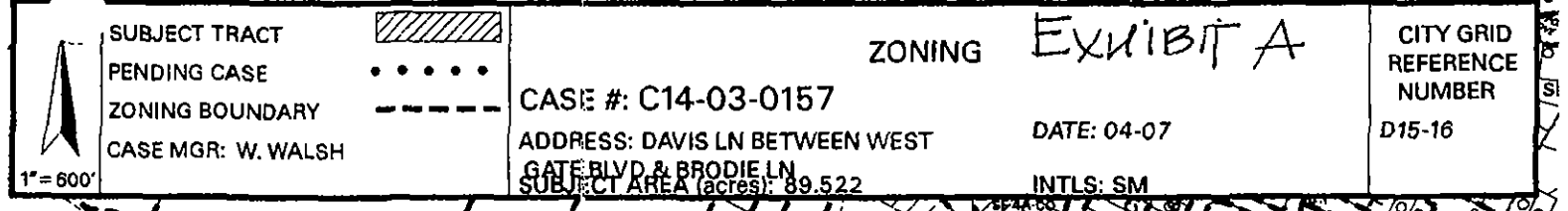
September 2, 2004

**ORDINANCE READINGS:** 1<sup>st</sup> June 24, 2004 2<sup>nd</sup> August 26, 2004 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Walsh  
e-mail: wendy.walsh@ci.austin.tx.us

**PHONE:** 974-7719







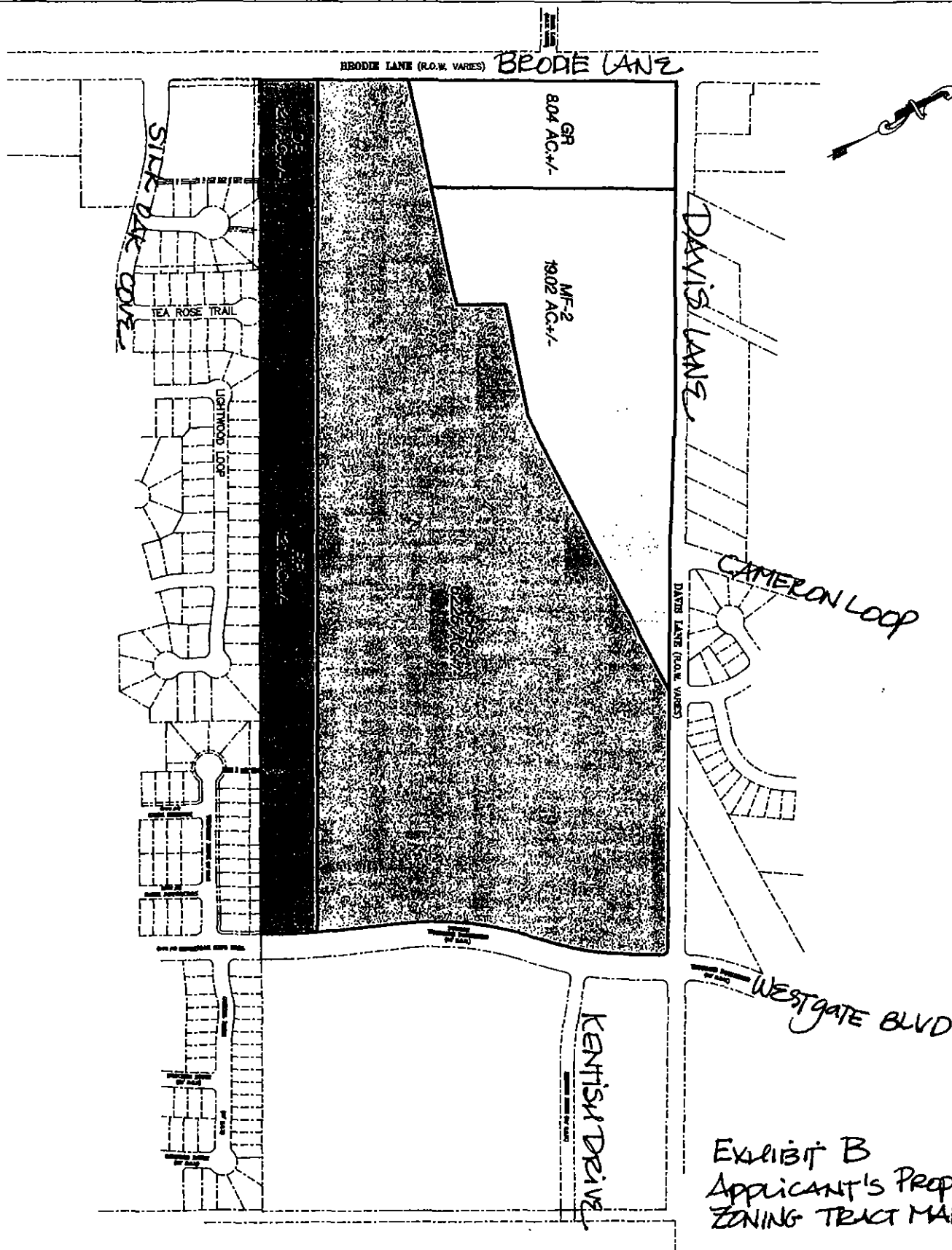


EXHIBIT B  
Applicant's Proposed  
ZONING TRACT MAP

# HARRIS RANCH ZONING DELINEATION

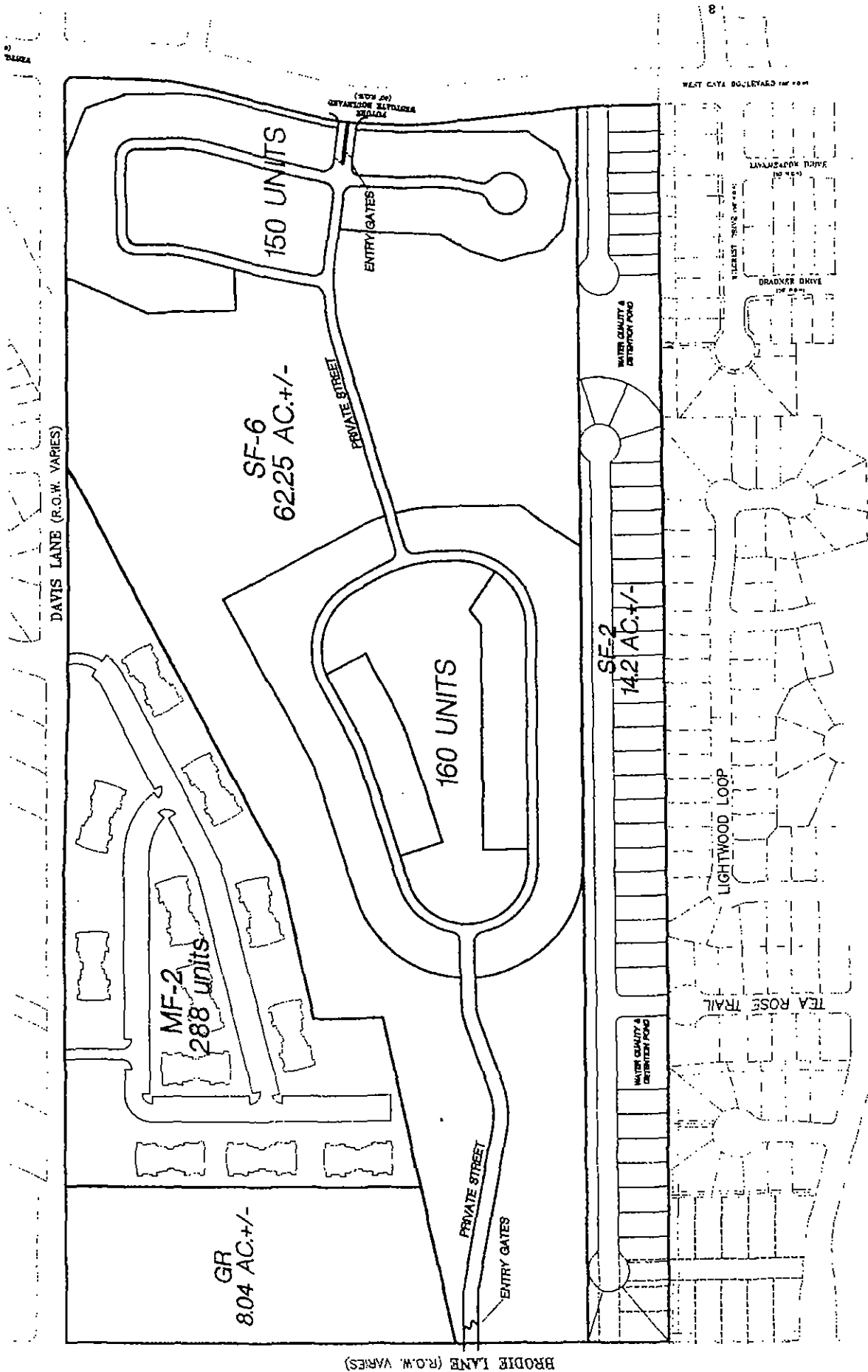
HANRAHAN • PRITCHARD ENGINEERING, INC.

CONSULTING ENGINEERS  
8000 ANDERSON SQUARE ROAD, SUITE 110  
AUSTIN, TEXAS 78757  
OFFICE: 512.458.4734 FAX: 512.458.4752  
info@hpe-eng.com

**HPE**

|                              |                             |
|------------------------------|-----------------------------|
| File: Projects/HARRIS/ZONING |                             |
| Job No. 002-18               | Snapshot: ZONING            |
| Scale (Hor): 1"=500'         | Scale (Vert): N/A           |
| Date: 04/20/04               | Checked By: LH Drawn By: RP |

SHEET  
01 of 01



**EXHIBIT B-1**  
 APPLICANT'S CONCEPTUAL  
 SITE PLAN FOR MULTI-FAMILY  
 TOWNHOUSE DEVELOPMENT

DEVELOPMENT ASSESSMENT REVIEW COMMENTS

CASE NUMBER: CD-01-0015  
CASE MANAGER: Carl McClendon PHONE #: 499-2727

REVISION #: 0 UPDATE: 0  
PROJECT NAME: HARRIS RANCH

SUBMITTAL DATE: 01/23/2001  
REPORT DUE DATE: 02/20/2001  
FINAL REPORT DATE: 02/05/01  
REPORT LATE: DAYS

LOCATION: BRODIE LA AND DAVIS LA

IF YOU HAVE ANY FURTHER QUESTIONS CONCERNING THE COMMENTS LISTED BELOW PLEASE CONTACT YOUR CASE MANAGER.

THE FOLLOWING COMMENTS SHOULD BE ADDRESSED PRIOR TO SUBMITTING A FORMAL PLAN TO THE DEPARTMENT OF PLANNING AND DEVELOPMENT. IT IS THE RESPONSIBILITY OF THE APPLICANT OR HIS/HER AGENT TO MODIFY THE SUBDIVISION PLAN SO THAT IT COMPLIES WITH THESE REQUIREMENTS.

INCORPORATED IN THE NUMBERING OF EACH COMMENT IS THE RELEVANT REVIEW SECTION. FOR THESE REFERENCES, THE FOLLOWING ABBREVIATIONS APPLY

|                           |                        |
|---------------------------|------------------------|
| SP - SITE PLAN            | CM - CAPITAL METRO     |
| SR - SUBDIVISION          | CO - COUNTY            |
| TR - TRANSPORTATION       | MD - MUD REVIEW        |
| CN - CONSTRUCTION         | PH - PHONE COMPANY     |
| DR - DRAINAGE             | PK - PARK              |
| EG - ENGINEERING          | PO - POST OFFICE       |
| LR - LANDSCAPE REVIEW     | PW - PUBLIC WORKS      |
| AR - ARBORIST             | SD - SCHOOL DISTRICT   |
| EV - ENVIRONMENTAL        | HE - HEALTH DEPARTMENT |
| WW - WATER AND WASTEWATER | EL - ELECTRIC          |
| FI - FIRE DEPARTMENT      | AD - TPSD - ADDRESS    |
| HD - HIGHWAY DEPARTMENT   | DG - DRAFTING          |

REQUIREMENTS: Based on ordinances and written rules adopted by the City of Austin, Texas.

Description

EXHIBIT C

2001 DEVELOPMENT  
ASSESSMENT PREPARED  
FOR PROPERTY OWNERS AND  
AGENT

## Engineering – JAY BAKER 499-2636

1. A Development Permit is required for proposed development (time limit is 3 years with a possible 1 year extension).
2. Fiscal will be required prior to issuance of the Development Permit for the subdivision proposed.
3. A construction inspection fee for construction within easements and/or R.O.W. shall be paid to the Department of Public Works and Transportation (D.P.W.T.) prior to site plan approval.
4. Fiscal will be required for erosion/ sedimentation controls prior to approval of this site development permit. Applicant must submit an estimate of c/s control quantities and costs to the environmental reviewer for approval.
5. An engineering report with a drainage study is required.
6. Detention is required for the 2, 10, 25 and 100 year storms.

## Environmental - LEE LAWSON 499-6341

EV 1. This project is located in the Slaughter Creek Suburban Watershed, not over the Edwards Aquifer, or Contributing Zone.

EV 2. Impervious Cover in the Upland Zone: for single-family residential use with a minimum lot size of 5,570 square feet may not exceed 50%, 60% with transfers. For multi-family 60%, 70% with transfers. For commercial 80%, 90% with transfers.

EV 3. Erosion and Sedimentation Control, and Tree Protection Plan is required, with Fiscal posting for temporary and permanent erosion controls prior to approval of site plan.

AR 1. Tree survey of trees 8" in diameter or greater for sites within the City of Austin is required.

LR 1. Landscape Plans are required for all commercial and multi-family development, within the City of Austin. This site is located within the City of Austins Full Purpose jurisdiction.

WQ 1. Water Quality Controls Requirements: Structural controls: Sedimentation & filtration basins are required for development exceeding 20% impervious cover and shall be designed and constructed to capture, isolate, and treat the first ½ inch of runoff from all contributing areas. Increased capture volume of 1/10 inch for each increment of 10% above 20% of impervious cover proposed to be captured, isolated, and treated as required above.

The landowner intends to serve the site with City water and wastewater utilities. Water and wastewater utility improvements are necessary to serve the site and each lot. The landowner will be responsible for all costs and for providing the utility improvements.

With the final plat, the landowner must pay the Subdivision Engineering Review Fee and may be required to post fiscal for some or all of the water and wastewater utility improvements.

No lot will be occupied until the structure is connected to City water and wastewater utilities.

The landowner must pay a Tap and impact Fee once the landowner makes an application for a City of Austin Water and wastewater Tap Permit

All water and wastewater utility improvements must be in accordance to City design criteria and specifications. All plans must be presented to the city for review and approval. All construction must be inspected by the City.

## **Land Status, Zoning, Transportation, Etc.**

**Land Status** – A land status determination will be required in order to determine if the tract is a legal tract. Submit a land status determination application with copies of the current deeds for the property and copies of deeds prior to 1972.

**Transportation** – The owner will be required to dedicate right-of-way along Brodie Lane, Davis Lane, and Westgate Bv. prior to approval of a site plan, zoning case, or subdivision.

TR 1. Davis Lane is proposed as a major arterial, undivided, with a right-of-way width of 70 feet according to the Austin Metropolitan Area Roadway Plan. The developer of the subject tract will be expected to dedicate 35 feet of right-of-way from the proposed centerline of Davis Lane.

TR 2. No additional right-of-way is required to be dedicated along Brodie Lane.

TR 3. Westgate Bv. is a major arterial and requires a right-of-way width of 90 feet. The developer will be expected to dedicate 90 feet of right-of-way along Westgate Bv., adjacent to the subject tract, in accordance with the Austin Metropolitan Area Roadway Plan.

Note: There is a memorandum of understanding among City of Austin, AISD, and John Harris, requiring dedication of the right-of-way for the future extension of Westgate Bv. (SP-99-0251CX). Verification of street dedication has not been provided at this point.

TR 4. AISD may be responsible for dedication of right-of-way along Westgate Bv. AISD is not responsible, however, for posting fiscal or constructing roadway improvements because school districts are not required to subdivide property.

TR 5. AISD has not responsible for posting fiscal for Westgate Bv.

TR 6. There is not a Capital Improvement Project approved or proposed for upgrading Davis Lane, adjacent to the subject tract.

TR 7. The developer will be expected to dedicate right-of-way and construct roadway improvements to City of Austin standards for the proposed New Road.

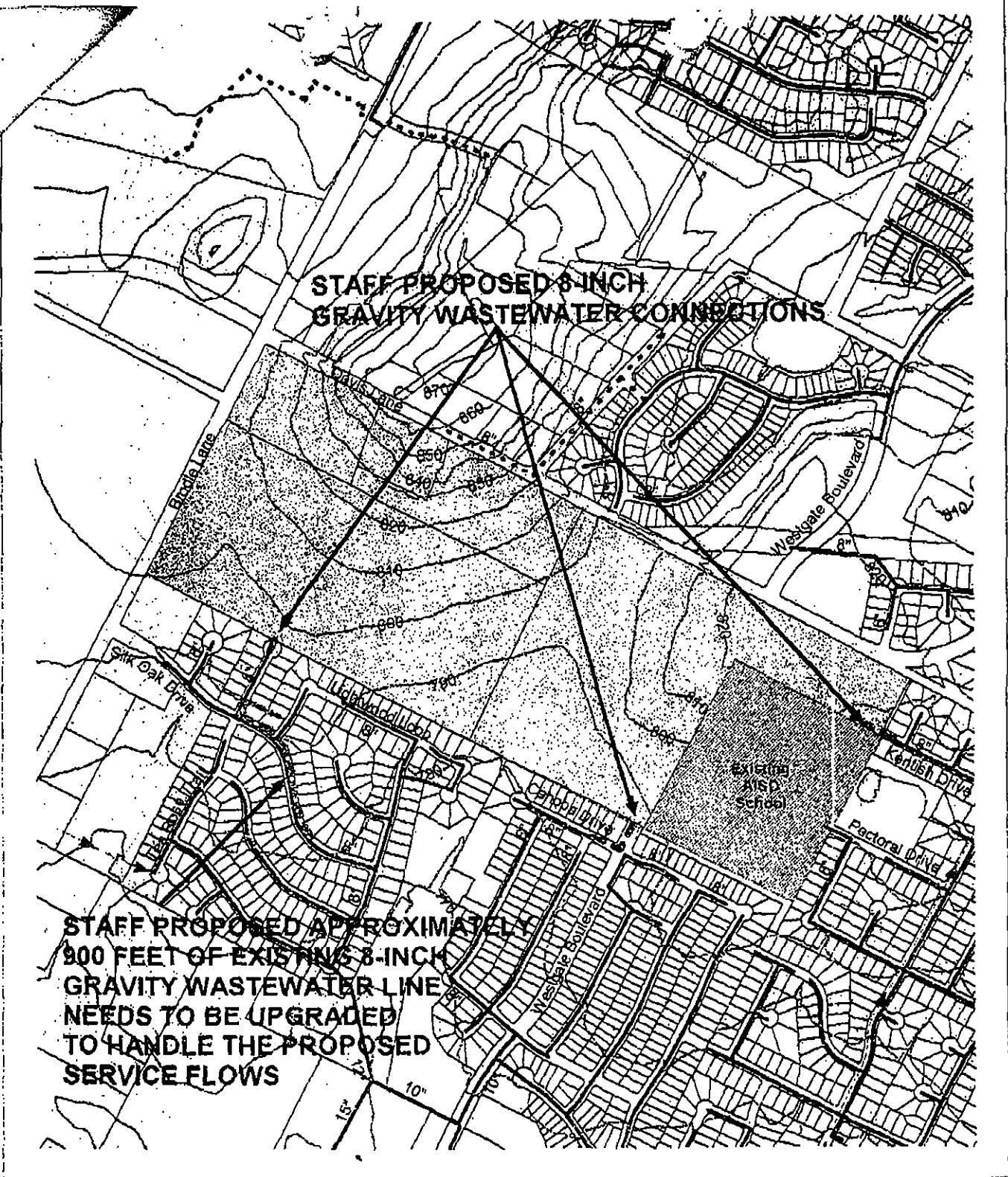
TR 8. Tca Rose Trail may be required to be extended into the subject tract if compatible (single family residential) zoning is established.

### **Land Use/Zoning**

It's unclear whether staff will support the proposed rezoning request. There is no indication what type or classification of roadway is proposed for the New Road. Compatibility standards will apply to new development along the southern boundary of the subject tract. Compatibility standards are required as a result of the existing single family residential development abutting the southern boundary line of the tract.

### **Miscellaneous**

The developer may be required to extend utilities in order to obtain service to the tract prior to the City extending utilities. The proposed tract will not qualify for development incentives under the Smart Growth Program.



600 0 600 Feet

 Subject Tract

W.W. S.E.R. Name: Harris Ranch

W.W. S.E.R. Number: 2062

**Proposed Harris Ranch Subdivision**  
*Water/WasteWater Service Extension Request*

| <u>Lot</u> | <u>Land Use</u>         | <u>Land Area<br/>Approximate</u> | <u>Homes/<br/>Building Area</u> | <u>LUE</u> |
|------------|-------------------------|----------------------------------|---------------------------------|------------|
| 1          | Multifamily             | 16+ Acres                        | 320                             | 224        |
| 2          | Office Condo/<br>Retail | 3.7+ Acres<br>"                  | 20,000 SF<br>20,000 SF          | 7<br>12    |
| 3          | Single Family<br>SF 4A  | 12+ Acres                        | 72                              | 72         |
| 4          | Homestead<br>MP         | 9+ Acres                         | 270                             | 189        |
| 5          | Single Family<br>SF2    | 61.6+ Acres                      | 270                             | 270        |
| 6          | Single Family<br>SP 4A  | 6.7+ Acres                       | 42                              | 42         |
| Total      |                         | 109                              |                                 | 816        |



**WATER AND WASTEWATER  
SERVICE EXTENSION  
REQUEST FOR  
CONSIDERATION**

Name : Harris Ranch

Service Requested : Wastewater

S.E.R. No. : 2062

Date Received : 03/07/2001

Location : Southeast section of Brodie Lane and Davis Lane

Acres : 109

Land Use : Mixed

Alt. Utility Service or S.E.R. Number : Yes

Quad1 : D-15,16

Quad2 :

Drainage Basin : Slaughter Creek

Pressure Zone : SW A

DDZ : Yes

Flow : (Estimated Peak Wet Weather Flow, Gallons per Minute) 555 gpm

DWPZ : No

Cost Participation : \$0.00

% Within City Limits : 100

% Within Limited Purpose : 0

**Description of Improvements:**

Applicant will make 8-inch gravity wastewater connections to the existing 8-inch gravity wastewater line in Tea Rose Trail, the existing 8-inch gravity wastewater line in Kentish Drive and the existing 8-inch gravity wastewater line in Cohoba Lane. Applicant will also upgrade approximately 900 feet of existing 8-inch gravity wastewater line in Silk Oak Drive (manhole station 4+00 to 12+86.14 construction plan number C-93-519) to handle the proposed service flows.

**Conditions :**

- 1) Completion and acceptance of the improvements described above.
- 2) Construction of all Service Extensions are subject to all environmental and planning ordinances.
- 3) Service Extensions are subject to the guidelines established in the Land Development Code, Section 25-9, Water and Wastewater Utility Service.
- 4) The level of service approved by this document does not imply commitment for land use.
- 5) The proposed wastewater (within right-of-ways or public easements) improvements will be dedicated to the City of Austin for ownership, operation, and maintenance.
- 6) The approved Service Extension will automatically expire 120 days after date of approval unless a development application has been accepted by the Development Review and Inspection Department. The Service Extension expires on the date the development expires, or if approved, on the date the development application approval expires.

*[Signature]* 7/26/01  
 WWWW Asst. Director Engineering Program Date

*[Signature]* 7/24/01  
 Division Manager, Engineering Date

*[Signature]* 8/1/01  
 Director, Water & Wastewater Utility Date

*[Signature]* 6/15/01  
 Prepared By Date



**Date:** August 16, 2004  
**To:** Wendy Walsh, Case Manager  
**CC:** Brian Craig, P.E. Alliance Texas Engineering Co.  
Carol Kaml, COA Fiscal Officer  
**Reference:** Harris Ranch TIA, C14-03-0157

The Transportation Review Section has reviewed the Traffic Impact Analysis for Harris Ranch, dated July 2004, and offers the following comments:

**TRIP GENERATION**

Harris Ranch is a 103.5-acre development located in south Austin at the southeast intersection of Brodie Lane and Davis Lane. The TIA for the project was prepared by Brian Craig, P.E., Alliance Texas Engineering in October of 2003 with subsequent addendums in December of 2003 and July of 2004.

The proposed development consists of the following land uses:

- 375 Townhomes
- 12,250sf of High Turnover Restaurants
- 3,500sf Bank
- 20,000sf of Office

The property is currently undeveloped and zoned Development Reserve (DR) and Rural Residence (RR). The applicant has requested a zoning change to permit the uses listed above. The estimated completion of the project is expected in the year 2008.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 5,178 unadjusted average daily trips (ADT).

The table below shows the adjusted trip generation by land use for the proposed development:

| <b>Table 1. Trip Generation</b> |             |              |                |             |                |             |
|---------------------------------|-------------|--------------|----------------|-------------|----------------|-------------|
|                                 |             |              | <b>AM Peak</b> |             | <b>PM Peak</b> |             |
| <b>LAND USE</b>                 | <b>Size</b> | <b>ADT</b>   | <b>Enter</b>   | <b>Exit</b> | <b>Enter</b>   | <b>Exit</b> |
| Townhomes                       | 375du       | 2,198        | 25             | 121         | 123            | 60          |
| High Turnover Restaurant        | 12,250sf    | 1,484        | 59             | 55          | 42             | 34          |
| Bank                            | 3,500sf     | 818          | 25             | 19          | 51             | 51          |
| Office                          | 20,000sf    | 386          | 46             | 6           | 17             | 84          |
| <b>Total</b>                    |             | <b>4,886</b> | <b>155</b>     | <b>201</b>  | <b>233</b>     | <b>229</b>  |

*attachment a*

## **ASSUMPTIONS**

1. Traffic growth rates provided by the City of Austin were as follows:

| <b>Table 2. Growth Rates per Year</b> |          |
|---------------------------------------|----------|
| <b>Roadway Segment</b>                | <b>%</b> |
| All Roads                             | 7 %      |

2. In addition to these growth rates, background traffic volumes for 2003 included estimated traffic volumes for the following projects:

|               |  |
|---------------|--|
| SP-01-0157C   | Ridgeview Apartments Phase Two                           |
| SP-02-0055C   | WW Brodie Multi Family Development                       |
| SP-02-0339C   | Deerfield Commercial                                     |
| SP-01-0428C   | Mozingo Office   |
| SP-02-0335C   | Stepping Stone School                                    |
| SP-00-2385C   | Shady Hollow AKA Randall's Cherry Creek (Rev. 0, 1, & 2) |
| SP-03-0064C   | CCR108 Development                                       |
| SP-03-0099C   | Shady Hollow Office                                      |
| C8-03-0117.SH | Casas Grandes, SMART Housing                             |
| C14-03-0082   | 8400 Brodie Lane   |

3. No reductions were taken for pass-by, internal capture, or transit use.

## **EXISTING AND PLANNED ROADWAYS**

**Brodie Lane** – This roadway is classified as a four lane divided major arterial within the vicinity of the project. The traffic volume for Brodie Lane was approximately 19,260 vehicles per day (vpd) south of Silk Oak in 2002. The Austin Bicycle Plan recommends a bicycle route along Brodie Lane.

**Slaughter Lane** – This roadway is classified as a four lane divided major arterial. The traffic volume was approximately 21,365vpd in 2000. A bicycle route is recommended for Slaughter Lane per the Austin Bicycle Plan.

**Manchaca Road** – Manchaca is currently a four line divided major arterial carrying approximately 25,802vpd. The Austin Bicycle Plan recommends a bicycle route along Manchaca Road.

**Davis Lane** – This roadway is currently classified as a two lane minor arterial. The Austin Bicycle Plan recommends a bicycle route along Davis Lane.

**Cameron Loop** – This roadway is classified as a two lane collector. Traffic volumes along Cameron Loop are approximately 2,012vpd north of Davis Lane ('03).

**Deer Lane** – Deer Lane is classified as a two lane minor arterial that carries approximately 4,143vpd ('03). The Austin Bicycle Plan recommends a bicycle route along Deer Lane.

**Curlew Drive** – This roadway is classified as a two lane collector. The Austin Bicycle Plan recommends a bicycle route along Curlew Drive.

## **TRAFFIC ANALYSIS**

The impact of site development traffic on the existing area roadways was analyzed. Two time periods and travel conditions were evaluated:

- 2003 Existing Conditions
- 2008 Build-Out Conditions

## INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 15 intersections, 4 of which are signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

| <b>Table 4. Level of Service</b>   |             |           |             |           |
|------------------------------------|-------------|-----------|-------------|-----------|
| <b>Intersection</b>                | <b>2003</b> |           | <b>2008</b> |           |
|                                    | <b>AM</b>   | <b>PM</b> | <b>AM</b>   | <b>PM</b> |
| Davis Lane & Brodie Lane*          | C           | B         | C           | D         |
| Deer Lane & Brodie Lane*           | B           | A         | D           | C         |
| Slaughter Lane & Brodie Lane*      | E           | E         | F           | F         |
| Manchaca Road & Davis Lane*        | C           | C         | E           | D         |
| Curlew Drive & Davis Lane          | A           | A         | A           | B         |
| Cameron Loop & Davis Lane          | A           | A         | A           | A         |
| Davis Lane & West Gate Boulevard   | A           | A         | B           | A         |
| Brodie Lane & Site Road #1         |             |           | A           | A         |
| Brodie Lane & Site Road #2         |             |           | A           | A         |
| Brodie Lane & Site Road #3         |             |           | A           | A         |
| Davis Lane & Site Road #4          |             |           | A           | A         |
| Davis Lane & Site Road #5          |             |           | A           | A         |
| Davis Lane & Site Road #6          |             |           | A           | A         |
| Davis Lane & Site Road #7          |             |           | A           | A         |
| West Gate Boulevard & Site Road #8 |             |           | A           | A         |

\* = SIGNALIZED

## RECOMMENDATIONS

1) Prior to 3<sup>rd</sup> reading at City Council, fiscal is required to be posted for the following improvements:

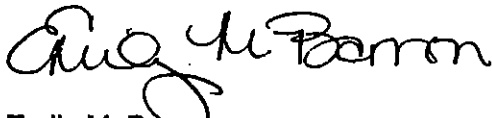
| <b>Intersection</b>          | <b>Improvements</b>                            | <b>Total Cost</b> | <b>Pro Rata Share %</b> | <b>Pro Rata Share \$</b> |
|------------------------------|--|-------------------|-------------------------|--------------------------|
| Brodie Lane & Slaughter Lane | 300' westbound right turn lane                 | \$39,422          | 2%                      | \$788                    |
|                              | 400' northbound and southbound left turn lanes | \$104,451         | 1.8%                    | \$1,880                  |
| Brodie Lane & Davis Lane     | 250' westbound right turn lane                 | \$36,097          | 17.6%                   | \$6,353                  |
|                              | 150' northbound right turn lane                | \$28,751          | 6.8%                    | \$1,437                  |
| Manchaca Road & Davis Lane   | 400' eastbound left turn lane                  | \$39,222          | 6.8%                    | 2,667                    |
| <b>Total</b>                 |  | <b>\$276,715</b>  |                         | <b>\$13,125</b>          |

2) The proposed 150' southbound left turn lane at Brodie Lane and Site Road #1 will be evaluated at the time of subdivision construction plans or site plan. This turn lane will require approval from Transportation Planning and Sustainability Department at that time. Any fiscal requirements will be made at the time of review.

- 
- 3) If at the time of subdivision access to Tea Rose Trail is assumed an addendum to the TIA will be required at that time. The addendum will be required to include neighborhood impacts along Tea Rose Trail and Silk Oak Drive, appropriate changes to the distribution and intersection impacts, and analysis of the intersection of Silk Oak Drive and Brodie Lane. If at the time of subdivision access to Tea Rose Trail is not assumed a variance to section 25-4-151 will be required to be approved by the Zoning and Platting Commission.
  - 4) For information: Three copies of the final version of the TIA incorporating all corrections and additions must be submitted prior to final reading of the zoning case.
  - 5) Development of this property should be limited to uses and intensities assumed in the TIA. The use and intensities will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2788.

---



Emily M. Barron  
Transportation Review Staff  
Watershed Protection and Development Review

## Austin ISD

**Date:** 3/31/2004

**To:** Wendy Walsh, City of Austin, Development Review and Inspection

**Cc:** Curt Shaw, Director of Construction Management

**From:** Dan Robertson, Director of Planning Services

**RE:** Development Review of: C14-03-0157

---

I have reviewed the zoning application for the zoning change proposed for the Harris Tract, which changes the tract from DR to a combination of CS, MF-3, SF-4A and SF-6. The District is in favor of the zoning request. We have adequate capacity in Cowan Elementary School, which is adjacent to the tract under consideration.

As I have noted in previous discussions, it is our expectation that the developer will be required to construct Westgate Blvd when the platting is completed for this project. We have a Memorandum of Understanding on file (previously supplied for your records) between the City of Austin, the owners of the tract and AISD which contemplates that result and ensures that the right of way will be dedicated to the City to effect the construction.

DR

6/10/2003

1

*attachment B*



# City of Austin

Founded by Congress, Republic of Texas, 1839  
Watershed Protection and Development Review Department  
P.O. Box 1088, Austin, Texas 78767

April 5, 2004

David Armbrust  
Armbrust and Brown  
100 Congress Avenue, Suite 1300  
Austin, Texas 78701

Re: Harris Ranch Zoning Case

Dear Mr. Armbrust:

Thank you for working with my staff on the delineation of the Edwards Aquifer recharge and contributing watershed areas in relation to the Harris Ranch zoning tract. For property located within 1500 feet of the boundary of the recharge zone, the director may require a certified report from a geologist or hydrologist verifying the boundary (LDC Section 25-8-2). I appreciate the work your client's geologist, Chock Woodruff has done in this regard. It is my understanding that Mr. Woodruff and the City's staff geologist, Nico Hauwert, agree that your client's site is geologically and topographically located in the Barton Springs Zone and that it includes areas of both recharge and contributing zones. Based on this information, the site is subject to the requirements of the Save our Springs water quality regulations.

I understand that the 2001 development assessment for this property failed to reference the need for an assessment of the boundary, and instead merely referenced the City map showing the property outside the Barton Springs Zone boundary. I apologize for any confusion or inconvenience this may have caused your client.

Should you have any questions or require additional information, please do not hesitate to contact me at 974-3413.

Sincerely,

Joseph G. Pantaloni, P.E., Director  
Watershed Protection and Development Review Department

JGP:JPM:ss

cc: John Lohr, D.R. Horton  
Lisa Y. Gordon, Assistant City Manager  
Pat Murphy, Environmental Officer, WPRD  
Nancy McClintock, WPRD  
Tammie Williamson, WPRD

ATTACHMENT C

**SUMMARY STAFF RECOMMENDATION (AS AMENDED):**

The staff's recommendation is to grant:

1. community commercial – conditional overlay (GR-CO) combining district zoning for Tract 1 with the Conditional Overlay prohibiting the following uses: service station; automotive sales; automotive rentals; automotive repair service; automotive washing (any type); and off-site accessory parking;
2. multi-family residence low density (MF-2) district zoning for Tract 2;
3. townhouse and condominium residence (SF-6) district zoning for Tract 3, as shown in Exhibit B.

The Restrictive Covenant over the entire property would limit the site development to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in the final TIA memorandum provided as Attachment A (April 27, 2004).

**BACKGROUND**

The subject property is undeveloped; with the Brodie Lane frontage zoned development reserve (DR) district zoning and the remainder, located south of Davis Lane and east to West Gate Boulevard, is zoned rural residence (RR) district. Two hazardous pipelines, as recognized by City Code, traverse the property in a southwest to northeast direction. New development must be set back 200 feet from hazardous pipelines, unless approval is obtained from the Fire Chief or development complies with standards for construction near a pipeline as prescribed by the Fire Criteria Manual.

*Applicant's Request*

The applicant has requested rezoning of the property to provide a mix of commercial, multi-family, townhouse / condominium and single family residential development. As shown in Exhibit B, (Applicant's Conceptual Zoning Tract Map), the applicant has requested four zoning districts, as follows:

- Tract 1: Community commercial (GR) district zoning at the southeast corner of Brodie and Davis Lanes (approximately eight acres) with the intent of providing three sit-down restaurants (15,000 square feet), and includes the option for a bank. The applicant is in agreement with the staff recommended Conditional Overlay to prohibit automotive-related uses.
- Tract 2: Multi-family residence low density (MF-2) district zoning is proposed for approximately 19 acres along Davis Lane.
- Tract 3: Townhouse and condominium residence (SF-6) district zoning is proposed for approximately 62 acres on the south side of Davis Lane to the east and southeast property lines.

*Staff recommendation*

Staff supports the applicant's requested zoning districts as described above and as follows:

- For Tract 1, GR-CO zoning provides the opportunity for a commercial and retail component to serve the proposed development as well as the surrounding existing neighborhoods. GR zoning is also consistent with that existing on the north side of the property, footprint zoning to the west (north of Deer Lane), a proposed PUD on the west side of Brodie Lane that



includes retail, restaurant and service uses, and clusters commercial development at the corner of Brodie and Davis Lanes and thus, at a distance from existing residential areas. Given the property's location within the Barton Springs Zone, the Conditional Overlay prohibits automotive-related uses.

- For Tract 2, MF-2 zoning provides a multi-family component to the housing opportunities envisioned for this development, is appropriately located along Davis Lane which is classified as a minor arterial, is consistent with that found to the north along Brodie Lane and West Gate Boulevard (MF-2-CO), and serves as a transition between the proposed commercial development and the proposed SF-6 and SF-2 districts.
- For Tract 3, SF-6 zoning further diversifies the housing types available within the general area by introducing the opportunity for townhouse and condominium development and is situated along Davis Lane and the extension of West Gate Boulevard, both of which are classified as arterial roadways.

### **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways.

The multi-family residence – low density (MF-2) district is intended to accommodate multifamily use with a maximum density of up to 23 units per acre, depending on unit size. This district is appropriate given its location near supporting transportation and commercial facilities. The multi-family tract is located on Davis Lane, classified as a major arterial. Commercial zoning and development supporting the multi-family component is located along Brodie Lane.

The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use. The applicant intends to develop the property with a condominium project consisting of detached units.

#### *2. Zoning changes should promote compatibility with adjacent and nearby uses.*

- For Tract 1, GR-CO zoning provides the opportunity for a commercial and retail component to serve the proposed development as well as the surrounding existing neighborhoods. GR zoning is also consistent with that existing on the north side of the property, footprint zoning to the west (north of Deer Lane), a proposed PUD on the west side of Brodie Lane that includes retail, restaurant and service uses, and clusters commercial development at the corner of Brodie and Davis Lanes and thus, at a distance from existing residential areas. Given the property's location within the Barton Springs Zone, the Conditional Overlay prohibits automotive-related uses.
- For Tract 2, MF-2 zoning provides a multi-family component to the housing opportunities envisioned for this development, is appropriately located along Davis Lane which is classified as a minor arterial, is consistent with that found to the north along Brodie Lane and

West Gate Boulevard (MF-2-CO), and serves as a transition between the proposed commercial development and the proposed SF-6 and SF-2 districts.

- For Tract 3, SF-6 zoning further diversifies the housing types available within the general area by introducing the opportunity for townhouse and condominium development and is situated along Davis Lane and the extension of West Gate Boulevard, both of which are classified as arterial roadways.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is undeveloped and generally slopes to the south.

### **Impervious Cover**

The maximum impervious cover allowed on the property will be 15% within the boundaries of the Recharge Zone and 25% within the boundaries of the Contributing Zone. Both of these figures are based on the more restrictive watershed regulations described below.

### **Environmental**

The site is in the Slaughter Creek Watershed. The applicant's geologist and the City's staff geologist are in agreement that the property is located in the Barton Springs Zone, and that it includes areas of both recharge and contributing zones. Based on this information, the site is subject to the requirements of the Save Our Springs water quality regulations. Please also refer to Attachment C.

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

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

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

### **Transportation**

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments are provided in Attachment A.

**TPSD Right-of-Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed rezoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

**Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or offsite main extension, or utility adjustment, or relocation are required, the landowner will be responsible for all costs and for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria.

**Compatibility Standards**

This site is subject to the Hazardous Pipeline Ordinance. Development in a restricted pipeline area is regulated by Sec. 25-2-516. Additional design regulations will be enforced at the time a site plan is submitted.

The site is subject to compatibility standards. Along the north, south and east property line, the following standards apply:

- No structure may be built within 25 feet of the property line adjacent to SF-5 or less restrictive.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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

**Walsh, Wendy**

**From:** Brian Judis [bjudis2000@yahoo.com]  
**Sent:** Tuesday, March 09, 2004 9:34 PM  
**To:** wendy.walsh@ci.austin.tx.us  
**Subject:** Harris Ranch - C14-03-0157

Ms. Walsh, as an affected property owners we are writing this note to inform you of our protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Please note our opposition, and do not hesitate to contact us in the event you need additional information or comment.

Brian J. Judis/Rebecca E. Judis

9310 Lightwood Loop

Austin, Texas 78748

(512)619-9721

---

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## Walsh, Wendy

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**From:** John J. Thompson [jthompson3@austin.rr.com]  
**Sent:** Wednesday, March 10, 2004 2:51 PM  
**To:** wendy.walsh@ci.austin.tx.us  
**Subject:** Subject: Case #C14-03-0157

Dear Ms. Walsh:

WE are residents and homeowners of Cherry Creek on Brodie Lane and strongly oppose any redistricting of the Harris Ranch property. WE request that no changes be made to the current zoning.

JOHN J. & JOAN A. THOMPSON  
9514 Tea Rose Tr.  
Austin, TX 78748

## Walsh, Wendy

---

**From:** Paul Velez [pvelez78748@yahoo.com]  
**ant:** Wednesday, March 10, 2004 10:22 PM  
**to:** wendy.walsh@ci.austin.tx.us  
**Cc:** jmcortez@hotmail.com; jdonisi@austin.rr.com; jay@jaygohilrealty.com; chammond@austin.rr.com; pinnelli@flash.net; apsinc@bga.com; bbaker@austintexas.org; kbjackson@pbsj.com  
**Subject:** Zoning file number C14-03-0157, to be heard March 16, 2004

Ms. Walsh and Zoning and Platting Commissioners:

I am a homeowner affected by the development referenced above, and I am against the development in its present form.

The increase in traffic, the negative effect on the Edwards Aquifer, and the incompatibility with surrounding developments are reasons that I strongly oppose the approval of the zoning request. My number is 282-3567 if you need further information.

Thank you.

Best,  
Paul

---

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<http://search.yahoo.com>

## Walsh, Wendy

---

**From:** Henry Cowen [HCowen@rosco.com]  
**ent:** Thursday, March 11, 2004 8:09 AM  
**o:** wendy.walsh@ci.austin.tx.us  
**Subject:** Harris Ranch: zoning case C14-03-0157

**Importance:** High

Ms. Walsh, as affected property owners we are writing this note to inform you of our protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Please note our opposition, and do not hesitate to contact us in the event you need additional information or comment.

Henry, Lorretta, Alix, and River Cowen  
9334 Lightwood Loop  
Austin, TX 78748  
h 512-292-9739

**Walsh, Wendy**

---

**From:** Loretta Cowen [gogi@mail.utexas.edu]

**Sent:** Thursday, March 11, 2004 8:24 AM

**To:** wendy.walsh@ci.austin.tx.us

**Subject:** Harris Ranch Development

Dear Mrs. Walsh,

I own a home in Cherry Creek off of Brodie Lane. The Harris Ranch property is directly behind the fence in my backyard. I am writing this note to inform you of my protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157 (Harris Ranch). The current zoning change that has been proposed/requested is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. In addition, I am against the current proposed zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Please note my opposition and do not hesitate to contact me if you need additional information.

Sincerely,

Loretta Cowen

3/11/2004



## Walsh, Wendy

---

**From:** Cyril Statum [cybar@earthlink.net]  
**Sent:** Thursday, March 11, 2004 8:34 AM  
**o:** wendy.walsh@ci.austin.tx.us  
**Subject:** Harris Ranch / Protest

Ms. Walsh, as affected property owners we are writing this note to inform you of our protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Please note our opposition, and do not hesitate to contact us in the event you need additional information or comment.

Cyril Statum  
9300 Silk Oak Cove  
Austin, Texas 78748

## Walsh, Wendy

---

**From:** BBernhar@austin.isd.tenet.edu  
**ent:** Thursday, March 11, 2004 9:14 AM  
**o:** wendy.walsh@ci.austin.tx.us  
**Subject:** Proposed Zoning Change

Ms. Walsh, as affected property owners we are writing this note to inform you of our protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Please note our opposition, and do not hesitate to contact us in the event you need additional information or comment. --

Beth Bernhard  
8805 Peppergrass Cove  
Austin, TX 78745  
(512) 282-4177  
BBernhar@austin.isd.tenet.edu

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## Walsh, Wendy

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**From:** Russell Park [crp@ccla.com]  
**Sent:** Thursday, March 11, 2004 1:18 PM  
**To:** wendy.walsh@ci.austin.tx.us  
**Subject:** zoning case C14-03-0157 " Harris Ranch"

Ms. Walsh, as affected property owners we are writing this note to inform you of our protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Please note our opposition, and do not hesitate to contact us in the event you need additional information or comment.

Russell and Jenny Park  
9322 Lightwood Loop  
Austin, TX 78748  
crp@ccla.com  
512-565-0191

2959 Cohoba Dr.  
Austin, TX 78748

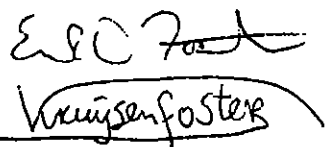
March 8, 2004

PO Box 1088, Austin, TX 78767-8835

Dear Madam or Sir,

We as residents of Cherry Creek are firmly opposed to any re-zoning in this area under consideration. Please act to maintain the current zoning. The Austin City Council is under the obligation, in my opinion, of supporting family values and the family unit and that equates to good neighborhoods and upholding the value of those neighborhoods. The Zoning & Platting Commission should follow suit to uphold these same traditional neighborhoods. That means keeping the existing zoning in this File C14-03-0157-WW. We ask you to uphold the current zoning and please support a neighborhood that will shelter people, because what better use of land than to help someone realize the dream of home ownership? A real home, not a duplex, condo, or multi-family unit, that has a lower return on their investment, and ultimately pulls the value of other investments (homes) in the area. And we certainly DO NOT SUPPORT another gas station, convenience store, service station or some such other urban blight. Certainly not lying right in the middle of a neighborhood as lovely as Cherry Creek? Remember this developed 100 plus acres is going to be a large section and a reflection of value as a hole in Cherry Creek. Housing developed under the current zoning would maintain the neighborhood value in Cherry Creek and would impact future selling and buying power in a positive way. If the current zoning is upheld, the equation is simple; As home property values increase in the area, including the new housing, this equates to increased property taxes for the home owners over the next decade and beyond. By keeping the neighborhood intact, this ensures climbing property values, and increased revenue for the receiving local government bodies that rely on this income. Austin ISD, City of Austin, Travis County, ACC, and the residents are worth it. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik D. Foster". The signature is written in a cursive, flowing style with a large, sweeping underline.

Mr. And Mrs. Erik D Foster

## Walsh, Wendy

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**From:** tracy.perez@bakerbotts.com  
**Sent:** Friday, March 12, 2004 10:00 AM  
**To:** wendy.walsh@ci.austin.tx.us  
**Subject:** Opposition to Proposed Zoning Change (Case C14-03-0157)

Ms. Walsh,

As an affected property owner we are writing this note to inform you of our protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." Using the words of a fellow concerned and affected property owner:

" The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer. "

Thank you so much for your consideration.

Joseph and Tracy Perez  
3104 Cohoba Drive  
Austin, Texas 78748  
<mailto:tracy.perez@bakerbotts.com> tracy.perez@bakerbotts.com

**Walsh, Wendy**

---

**From:** jwwheels [jwwheels@sbcglobal.net]  
**Sent:** Saturday, March 13, 2004 9:42 PM  
**To:** wendy.walsh@ci.austin.tx.us; jmcortez@hotmail.com; jdonisi@austin.rr.com;  
jay@jaygohilrealty.com; chammond1@austin.rr.com; pinnelli@flash.net; apsinc@bga.com;  
bbaker@austintexas.org; kbjackson@pbsj.com  
**Subject:** Harris Ranch Zonning Case +\*\*\*+  
**Importance:** High

My wife and I live at 9324 Lightwood Loop in the Cherry Creek on Brodie Lane sub-division. Our property runs adjacent to Harris Ranch.

We strongly oppose the development as currently proposed. The development, as currently proposed, is incompatible with existing, previously approved and planned development. The proposed development will definitely impact our quality of life, traffic, safety, and the environment.

The three neighborhoods involved will be very grateful if you would reconsider the development as currently proposed.

Thank you.

C. E. and Jo Anne Wheelless

3/15/2004

**Walsh, Wendy**

---

**From:** Jpcjji@aol.com

**Sent:** Sunday, March 14, 2004 8:21 AM

**To:** wendy.walsh@ci.austin.tx.us; jmcortez@hotmail.com; jdonisi@austin.rr.com;  
jay@jaygohilrealty.com; chammond1@austin.rr.com; pinnelli@flash.net; apsinc@bga.com;  
bbaker@austintexas.org; kbjackson@pbsj.com

**Subject:** C14-03-0157 Rezoning

Hello,

I am a resident of the Cherry Creek Neighborhood. On Tuesday of this week you will be reviewing the above case that affects my family, my environment, my investment in my home and my quality of life. So to make it very short, PLEASE DO NOT ALLOW the passing of this rezoning. Right now it is RR and DR. Something I can live with and I think if you were in my position something you could live with.

So I ask for your help here, Please help us and vote no.

Thank You for your Time, Joan Cooper 3305 Silkgrass Bend.

3/15/2004

**Walsh, Wendy**

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**From:** drwilliams.2@netzero.net  
**Sent:** Sunday, March 14, 2004 9:39 PM  
**To:** wendy.walsh@ci.austin.tx.us  
**Subject:** OPPOSITION TO HARRIS RANCH DEVELOPMENT PLANS

ATTENTION WENDY WALSH AND ALL MEMBERS OF THE PLATTING AND ZONING COMMISSION:

WE HAVE BEEN A HOMEOWNER IN CHERRY CREEK ON BRODIE LANE FOR APPROXIMATELY 11 YEARS. WE WOULD LIKE TO REGISTER OUR STRONG OPPOSITION TO THE CURRENT PLANS TO DEVELOP THE HARRIS RANCH PROPERTY ADJACENT TO OUR SUBDIVISION.

THANK YOU,

LYNDA AND BUTCH WILLIAMS  
9316 LIGHTWOOD LOOP  
AUSTIN, TEXAS 78748  
282-9528



**Walsh, Wendy**

---

**From:** Phyllis Puryear [PPuryear@heritage-title.com]

**Sent:** Tuesday, March 16, 2004 8:53 AM

**To:** 'wendy.walsh@ci.austin.tx.us'

**Cc:** 'jmcortez@hotmail.com'; 'jdonisi@austin.rr.com'; 'jay@jaygohilrealty.com';  
'chammond1@austin.rr.com'; 'pinnelli@flash.net'; 'apsinc@bga.com'; 'bbaker@austintexas.org';  
'kbjackson@pbsj.com'

**Subject:** Harris Ranch Zoning Case File # C14-03-0157

Ms. Walsh, as an affected property owner I am writing this note to inform you of my extreme protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, I am against the current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

***Ms. Phyllis Puryear***

***Phone: 512-505-5040***

3/16/2004


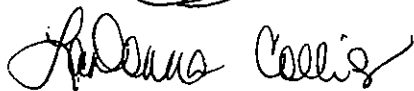
To:

Zoning and Platting Commission Assistant  
Neighborhood Planning and Zoning Department  
P.O. Box 1088  
Austin, Texas 78767-8835

RE; Case # C14-03-0157 Southeast Corner of Brodie and Davis Lane

I am writing to indicate my opposition to the zoning of the above referenced property as "CS" . This property backs directly to my property and the designation as "CS" would result in development near my home that would harm my home value. I have been a resident in this home since it was built in 1995 and my home represents my most significant personal investment. This area has seen tremendous growth with businesses and apartments and the zoning of this property to allow town homes and condominiums would significantly impact the quality of life we enjoy in this area. I would urge you to only consider single family residential only and ensure that the lot and home sizes are consistent with our existing neighborhood.

Bryan Collier  
Ladonna Collier  
9330 Lightwood Loop



City of Austin, Neighborhood Planning & Zoning Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

**NOTICE OF ZONING & PLATTING COMMISSION PUBLIC  
HEARING FOR A PROPOSED ZONING CHANGE**

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2680.

Mailing Date of this Notice: March 5, 2004  
Mailing Date of First Notice: October 30, 2003

File Number: C14-03-0157

ADDRESS AND/OR LEGAL DESCRIPTION OF PROPOSED ZONING CHANGE (See Map) Southeast corner of Brodie and Davis Lanes

**PROPOSED ZONING CHANGE:**

**FROM:** DR--Development Reserve district is intended to prevent isolated, inappropriate, or premature uses from locating on lands for which adequate public services and facilities are unavailable, or for which a determination of the most appropriate zoning district is precluded by a lack of data customarily utilized in establishment of permanent district classifications, or for which land use and urban development policies have not been completed. RR--Rural Residence district is intended as an area for very low density residential use, with a minimum lot size of one acre. This district is appropriate for selected locations where rural characteristics are desired, or where terrain or public service capacities necessitate very low densities.

**TO:** CS--General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. MF-3--Multifamily Residence (Medium Density) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable. SF-6--Townhouse and Condominium Residence district is intended as an area for moderate density single family, duplex, two family, townhouse, and condominium use, without the spacing and locational requirements for townhouses and condominiums that apply in SF-5. This district is appropriate for areas in which unusually large lots predominate with access to other than minor residential streets, and in selected areas where a transition from single-family to multifamily use is appropriate. SF-4A--Single-Family Residence (Small Lot) district is intended as an area predominately for medium density single-family residential use, with a minimum lot size of 3,600 square feet. In appropriate locations, small lot single-family use is permitted under standards which maintain single-family neighborhood characteristics.

OWNERS: Robert Brent Harris, John Weldon Harris & Darrow Dean Harris  
AGENT: Weynand Development, LTD (Mike Weynand)

PHONE: (512) 282-1377  
PHONE: (512) 848-1450

**ZONING & PLATTING COMMISSION HEARING DATE:** March 16, 2004 **TIME:** 6:00 PM  
**LOCATION:** 505 Barton Springs Road, One Texas Center 3<sup>rd</sup> Floor, Training Room #325, Austin

If you have any questions concerning this notice, please contact Wendy Walsh at the City of Austin, Neighborhood Planning & Zoning Department, (512) 974-7719. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call. See enclosed sheet for more information on public hearings.

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Bryan Colkin

Address 9330 Lightfoot Loop

☐ I am in favor

(Estoy de acuerdo)

☒ I object

(No estoy de acuerdo)

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) ELIZABETH M. STERLING

Address 2960 COLUBA DR. 78748

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Francis R. Welsky

Address 9200 Linkmeadow Dr Austin TX 78748

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Hilward G. Rogers

Address (property) 9319 Lightwood Loop, Austin, TX 78748  
(current residence) 1607 S. 15<sup>th</sup> Place, Rogers, AR 72758

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Peter Menke

Address 8306 Piney Creek Bend 78745

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) DAVID & Rebekah Ratten

Address 8810 Peppergrass Cv Austin TX 78745

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Brent Brown

Address 9401 Lightwood Ln

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Erik & Virginia Foster

Address 2959 Cohoba Dr. Austin, Tx 78748

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Steve & Belinda Smith

Address 9309 Tea Rose Tr.

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

Planning ~  
the File Number

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Mike Najera

Address 9408 Lightwood Loop

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Paul Velez

Address 9308 Silk Oak Cove

Austin, Texas 78748

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

1

## Walsh, Wendy

---

**From:** BBernhar@austin.isd.tenet.edu  
**ant:** Monday, March 22, 2004 8:07 AM  
**cc:** jmcortez@hotmail.com; jdonisi@austin.rr.com; jay@jaygohilrealty.com; chammond1@austin.rr.com; pinnelli@flash.net; apsinc@bga.com; bbaker@austntexas.org; kbjackson@pbsj.com  
**Cc:** wendy.walsh@ci.austin.tx.us  
**Subject:** proposed zoning change

As an affected property owner, I am writing this note to inform you of my protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, I am against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Please note my opposition, and do not hesitate to contact me in the event you need additional information or comment. --

Beth Bernhard

8805 Peppergrass Cove  
Austin, TX 78745  
512-282-4177  
BBernhar@austin.isd.tenet.edu

March 16, 2004

Ms. Wendy Walsh  
City of Austin  
Neighborhood Planning & Zoning Department  
505 Barton Springs Road  
P. O. Box 1088  
Austin, Texas 78767-8835

RE: File Number C14-03-0157

Dear Ms. Walsh:

As an affected property owner, I am writing this note to inform you of my protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, I am against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Sincerely,



Olga Puryear  
3120 Cohoba Drive  
Austin, Texas 78748  
Phone: 291-1141



## Walsh, Wendy

---

**From:** Alfonso Delgado [Alfonso@d@poncho2.com]

**Sent:** Tuesday, March 23, 2004 5:41 PM

**To:** Wendy.Walsh@ci.austin.tx.us

**Subject:** "Harris Ranch" zoning case # C14-03-0157

Ms. Walsh, as affected property owners we are writing this note to inform you of our protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.


Please note our opposition, and do not hesitate to contact us in the event you need additional information or comment. --

Leticia&Alfonso Delgado

9314 Lightwood Lp

Austin Tx 78748

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 **IncrediMail** - Email has finally evolved - [Click Here](#)



City of Austin, Neighborhood Planning & Zoning Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

## NOTICE OF ZONING & PLATTING COMMISSION PUBLIC HEARING FOR A PROPOSED ZONING CHANGE

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2680.

Mailing Date of this Notice: March 5, 2004  
Mailing Date of First Notice: October 30, 2003

File Number: C14-03-0157

ADDRESS AND/OR LEGAL DESCRIPTION OF PROPOSED ZONING CHANGE (See Map) Southeast corner of  
Brodie and Davis Lanes

### PROPOSED ZONING CHANGE:

FROM: DR--Development Reserve district is intended to prevent isolated, inappropriate, or premature uses from locating on lands for which adequate public services and facilities are unavailable, or for which a determination of the most appropriate zoning district is precluded by a lack of data customarily utilized in establishment of permanent district classifications, or for which land use and urban development policies have not been completed. RR--Rural Residence district is intended as an area for very low density residential use, with a minimum lot size of one acre. This district is appropriate for selected locations where rural characteristics are desired, or where terrain or public service capacities necessitate very low densities.

TO: CS--General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. MF-3--Multifamily Residence (Medium Density) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable. SF-6--Townhouse and Condominium Residence district is intended as an area for moderate density single family, duplex, two family, townhouse, and condominium use, without the spacing and locational requirements for townhouses and condominiums that apply in SF-5. This district is appropriate for areas in which unusually large lots predominate with access to other than minor residential streets, and in selected areas where a transition from single-family to multifamily use is appropriate. SF-4A--Single-Family Residence (Small Lot) district is intended as an area predominately for medium density single-family residential use, with a minimum lot size of 3,600 square feet. In appropriate locations, small lot single-family use is permitted under standards which maintain single-family neighborhood characteristics.

OWNERS: Robert Brent Harris, John Weldon Harris & Darrow Dean Harris PHONE: (512) 282-1377  
AGENT: Weynand Development, LTD (Mike Weynand) PHONE: (512) 848-1450

ZONING & PLATTING COMMISSION HEARING DATE: March 16, 2004 TIME: 6:00 PM  
LOCATION: 505 Barton Springs Road, One Texas Center 3<sup>rd</sup> Floor, Training Room #325, Austin

If you have any questions concerning this notice, please contact Wendy Walsh at the City of Austin, Neighborhood Planning & Zoning Department, (512) 974-7719. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call. See enclosed sheet for more information on public hearings.

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0157-WW

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Leticia & Alfonso Delgado

Address 9314 Lightwood Loop  
Austin, TX 78748

☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

**Walsh, Wendy**

---

**From:** Megan Wisdom-Larkin [mewl2000@austin.rr.com]

**Sent:** Monday, March 29, 2004 11:13 PM

**To:** wendy.walsh@ci.austin.tx.us

**Subject:** Harris Ranch Zoning change

Dear Ms. Walsh,

As an affected property owner, I am writing this note to inform you of my opposition to the proposed zoning change for the property mentioned in zoning case **C14-03-0157**, known as the "**Harris Ranch**." The current requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, I am against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer. I personally work very hard to use no chemicals, pesticides or herbicides on my lawn in order to protect this very sensitive area from damage.

I realize the property owner has rights and would not personally object to the property being zoned the same as our neighborhood, SF2. I do not think this is unreasonable since the Harris Ranch property immediately abuts our subdivision.

Thank you for your attention to this matter.

Megan Larkin  
9508 Tca Rose Trail  
Austin, TX 78748  
280-2066

3/30/2004

**Walsh, Wendy**

**From:** Laura Cardoso [lcardura@yahoo.com]  
**Sent:** Tuesday, March 30, 2004 2:24 PM  
**To:** wendy.walsh@ci.austin.tx.us  
**Subject:** Protest and Opposition to Pending Harris Ranch Zoning Case

Ms. Walsh,

As affected property owners we are writing this note to inform you of our protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhoods and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Please note our opposition, and do not hesitate to contact us in the event you need additional information or comment.

Thank you,

Chad and Laura Cardoso

3000 Cohoba Drive, Austin, TX 78748  
Number 512.291.1541 or 512.462.1378 Laura at Work

Contact Home

This e-mail was cc to all the members on the Zoning and Platting Committee.

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Do you Yahoo!?

**Yahoo! Finance Tax Center** - File online. File on time.

## Walsh, Wendy

---

**From:** Barbara Statum [bstatum@hfhslaw.com]  
**ent:** Friday, April 02, 2004 10:16 AM  
**o:** chammond1@austin.rr.com; jdonisi@austin.rr.com; bbaker@austintexas.org;  
apsinc@bga.com; wendy.walsh@ci.austin.tx.us; pinnelli@flash.net; jmcortez@hotmail.com;  
jay@jaygohilrealty.com; kbjackson@pbsj.com  
**Subject:** Zoning File # C14-03-0157

I am writing to voice my strong objections to the application for rezoning of the Harris Ranch. I am a homeowner in Cherry Creek on Brodie, residing at 9300 Silk Oak Cove and my property backs to the Harris Ranch.

I am particularly opposed to any commercial or multi-family construction on the property.

Please help us maintain the integrity of the single family neighborhoods surrounding the property by voting against the zoning change.

Sincerely,  
Barbara Statum  
9300 Silk Oak Cove  
Austin, Texas 78748

**Walsh, Wendy**

---

**From:** Skdprocks@aol.com

**Sent:** Monday, April 05, 2004 12:08 PM

**To:** wendy.walsh@ci.austin.tx.us; jmcortez@hotmail.com; jdonisi@austin.rr.com;  
jay@jaygohilrealty.com; chammond1@austin.rr.com; pinnelli@flash.net; bbaker@austintexas.org;  
kbjackson@pbsj.com

**Subject:** Harris Ranch Zoning Case

Hello. As affected property owner, I am writing this note to inform you of my protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch". The current proposed requested zoning change is incompatible with the existing surrounding zoning classifications, including but not limited to existing neighborhood and existing and recently approved new development for the area. The proposed zoning change would also overburden the already congested roads and infrastructure. Finally, we are against the proposed current zoning change because of the negative impact it will have upon the environment and the water quality of the Edwards Aquifer.

Sincerely,  
Frances M. Davis  
3219 Silkgrass Bend  
Austin, TX 78748

4/5/2004

**Walsh, Wendy**

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**From:** Nancy Miller [nancymiller1000@sbcglobal.net]**Sent:** Tuesday, April 06, 2004 12:14 PM**To:** wendy.walsh@ci.austin.tx.us**Cc:** jmcortez@hotmail.com**Subject:** C14-03-0157 100 acre Harris Ranch

Ms. Walsh, since the last time we spoke over the phone, I've moved into my new home at 3004 Cohoba Drive. It seems as there are still some undetermined zoning and platting issues regarding my neighbor's, Robert Harris, proposed Harris Ranch Development. I appreciate being given the opportunity to voice my concerns as an adjoining property owner. As both an adjoining property owner, a real estate broker, and 20 year resident of this particular area of town, I know how important quality development will be in order to maintain the uniqueness and integrity of our neighborhoods. I as well as many of my neighbors have signed a petition in protest and opposition to the proposed zoning change for the property mentioned in zoning case C14-03-0157, known as the "Harris Ranch." I look forward to seeing everyone at the Hearing on Tuesday, April 6th!

4/6/2004

**Walsh, Wendy**

---

**From:** NANCY BROWN [ncpuryearbrown@earthlink.net]

**Sent:** Tuesday, May 04, 2004 10:49 AM

**To:** wendy.walsh@ci.austin.tx.us; jdonisi@austin.rr.com; jay@jaygohilrealty.com;  
chammond1@austin.rr.com; pinnelli@flash.net; apsinc@bga.com; bbaker@austintexas.org;  
kbjackson@pbsj.com

**Subject:** Zoning Case #C14-03-0157 (Harris Ranch Development)

As a concerned homeowner of the Tanglewood Oaks subdivision, I protest the zoning application currently proposed for the Harris Ranch Development. I live on Bradner Drive which runs into Cohoba Drive and I believe the quality of our neighborhood will be greatly diminished by the current proposal. I submit the following issue for your consideration:

When Milburn Homes (now D.R. Horton) erected the wooden fence along Westgate Boulevard for Tanglewood Oaks, this neighborhood was considered a "pocket neighborhood" because Westgate was not going to be a through street. The current proposed zoning of the Harris Ranch Development, which includes extending Westgate Boulevard, will cause increased traffic and noise to our neighborhood. I believe a reasonable solution to part of this problem would be to replace the current fence with a masonry wall like that erected for the Sendera subdivision at Slaughter Lane and Mopac.

Thank you for your consideration.

NANCY BROWN

ncpuryearbrown@earthlink.net

Why Wait? Move to EarthLink.

5/4/2004



**Walsh, Wendy**

**From:** Phyllis Puryear [PPuryear@heritage-title.com]  
**Sent:** Tuesday, May 04, 2004 9:58 AM  
**To:** 'wendy.walsh@ci.austin.tx.us'; 'jdonisi@austin.rr.com'; 'jay@jaygohilrealty.com';  
 'chammond1@austin.rr.com'; 'pinnelli@flash.net'; 'apsinc@bga.com'; 'bbaker@austintexas.org';  
 'kbjackson@pbsj.com'  
**Subject:** Zoning Case #C14-03-0157 (Harris Ranch Development)

As a very concerned homeowner of the Tanglewood Oaks subdivision, I protest the current zoning application currently proposed for the Harris Ranch Development. I reside on Cohoba which is the street adjoining the proposed development, and there are a couple of issues that I consider important for your consideration:

1. When Tanglewood Oaks was first built by Milburn Homes (now D.R. Horton), the community fence along Westgate Boulevard was of little concern because the area was considered a "pocket" neighborhood in that Westgate Boulevard was not a thru street. The current zoning of the Harris Ranch development, along with the extension of Westgate Blvd., will surely cause increased traffic, noise and danger to the quiet neighborhood that we have the privilege of enjoying now. With that said, it seems only fair to say that Tanglewood Oaks should be able to have an **upgraded community fence** along Westgate Boulevard constructed of the same or similar type material that is currently used in the Sendera subdivision at Slaughter Lane/Mopac (which was also built by Milburn Homes).

2. For those residents on Cohoba there is the issue of the 40 ft. water easement behind our homes and the threat and worry of **flooding** which may occur due to the eventual building and development behind our property. Currently, some of the Cohoba residents have already witnessed 3 to 4 ft. high water levels in the easement during heavy rains.

Your consideration of these issues would be very much appreciated.

**Ms. Phyllis Puryear**  
**Heritage Title Company of Austin, Inc.**  
**401 Congress Avenue, Suite 1500**  
**Austin, Texas 78701**  
**Phone: 512-505-5000**  
**Fax: 512-380-8840**

**Walsh, Wendy**

---

**From:** trumprop@juno.com  
**Sent:** Thursday, May 06, 2004 8:27 AM  
**To:** jklarkin@austin.rr.com  
**Cc:** bbaker@austintexas.org; Wendy.Walsh@ci.austin.tx.us; josephmartinez@yahoo.com; jay@jaygohilrealty.com; jdonisi@austin.rr.com; chammond1@austin.rr.com; Pinnelli@flash.net; apsinc@bga.com; kbjackson@pbsj.com; pgbrown@mac.com; bjudis2000@yahoo.com; bjudi@allstate.com  
**Subject:** Re: C14-03-0157

Hi John,  
FYI, we are Tanglewood Oaks Owners Association (TOOA). I checked the letter and it has our correct name.

Thanks,  
GaryT

On Tue, 4 May 2004 12:23:19 -0500 "John Larkin" <jklarkin@austin.rr.com> writes:

Greetings Chairman Baker, Honorable Commissioners, and Ms. Walsh,

I would like to inform you that I have been designated as the primary speaker for the Valid Petitioners and the Cherry Creek on Brodie Neighborhood Association and, as such, respectfully request five minutes to present our perspective before the Zoning and Platting Commission.

I would also like to take this opportunity to present an electronic copy of a letter prepared and jointly signed by the Presidents of Cherry Creek on Brodie Lane and Tanglewood Oaks Neighborhood Associations. They will be presenting the signed copy to Ms. Wendy Walsh at the hearing this evening for placement within the case file.

Sincerely,  
John K. Larkin  
Vice President Cherry Creek on Brodie Lane NA (CCOBNA)  
CCOBNA Development Committee Chair  
Liaison for Case C14-03-0157 Valid Petitioners

9508 Tea Rose Trail  
Austin, Texas  
Cell 970-8157  
Home 280-2066

Greetings Honorable Chairman Baker and fellow Zoning and Platting Commissioners,

We are writing on behalf of the Cherry Creek on Brodie Neighborhood and Tanglewood Oaks Owners' Associations in the following case on your agenda for May 4, 2004:

4. C14-03-0157 - HARRIS RANCH, By: John Weldon Harris, Darrow Dean Harris and Robert Brent Harris; Weynand Builders, Ltd. (Mike Weynand), South side of Davis Lane between Brodie Lane and Westgate Boulevard. (Slaughter Creek - Barton Springs Zone). **FROM DR; RR TO GR; MF-2; SF-6; SF-2, AS AMENDED. ALTERNATE RECOMMENDATION: GR-CO, MF-2, SF-6, SF-2; WITH CONDITIONS. City Staff: Wendy Walsh, 974-7719. POSTPONED FROM 3-16 (STAFF), 4-6 (NEIGHBORHOOD).**

Since receiving the postponement of this case on April 6, we have set up three meetings with the applicants to attempt to reach an agreement prior to going before ZAPCO again. We offered three separate scenarios for their consideration. One scenario was what we are seeking in our valid petition, which the city has certified: that the property be zoned for rural residential for development of large-lot homes. Two scenarios we offered moved significantly off of that petition in an effort to give the developers something to work with and something we could take to our petitioners and other property owners for consideration.

The applicants initially told us that they thought our positions were "obviously well-thought-out and something they could work with." We set up a meeting for a few days later to get their specific response. However, at that meeting, they did not give us any specific plans as promised; in fact, they had changed their position and said our proposals were unreasonable. Thus, with the May 4 hearing drawing close, we have been left empty-handed despite our efforts to work with the applicants for a mutually agreed-upon proposal. We have not heard from them since that last meeting on April 22 and are very disappointed that our requested postponement of this case has not yielded the hoped-for results.

We held a meeting of local community stakeholders today, May 2, and agreed to inform ZAPCO prior to the hearing that we oppose any rezoning of the subject tract and we wholeheartedly endorse the valid petition submitted by overwhelming margins of our affected property owners. We specifically, in addition to and apart from all other considerations, oppose any MF zoning at all. We will have representatives speak at the hearing, but wanted to give you a heads-up as to where we stand.

Sincerely yours,

Phil Brown, President, Cherry Creek on Brodie Neighborhood Association  
Gary Trumbo, President, Tanglewood Oaks Owners Association

**Walsh, Wendy**

**From:** J R Tamsitt [jtam121419@austin.rr.com]  
**Sent:** Tuesday, May 04, 2004 9:23 PM  
**To:** wendy.walsh@ci.austin.tx.us; jdonisi@austin.rr.com; jay@jaygohilrealty.com;  
chammond1@austin.rr.com; pinnelli@flash.net; apsinc@bga.com; bbaker@austintexas.org;  
kbjackson@pbsj.com  
**Subject:** Harris Branch & Westgate Blvd. extension

TO:

Wendy Walsh, City of Austin Case Manager, [wendy.walsh@ci.austin.tx.us](mailto:wendy.walsh@ci.austin.tx.us) or (974-7719)

John Philip Donisi, Zoning & Platting Commissioner, [jdonisi@austin.rr.com](mailto:jdonisi@austin.rr.com) or (472-8021)

Jay A. Gohil, Zoning & Platting Commissioner, [jay@jaygohilrealty.com](mailto:jay@jaygohilrealty.com) or (258-4248)

Clarke Hammond, Zoning & Platting Commissioner, [chammond1@austin.rr.com](mailto:chammond1@austin.rr.com)

Janis Pinnelli, Zoning & Platting Commissioner, [pinnelli@flash.net](mailto:pinnelli@flash.net) or 478-7816

Melissa Whaley, Zoning & Platting Commissioner, [apsinc@bga.com](mailto:apsinc@bga.com)

Betty Baker, Zoning & Platting Commissioner, [bbaker@austintexas.org](mailto:bbaker@austintexas.org) or 442-5371 - Chairperson of ZAPCO

Keith Jackson, Zoning & Platting Commissioner, [kbjackson@pbsj.com](mailto:kbjackson@pbsj.com) or 327-6840

**TANGLEWOOD OAKS' HOMEOWNER *RE***  
**ZONING HEARING "HARRIS RANCH" DEVELOPMENT**

Our TOOA President, Gary Trumbo, has listed the following negotiating points regarding the "Harris Ranch" development, for which I am in favor:

1) We prefer that Westgate not go through, but if it must then we like the two lane idea (a la Deer Lane), want 4-way stop signs at Cohoba, Nesbit, and Kentish, stoplights at Davis/Westgate and Slaughter/Westgate, and traffic speed control devices on Westgate.

2) We want a pedestrian under/overpass on Westgate that is well lit.

3) We want Milburn to fund and actually do the work of improving our trail and bridge to Cowan Elementary to a commercial level.

4) Residents of Tanglewood Oaks get full access (at no charge or the same

charge as Harris Ranch residents) to all Harris Ranch amenities (pool, trails, lakes, parks, tennis, etc.).

5) Sales of their SF/MF residential living units are limited to 1 per individual or entity to prevent investor/rental activity.

6) While Harris Ranch is under construction (preferably at the onset) Milburn is to replace our community fence along Westgate with a masonry wall of the same/similar type as they have used in Sendera along Slaughter Lane, and elsewhere. (Of course the reason we need them to do this is for safety reasons, sound abatement, and to try and maintain the quality of life we now have that will be greatly diminished with the increased traffic, noise, pollution, danger, etc. that will come with the opening up Westgate.) In lieu of this they could cut us a check for \$150,000.00, and we could have Fencecrete do it for us. For their doing this we could agree to take title to the retention ponds that they are now stuck with as well as the lot on Lagerway Cove and the monument lot.

7) Written assurances that the residents on Cohoba will not be subject to flooding when it rains.

8) A streetlight on Sanford south of Crownspoint roughly equidistant from the ones to the north and the south.

Your attention is appreciated.

*J R Tamsitt*  
*9313 Bradner Dr.*  
*Austin Tx 78748*  
*Tel 512 280-9858*  
*[jtam121419@austin.rr.com](mailto:jtam121419@austin.rr.com)*

**Walsh, Wendy**

---

**From:** GREG SMITH [smithg12@texas.net]

**Sent:** Wednesday, May 05, 2004 2:30 PM

**To:** wendy.walsh@ci.austin.tx.us

**Subject:** C14-03-0157

Wendy,

I do not support the new zoning request as stated. Any changes should bless all involved.

Thanks,  
Liz Smith  
9204 Linkmeadow Dr.  
Austin, TX 78748  
291-1893

5/5/2004

## Walsh, Wendy

---

**From:** Henry Cowen [HCowen@rosco.com]  
**Sent:** Tuesday, May 11, 2004 9:15 AM  
**To:** wendy.walsh@ci.austin.tx.us; jdonisi@austin.rr.com; jay@jaygohilrealty.com; chammond1@austin.rr.com; pinnelli@flash.net; apsinc@bga.com; bbaker@austintexas.org; kbjackson@pbsj.com  
**Subject:** Opposed to zoning case number C14-03-0157 -May18th 2004-

To Whom it May Concern,

I am writing you all personally to log my opposition to zoning case number C14-03-0157 as it is presently requested by the developer. I live on the southern border of the proposed tract and am part of a coalition of neighbors that has been attempting to work out a reasonable solution with the developer. As of 4/27/04 the developer has no longer been willing to meet with our group, and has now amended this previous zoning application to be mostly sf6 condos and mf2 apartments, with small 200ft strip of sf2 homes along southern boundary, intentionally leaving NO buffer between the development and our homes. Previously the developer had more homes planned but at least the proposal included a buffer along the border with our neighborhood (Cherry Creek on Brodie Lane).

I see this as most who live on the border of this land would... spiteful, unfriendly strong arm tactics to scare the neighborhood into giving in to the developers original plans. We as a group are NOT opposed to developing the land, we just want smart measured growth in our area, and want to be a part of the solution, not the ones left to live with the problems created by it. Given the tremendous amount of activity in the area we feel careful consideration is required to maintain the quality of life in our community.

This hearing has been rescheduled for May 18th and I will be there in person but wanted to send you a note in advance to file my opposition, and ask you to please deny the zoning application for zoning case number C14-03-0157 as it is presently submitted.

Thank you for your time.  
Best Wishes,  
Henry

Henry Cowen  
9334 Lightwood Loop  
Austin, TX 78748  
512-292-9739 (h)

**Walsh, Wendy**

---

**From:** Guernsey, Greg  
**Sent:** Monday, August 23, 2004 8:20 AM  
**To:** Walsh, Wendy  
**Subject:** FW: Zoning Case # C14-03-0157 & # C814-04-00

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

**From:** Pat Laird [mailto:pflaird@yahoo.com]  
**Sent:** Thursday, June 17, 2004 11:00 AM  
**To:** Guernsey, Greg  
**Subject:** Zoning Case # C14-03-0157 & # C814-04-00

Dear Mr. Guernsey,

I am a home owner in Cherry Creek on Brodie Neighborhood and I ***strongly oppose*** Harris Ranch (Zoning Case # C14-03-0157) and Brodie31 Planned Unit Development (Zoning Case # C814-04-0024). The zoning needs to stay as it is. The schools, roads and other infrastructure cannot handle dense population on these tracks. They are environmentally delicate areas covered by SOS.

Sincerely,

Patricia Laird  
9318 Lightwood Loop  
Austin, TX 78748  
282-2551  
[pflaird@yahoo.com](mailto:pflaird@yahoo.com)

---

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8/23/2004



RECEIVED

MAR 29 2004

Neighborhood Planning & Zoning

P E T I T I O N

Date: March 29, 2004

File Number: C14-03-0157

Address of

Rezoning Request: Davis Lane between  
Westgate Blvd. & Brodie Lane (see attached  
Notice of Filing of Application for Rezoning)

BRIAN JUDIS - 241-3005  
619-9721

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than Rural Residential zoning.

We are against the current proposed requested zoning change because it is incompatible with the existing surrounding zoning classifications, including but not limited to the neighborhoods and development. The proposed zoning change, if granted, will also overburden the already congested roads and infrastructure, thereby creating safety concerns. Finally, we are against the proposed zoning change because of the substantial negative environmental impact it will have upon the surrounding neighborhoods, and the water quality of the Edwards Aquifer.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

|                        |                 |                     |
|------------------------|-----------------|---------------------|
| <u>Carla Trautwein</u> | Carla Trautwein | 9424 Lightwood Loop |
| <u>Ken Trautwein</u>   | Ken Trautwein   | 9424 Lightwood Loop |
| <u>Colten Smith</u>    | Colten Smith    | 9412 Lightwood Loop |
| <u>Cari Peabody</u>    | Cari Peabody    | 9405 Lightwood Loop |
| <u>Tammy Stickley</u>  | Tammy Stickley  | 9401 Lightwood Loop |
| <u>Brent Brown</u>     | Brent Brown     | 9401 Lightwood Loop |
| <u>Henry Cowen</u>     | Henry Cowen     | 9334 Lightwood Loop |
| <u>Loreta Cowen</u>    | Loreta Cowen    | 9334 Lightwood Loop |
| <u>Kellye Johnson</u>  | Kellye Johnson  | 9332 Lightwood Loop |

P E T I T I O N

File Number: C14-03-0157

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Paul Velez          | PAUL Velez          | 9308 SILK OAK COVE |
| Sally Velez         | Sally Velez         | 9308 SILK OAK COVE |
| Cyril M. Statum     | Cyril M. Statum     | 9300 SILK OAK COVE |
| Barbara Haus Statum | Barbara Haus Statum | 9300 SILK OAK COVE |
| Guadalupe Moody     | Guadalupe Moody     | 9320 SILK OAK COVE |
| James Geseste       | JAMES Geseste       | 9320 SILK OAK CV   |
| Daniel E. Buschi    | DANIEL E. BUSCHI    | 9307 SILK OAK CV - |
| Alex Morales        | Alex Morales        | 9309 SILK OAK CV.  |
| Sherill Morales     | Sherill Morales     | 9309 SILK OAK CV.  |
| Rajesh Patel        | RAJESH PATEL        | 9313 SILK OAK COVE |
| Nipa Patel          | NIPA PATEL          | 9313 SILK OAK COVE |
| Nina Marburger      | Nina Marburger      | 9317 SILK OAK COVE |
| David Johnson       | David Johnson       | 9310 Tea Rose Tr.  |
| Felipe Vega         | FELIPE VEGA         | 9308 TEA ROSE TR   |
| Liz Melay           | LIZ MELAY           | 9301 Tea Rose      |
| Maurice Hamel       | Maurice Hamel       | 9305 Tea Rose      |
| Liz Hamel           | Liz Hamel           | same               |
| Billie Davis        | Billie Davis        | 9307 Tea Rose      |
| Richard Davis       | Richard Davis       | 9307 TEA ROSE Tr.  |
| Belinda Smith       | Belinda Smith       | 9309 Tea Rose TR   |

P E T I T I O N

File Number: C14-03-0157

|                                |                     |                     |
|--------------------------------|---------------------|---------------------|
| <del>Christine H. Riojas</del> | Christine H. Riojas | 9325 Lightwood Loop |
| <del>Gerardo Riojas</del>      | Gerardo Riojas      | 9325 Lightwood Loop |
| <del>Valerie L Smith</del>     | Valerie L Smith     | 9404 Lightwood Loop |
| <del>Michael Najera</del>      | Michael Najera      | 9408 Lightwood Loop |
| <del>Monalisa Salem</del>      | Monalisa Salem      | 9425 Lightwood Loop |
| <del>Mike Kelley</del>         | Mike Kelley         | 9429 Lightwood Loop |
| <del>Lynna Kelley</del>        | Lynna Kelley        | 9429 Lightwood Loop |
| <del>Fritz Parker</del>        | Fritz Parker        | 9440 Lightwood Loop |
| <del>Janet Parker</del>        | Janet Parker        | 9440 Lightwood Loop |
| <del>Melissa Padilla</del>     | Melissa Padilla     | 9428 Lightwood Loop |
| <del>Kabalan Salem</del>       | Kabalan Salem       | 9425 Lightwood Loop |
| <del>Jeff Peabody</del>        | Jeff Peabody        | 9405 Lightwood Loop |
| <del>Lamar Smith</del>         | Lamar Smith         | 9404 Lightwood Loop |
| <del>Anthony M. Johnson</del>  | Anthony M. Johnson  | 9332 Lightwood Loop |
| <del>David Russom</del>        | David Russom        | 9317 Lightwood Loop |
| <del>Melissa Russom</del>      | Melissa Russom      | 9317 Lightwood Loop |
| <del>Cynthia Nyland</del>      | Cynthia Nyland      | 9433 Lightwood Loop |
| <del>Donald E Nyland</del>     | Donald E Nyland     | 9433 Lightwood Loop |
| <del>Joseph Yick</del>         | Joseph Yick         | 9432 Lightwood Loop |
| <del>Lynda Williams</del>      | Lynda Williams      | 9316 Lightwood Loop |
| <del>Anna Velasquez</del>      | Anna Velasquez      | 9308 Lightwood Loop |
| <del>Terri Blaine</del>        | Terri Blaine        | 9302 Lightwood Loop |

P E T I T I O N

File Number: C14-03-0157

Ann V Denton Ann V. Denton 9300 Lightwood Loop

John Anguiano John Anguiano 9305 Lightwood Loop

Keith Rech Keith Rech 9303 Lightwood Loop

Cindy Rech Cindy Rech 9303 Lightwood Loop

Cindy Brown Cindy Brown 9306 Lightwood Loop

Sarah Weier Sarah Weier 9307 Lightwood Loop

William Weier William Weier 9307 Lightwood Loop

Philip Naughton PHILIP NAUGHTON 9312 Lightwood Loop

Jan Naughton Jan Naughton 9312 Lightwood Loop

Nada Bracewell Nada Bracewell 9322 Lightwood Loop

Cathy Bracewell Cathy Bracewell 9322 Lightwood Loop

Terry Moreno Terry Moreno 3107 Silkgrass Bend

Joe Moreno Joe A. Moreno 3107 Silkgrass Bend

Jennifer Hopkins Grant JENNIFER HOPKINS GRANT 3108 SILKGRASS BEND

Charles Hempel CHARLES HEMPEL 3108 SILKGRASS BEND

Michael J. Jackson MICHAEL J. JACKSON 3132 SILKGRASS BEND

Karen L. Jackson Karen L. Jackson 3132 Silkgrass Bend

Isabel Lee Isabel Lee 3123 Silkgrass Bend

W R (Peeb) Young W R (Peeb) Young 3119 Silkgrass Bend

Marcy Brooks Marcy Brooks 3115 Silkgrass Bend

Russell Gilly RUSSELL GILLY 9414 Lightwood Cove

Dhinakarraj Gantala Dhinakarraj Gantala 9412 Lightwood Cove

P E T I T I O N

File Number: C14-03-0157

|                     |                     |                         |
|---------------------|---------------------|-------------------------|
| Lawrence Gyselick   | Lawrence Gyselick   | 9412 Lightwood Cove     |
| Floyd Quinn         | Floyd Quinn         | 9404 Lightwood Cove     |
| LINDA HARTMAN       | LINDA HARTMAN       | 9402 LIGHTWOOD COVE     |
| VICTOR MARROQUIN    | VICTOR MARROQUIN    | 9400 Lightwood Cove     |
| Nova E. Marroquin   | Nova E. Marroquin   | 9400 Lightwood Cove     |
| Laurie Runk         | Laurie Runk         | 9403 Lightwood Cove     |
| Vicki Eggmann       | Vicki Eggmann       | 9407 Lightwood Cove     |
| Ran Eggmann         | Ran Eggmann         | " " "                   |
| Patricia Ellis      | Patricia Ellis      | 9410 Lightwood Cn.      |
| JOHN WALDNER        | JOHN WALDNER        | 3131 Silkgrass Bend     |
| RENAE WALDNER       | RENAE WALDNER       | " "                     |
| Chrystal Hovestol   | Chrystal Hovestol   | 3128 Silkgrass Bend     |
| Stephen Hovestol    | Stephen Hovestol    | 3128 Silkgrass Bend.    |
| David Villasana Jr. | David Villasana Jr. | 9308 Lightwood Loop DR. |
| Josh Rea            | Josh Rea            | 3104 Silkgrass          |
| RANDY MALLORY       | RANDY MALLORY       | 9309 LIGHTWOOD Y.       |
| Clifford Park       | Clifford Park       | 9322 Lightwood Lr.      |
| FRANCES PUGH        | FRANCES PUGH        | 9436 Lightwood Loop     |
| GILBERT PUGH        | GILBERT PUGH        | 9436 Lightwood Loop     |
| Richard S Jones Jr  | Richard S Jones Jr  | 9437 Lightwood Loop     |
| Elizabeth Smith     | Elizabeth Smith     | 9412 Lightwood Loop.    |
| PATSY FREEMAN       | PATSY FREEMAN       | 9326 LIGHTWOOD LOOP     |

P E T I T I O N

File Number: C14-03-0157

|                     |                       |                     |
|---------------------|-----------------------|---------------------|
| Christine Laflamme  | Christine Laflamme    | 9331 Lightwood Loop |
| R. Petersen         | Robert Petersen       | 9329 Lightwood Loop |
| Char. Petersen      | Charlotte L. Petersen | 9329 Lightwood Loop |
|                     | Bryan Collier         | 9330 Lightwood Loop |
| LaDonna Collier     | LaDonna Collier       | 9330 Lightwood Loop |
|                     | John Eades            | 9328 Lightwood Loop |
| Kelly Standley      | Kelly Standley        | 9327 Lightwood Loop |
| Ty Standley         | Ty Standley           | 9327 Lightwood Loop |
| JoAnne Wheelless    | JoAnne Wheelless      | 9324 Lightwood Loop |
| C.E. Wheelless      | C.E. Wheelless        | 9324 Lightwood Loop |
| Sherry Eades        | Sherry Eades          | 9328 LIGHTWOOD Loop |
| Abel Rodriguez      | Abel Rodriguez        | 9321 Lightwood Loop |
| Edna Rodriguez      | EDNA RODRIGUEZ        | 9321 LIGHTWOOD Loop |
| Polly Robinette     | Polly Robinette       | 9320 Lightwood Loop |
| Patrick Robinette   | Patrick Robinette     | 9320 Lightwood Loop |
| Don Laird           | DON LAIRD             | 9318 Lightwood Loop |
| Pat Laird           | Pat Laird             | 9318 Lightwood Loop |
| David Williams      | DAVID WILLIAMS        | 9316 Lightwood Loop |
| Alfonso J. Delgado  | S. Delgado<br>ALFONSO | 9314 Lightwood Lp.  |
| Leticia B. Delgado  | Leticia B. Delgado    | " " "               |
| Giulio S. Hernandez | Giulio S. Hernandez   | 9420 Lightwood Loop |
| Claudia Hernandez   |                       | 9420 Lightwood Loop |

P E T I T I O N

File Number: C14-03-0157

|                   |                   |                    |
|-------------------|-------------------|--------------------|
| Laura Poliakoff   | Laura Poliakoff   | 3008 Cohoba Dr.    |
| Michael Poliakoff | Michael Poliakoff | 3008 Cohoba Dr.    |
| Chris McFarland   | Chris McFarland   | 3012 Cohoba Dr.    |
| Rebecca McFarland | Rebecca McFarland | 3012 Cohoba Dr.    |
| Joseph D. Perez   | JOSEPH D. PEREZ   | 3104 Cohoba DR     |
| Tracy E. Perez    | TRACY E. PEREZ    | 3104 Cohoba DR     |
| Gregory S Sawin   | Gregory S Sawin   | 3112 Cohoba Dr     |
| Edyta B. Sawin    | Edyta B Sawin     | 3112 Cohoba Dr     |
| Olga R. Puryear   | OLGA R. PURYEAR   | 312 Cohoba DR.     |
| Phyllis Puryear   | Phyllis Puryear   | 3124 Cohoba DR.    |
| Rox Wood          | Rox Wood          | 3116 Cohoba Dr.    |
| Joe Walton        | Joe Walton        | 9204 Bradner       |
| Jenise Walton     | Jenise Walton     | 9204 Bradner       |
| GARY RAYBOR       | GARY RAYBOR       | 9201 Bradner       |
| TARA RAYBOR       | TARA RAYBOR       | "                  |
| Laura Cardusa     | Laura Cardusa     | 3000 Cohoba Drive  |
| Chad Cardusa      | Chad Cardusa      | 3000 Cohoba Drive  |
| Karen Lewis       | Karen Lewis       | 3116 Cohoba Drive  |
| Joel Hernandez    | Joel Hernandez    | 3123 Cohoba DR.    |
| Stephanie Parker  | Stephanie Parker  | 9201 Linkmeadow Dr |
| Bryan Parker      | Bryan Parker      | 9201 Linkmeadow Dr |

P E T I T I O N

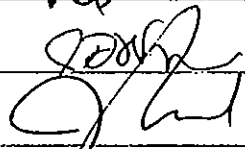
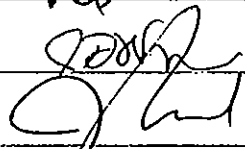
File Number: C14-03-0157

Ruben I. Velasquez RUBEN I. VELASQUEZ 8819 Dandelion Trail  
Jenia P. Velasquez, Tran P. Velasquez 8819 Dandelion Tr.  
Tanny De La Rosa Tanny De La Rosa 8807 Dandelion Tr.  
Tanny De La Rosa Tanny De La Rosa 8807 Dandelion Tr.  
Peter Menke Peter Menke 8806 Piney Cnk Bend  
CHRISTINA MENKE CHRISTINA MENKE 8806 PINEY CNK BEND  
Lindsey Menke Lindsey Menke 8805 Piney Cnk Bend  
Linda Lopez - Linda Lopez - 8812 Dandelion  
Jesse Lopez -  
C.W. Downey C.W. Downey 8801 Peppengrass  
Veronica Downey Veronica Downey 8801 Peppengrass  
Ricardo Olsen Ricardo Olsen 3306 Davis Lane  
Camille Olsen Camille Olsen 3306 Davis Lane  
Erik D. Foster Erik D Foster 2959 Cohoba Dr.  
Virginie Foster Virginie Foster "  
Johnny Lang Johnny Lang 8806 Dandelion Tr  
Michele Lang Michele Lang "  
Rosalinda Perez Rosalinda Perez 8809 Peppergrass Cove  
Rick Perez Rick Perez " "  
DAVID PATTEN DAVID PATTEN 8810 PEPPERGRASS CV.  
Rebekah Patten Rebekah Patten 8810 Peppergrass CV  
Beth Bernhardt Beth Bernhardt 8805 Peppergrass CV



P E T I T I O N

File Number: C14-03-0157

|                               |   |                                      |
|-------------------------------|---|--------------------------------------|
| Art Koening                   | Art Koenigs   | 9312 Tea Rose Trl                    |
| Lenzy Koening                 | Lenzy Koenigs   | 9312 Tea Rose Trl                    |
| RICHARD HAMERSLEY             | Richard Hamersley   | 9306 Tea Rose Trail                  |
| DIANE BARNEY                  | Diane Barney  | 3309 SILKGRASS BEND                  |
| Joan Wagner                   |  | 9605 Kangaroo Ln                     |
| Jess Ronk                     |  | 9403 Lightwood CV #15, TX            |
| Allison Quinn                 | Allison Quinn   | 9404 Lightwood Ct. Austin, TX 78748  |
| Joe A. Moreno, Jr             | Joe A. Moreno Jr  | 3107 Silkglass Bend <sup>78748</sup> |
| Julie Jenkins                 | Julie Jenkins   | 3112 Silkglass Bend <sup>78748</sup> |
| HIDAKO ISHIDA                 | H. Ishida   | 9432 Lightwood Loop                  |
| Jenny Park                    | Jung Park   | 9322 Lightwood Loop.                 |
| William Weier                 | William R Weier   | 9367 Lightwood Loop                  |
| Sarah Weier                   | Sarah Weier   | 9307 Lightwood Loop                  |
| Aaron P. Davis                | Aaron P. Davis  | 9304 Lightwood Loop                  |
| Linda Davis                   | Linda Davis   | 9301 Lightwood Loop                  |
| PAUL <del>SHARON</del> BARNEY | PAUL <del>SHARON</del> BARNEY   | 9302 Tea Rose Trl.                   |
| SHARON BARNEY                 | Sharon Barry  | 9302 Tea Rose Trl.                   |
| Linda James                   | Linda James   | 9300 Tea Rose Tr.                    |
| ILIANA C. RUIZ                | Iliana Ruiz   | 9303 TEA ROSE TRAIL                  |
| JOHN SCHATTE                  | John B Schatte  | 9304 TEA ROSE TRAIL                  |
| Marlene Schatte               | Marlene Schatte   | 9304 Tea Rose Trail                  |
| Nancy Miller                  | Nancy Miller  | 3004 Cohoba Drive                    |

P E T I T I O N

File Number: C14-03-0157

|                                      |                       |   |
|--------------------------------------|-----------------------|---|
| <del>Elizabeth Sterling</del>        | ELIZABETH STERLING    | 2960 COHOBATA<br>AUSTIN, TX             |
| <del>Matasha DeLaTorre</del>         | Matasha DeLaTorre     | 3108<br>Cohoba Dr.                      |
| <del>Richard Littall</del>           | Richard Littall       | 3132 Cohoba<br>Austin, TX 78748         |
| <del>Richard Woehl</del>             | Richard Woehl         | 3100 Cohoba Dr.<br>Austin, TX 78748     |
| <del>Francis N. Wolsky</del>         | Francis N. Wolsky     | 9200 Linkmeadow Dr<br>Austin, TX 78748  |
| <del>Aurora Flores-Wolsky</del>      | AURORA Flores-Wolsky  | 9200 Linkmeadow Dr.<br>Austin, TX 78748 |
| <del>Tamara Gates</del>              | Tamara Gates          | 9200 Bradner<br>Austin 78748            |
| <del>Jennifer Gates</del>            | Jennifer Gates        | 9200 Bradner<br>Austin 78748            |
| <del>Chris &amp; Daniella Bono</del> | Chris & Daniella Bono | 3128 Cohoba Dr<br>Austin, TX 78748.     |

P E T I T I O N

File Number: C14-03-0157

~~Clay~~  
Rasheeda Hosein

Rasheeda Hosein 9416 Lightwood Loop

~~SHERIFF ALI~~ 9416 Lightwood Loop

~~Clay~~  
Claudia Hernandez

Claudia Hernandez 9420 Lightwood Loop

~~Robert Ruri~~

Robert J. R 012 9303 TEA ROSETTE

~~Blair~~  
Blair

Blair 9310 Lightwood Loop

~~Rebecca E. Judis~~

Rebecca E. Judis 9310 Lightwood Loop

# PETITION

Case Number:

**C14-03-0157**

Date:

April 13, 2004

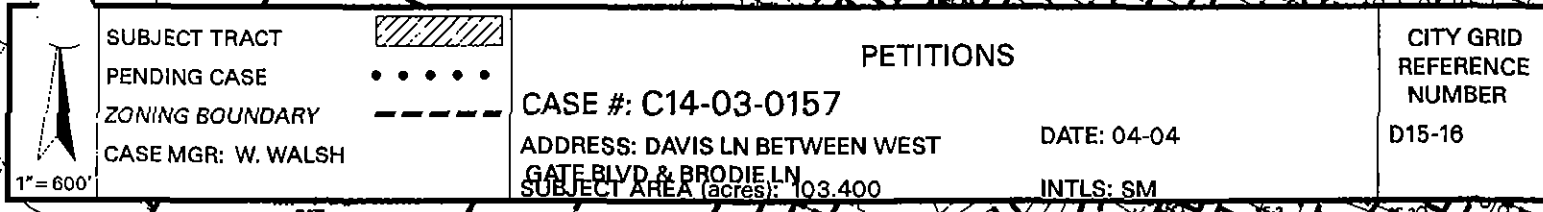
Total Area within 200' of subject tract: (sq. ft.)

1,950,078.75

|    |              |                                     |           |       |
|----|--------------|-------------------------------------|-----------|-------|
| 1  | 04-2223-0209 | DELAROSA JAMES &<br>TAMMY           | 2,676.65  | 0.14% |
| 2  | 04-2225-0112 | PATTEN DAVID &<br>REBEKAH           | 12,487.72 | 0.64% |
| 3  | 04-2225-0114 | PAEZ RICHARD JR &<br>ROSALINDA      | 10,531.84 | 0.54% |
| 4  | 04-2225-0116 | BERNHARD BETH A<br>SANCHEZ VERONICA | 2,936.11  | 0.15% |
| 5  | 04-2225-0118 | & C W DOWNEY                        | 227.76    | 0.01% |
| 6  | 04-2225-0120 | MENKE PETER A &<br>CHRISTI L        | 13,626.87 | 0.70% |
| 7  | 04-2225-0201 | VELASQUEZ RUBEN<br>ISMAEL           | 13,609.63 | 0.70% |
| 8  | 04-2225-0506 | OLSEN RICHARD C &<br>CAMILLE L      | 20,924.76 | 1.07% |
| 9  | 04-2425-1101 | MALLORY RANDALL<br>RAY & NANCY KA   | 7,657.23  | 0.39% |
| 10 | 04-2425-1102 | RUSSOM MELISSA<br>CHENEY            | 3,818.82  | 0.20% |
| 11 | 04-2425-1106 | RIOJAS GERARDO B &<br>CHRISTINE H   | 3,356.65  | 0.17% |
| 12 | 04-2425-1146 | STANDLEY TY & KELLY<br>J            | 4,105.05  | 0.21% |
| 13 | 04-2425-1147 | PETERSEN ROBERT J<br>& CHARLOTTE    | 4,248.04  | 0.22% |
| 14 | 04-2425-1148 | LAFLAMME<br>CHRISTINEB              | 5,248.75  | 0.27% |
| 15 | 04-2425-1201 | CARDOSA CHAD &<br>LAURA Y           | 21,641.19 | 1.11% |
| 16 | 04-2425-1203 | POLIAKOFF MICHAEL<br>C & LAURA E    | 9,139.42  | 0.47% |
| 17 | 04-2425-1204 | BICKFORD REBECCA<br>& CHRISTOPER    | 9,357.05  | 0.48% |
| 18 | 04-2425-1205 | WOEHL RICHARD A<br>PEREZ JOSEPH D & | 9,105.85  | 0.47% |
| 19 | 04-2425-1206 | TRACY E                             | 9,519.79  | 0.49% |
| 20 | 04-2425-1207 | DE LA TORRE FRANK<br>A & NATASHA    | 9,331.40  | 0.48% |
| 21 | 04-2425-1208 | SAWIN GREGORY S                     | 9,412.29  | 0.48% |
| 22 | 04-2425-1209 | LEWIS KAREN S                       | 9,273.17  | 0.48% |
| 23 | 04-2425-1210 | PURYEAR OLGA RUTH                   | 9,260.22  | 0.47% |
| 24 | 04-2425-1211 | PURYEAR PHYLLIS F                   | 12,547.36 | 0.64% |
| 25 | 04-2425-1212 | BONO CHRISTOPHER                    | 21,944.54 | 1.13% |

|    |              |                                    |           |       |
|----|--------------|------------------------------------|-----------|-------|
| 26 | 04-2425-1213 | LITRELL RICHARD G                  | 11,174.09 | 0.57% |
| 27 | 04-2425-1235 | BROWN BRENT A &<br>TAMMY STICKLEY  | 5,298.24  | 0.27% |
| 28 | 04-2425-1236 | PEABODY JEFFREY &<br>CARI          | 2,921.08  | 0.15% |
| 29 | 04-2425-1237 | SALEM KABLAN &<br>MOUNTAHA         | 6,108.87  | 0.31% |
| 30 | 04-2425-1245 | TRAUTWEIN KENNETH<br>J & CARLA     | 4,311.13  | 0.22% |
| 31 | 04-2425-1246 | HERNANDEZ GILMER J                 | 21,265.32 | 1.09% |
| 32 | 04-2425-1247 | ALI SHERIFF &<br>RASHEEDA HOSEIN   | 15,481.66 | 0.79% |
| 33 | 04-2425-1248 | SMITH COLTEN W &<br>ELIZABETH C S  | 12,020.75 | 0.62% |
| 34 | 04-2425-1249 | NAJERA MICHAEL                     | 10,394.58 | 0.53% |
| 35 | 04-2425-1250 | SMITH CURTIS L &<br>VALERIE L      | 10,024.27 | 0.51% |
| 36 | 04-2425-1252 | COWEN HENRY A &<br>LORETTA A       | 8,601.26  | 0.44% |
| 37 | 04-2425-1253 | JOHNSON ANTHONY<br>MICHAEL         | 8,511.25  | 0.44% |
| 38 | 04-2425-1254 | COLLIER BRYAN L &<br>LADONNA K     | 8,381.03  | 0.43% |
| 39 | 04-2425-1255 | EADES JOHN W JR &<br>SHERRY L      | 8,485.28  | 0.44% |
| 40 | 04-2425-1256 | FREEMAN ROBERT P<br>& PATSY R FRE  | 8,676.22  | 0.44% |
| 41 | 04-2425-1257 | WHEELLESS CARROLL<br>E & JO ANNE W | 8,588.93  | 0.44% |
| 42 | 04-2425-1258 | BRACEWELL CAREY H<br>& NADA K      | 8,578.21  | 0.44% |
| 43 | 04-2425-1259 | ROBINETTE PATRICK<br>G & PAULINE   | 8,396.12  | 0.43% |
| 44 | 04-2425-1261 | WILLIAMS DAVID<br>ROSS & LYNDA DI  | 8,537.50  | 0.44% |
| 45 | 04-2425-1262 | DELGADO ALFONSO S<br>& LETICIA B   | 9,103.78  | 0.47% |
| 46 | 04-2425-1263 | NAUGHTON PHILIP &<br>JAN           | 10,191.82 | 0.52% |
| 47 | 04-2425-1264 | JUDIS BRIAN &<br>REBECCA           | 10,973.22 | 0.56% |
| 48 | 04-2425-1265 | VILLASANA DAVID JR<br>& ANNA       | 8,569.54  | 0.44% |
| 49 | 04-2425-1273 | DAVIS RICHARD L &<br>BILLIE        | 1,172.88  | 0.06% |
| 50 | 04-2425-1274 | HAMEL ELIZABETH D &<br>MAURICE F   | 8,531.78  | 0.44% |
| 51 | 04-2425-1275 | RUIZ ROBERT JOE &<br>ILIANA C      | 8,988.01  | 0.46% |
| 52 | 04-2425-1276 | MCKAY LESLY S                      | 11,145.06 | 0.57% |

|                    |              |   |                                  |                |
|--------------------|--------------|---|----------------------------------|----------------|
| 53                 | 04-2425-1277 | JAMES LINDA KAY                         | 10,521.26                        | 0.54%          |
| 54                 | 04-2425-1278 | BARNEY PAUL &<br>SHARON                 | 8,518.93                         | 0.44%          |
| 55                 | 04-2425-1279 | SCHATTE JOHN B &<br>MARLENE J           | 8,366.24                         | 0.43%          |
| 56                 | 04-2425-1280 | HAMERSLEY RICHARD<br>A & CHERYL C       | 1,223.69                         | 0.06%          |
| 57                 | 04-2425-1302 | STERLING ELIZABETH<br>MAE               | 13,752.46                        | 0.71%          |
| 58                 | 04-2428-0106 | MORALES SHERRILL L<br>& ALEX G          | 5,218.87                         | 0.27%          |
| 59                 | 04-2428-0108 | BUSCH DANIEL EMIL<br>STATUM CYRIL       | 12,282.88                        | 0.63%          |
| 60                 | 04-2428-0109 | MANSELL JR & BARB<br>VELEZ PAUL & SALLY | 10,300.71                        | 0.53%          |
| 61                 | 04-2428-0111 |   | 9,054.94                         | 0.46%          |
|                    |              |   | <b>Total Area of Petitioner:</b> | <b>Total %</b> |
| <u>Stacy Meeks</u> |              |   | <u>255,381.56</u>                | <u>28.70%</u>  |



# PETITION

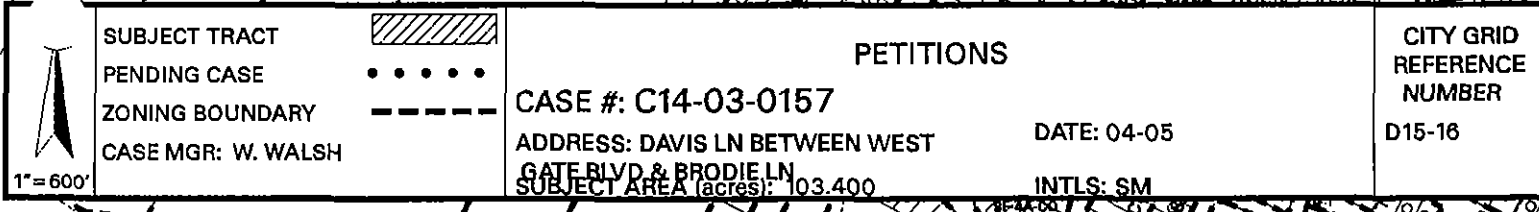
Case Number: **C14-03-0157** Date: May 12, 2004

Total Area within 200' of subject tract: (sq. ft.) 1,868,656.06

|    |              |                                     |           |       |
|----|--------------|-------------------------------------|-----------|-------|
| 1  | 04-2225-0112 | PATTEN DAVID &<br>REBEKAH           | 12,487.72 | 0.67% |
| 2  | 04-2225-0114 | PAEZ RICHARD JR &<br>ROSALINDA      | 10,531.84 | 0.56% |
| 3  | 04-2225-0116 | BERNHARD BETH A<br>SANCHEZ VERONICA | 2,936.11  | 0.16% |
| 4  | 04-2225-0118 | & C W DOWNEY                        | 227.76    | 0.01% |
| 5  | 04-2225-0120 | MENKE PETER A &<br>CHRISTI L        | 13,626.87 | 0.73% |
| 6  | 04-2225-0201 | VELASQUEZ RUBEN<br>ISMAEL           | 13,609.63 | 0.73% |
| 7  | 04-2225-0506 | OLSEN RICHARD C &<br>CAMILLE L      | 20,924.76 | 1.12% |
| 8  |              |                                     |           | 0.00% |
| 9  |              |                                     |           | 0.00% |
| 10 |              |                                     |           | 0.00% |
| 11 |              |                                     |           | 0.00% |
| 12 |              |                                     |           | 0.00% |
| 13 |              |                                     |           | 0.00% |
| 14 |              |                                     |           | 0.00% |
| 15 |              |                                     |           | 0.00% |
| 16 |              |                                     |           | 0.00% |
| 17 |              |                                     |           | 0.00% |
| 18 |              |                                     |           | 0.00% |
| 19 |              |                                     |           | 0.00% |
| 20 |              |                                     |           | 0.00% |
| 21 |              |                                     |           | 0.00% |
| 22 |              |                                     |           | 0.00% |
| 23 |              |                                     |           | 0.00% |
| 24 |              |                                     |           | 0.00% |
| 25 |              |                                     |           | 0.00% |
| 26 |              |                                     |           | 0.00% |
| 27 |              |                                     |           | 0.00% |
| 28 |              |                                     |           | 0.00% |

|                                  |                               |
|----------------------------------|-------------------------------|
| <b>Total Area of Petitioner:</b> | <b>Total %</b>                |
| <u>Stacy Meeks</u>               | <u>74,344.69</u> <u>3.98%</u> |





Ms. Betty Baker  
Chair Zoning and Platting Commission  
c/o Wendy Walsh, Planning Department  
April 1, 2004

Honorable Chairman Baker, Case Manager Wendy Walsh,

I am writing on behalf of *Cherry Creek on Brodie Lane Neighborhood Association* in opposition to the applicant's request for rezoning as described within the *Notice of Filing of Application for Rezoning* (File Number: C14-03-0157).

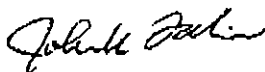
The development plan, as currently proposed, is incompatible with existing, previously approved, and planned development in the contexts of traffic, safety, quality of life, zoning classifications, and adherence to the City of Austin's environmental standards relating to impervious cover in Critical Water Quality and Contributing zones of the Barton Springs Edward's Aquifer.

We have met several times with Mr. Weynand and his associates to discuss the development proposal and our concerns, and we have suggested discussing the project in terms of the hydro-geological data and *BSEACD Recommended Recharge Map* guiding staff's recommendation, which effectively reduces the realistic scope of the project.

Even though we are opposed to the current proposal and have a valid petition pending confirmation, we would like to request a four week postponement of the ZAPCO hearing in an effort to meet with the applicant and revisit the rezoning request in light of current development guidelines and input from the various departments contributing to the Zoning staff's recommendation.

We thank you in advance for your consideration. If you have any questions or comments, please do not hesitate to call or email me using the information provided below.

Sincerely,



John K. Larkin  
Vice President CCOBNA  
Development Committee Chair

9508 Tea Rose Trail  
Austin, TX 78748  
512-280-2066 home  
512-970-8157 cell

MAY 4, 2004

**Walsh, Wendy**

---

**From:** John Larkin [jklarkin@austin.rr.com]  
**Sent:** Tuesday, May 18, 2004 4:14 PM  
**To:** jklarkin@austin.rr.com; bbaker@austintexas.org; Wendy.Walsh@ci.austin.tx.us  
**Cc:** josephmartinez@yahoo.com; jay@jaygohilrealty.com; jdonisi@austin.rr.com; chammond1@austin.rr.com; Pinnelli@flash.net; apsinc@bga.com; kbjackson@pbsj.com; Phil Brown; trump@juno.com; Brian Judis; 'Judis, Brian'  
**Subject:** C14-03-0157

Greetings Chairman Baker, Honorable Commissioners, and Ms. Walsh,

I would like to inform you that I have been designated as the primary speaker for the Valid Petitioners and the Cherry Creek on Brodie Neighborhood Association and, as such, respectfully request five minutes to present our perspective before the Zoning and Platting Commission.

Sincerely,  
John K. Larkin  
Vice President Cherry Creek on Brodie Lane NA (CCOBNA)  
CCOBNA Development Committee Chair  
Liaison for Case C14-03-0157 Valid Petitioners

9508 Tea Rose Trail  
Austin, Texas  
Cell 970-8157  
Home 280-2066

5/18/2004

**Guernsey, Greg**

---

**From:** Marissa Atkinson [mailto:marissaatkinson.com]  
**Sent:** Tuesday, June 15, 2004 7:52 PM  
**To:** Wynn, Will; Goodman, Jackie; Slusher, Daryl; Thomas, Danny; Alvarez, Raul; Dunkerley, Betty; McCracken, Brewster  
**Cc:** Guernsey, Greg  
**Subject:** Harris Ranch (Zoning Case # C14-03-0157 Planned for Thurs June 17th Council Meeting  
**Importance:** High

Thank you Council Members for taking time to consider what **Tanglewood Oaks** homeowners have to say about the **impending zoning change to Harris Ranch**. Because I am unable to attend the meeting on **Thursday 17<sup>th</sup>**, I am hoping you will take this notice into account when considering the proposed changes.

I live in the neighborhood split by Westgate south of Davis Lane and north of Slaughter. I know any development will open up Westgate through to Davis. We are concerned about the **safety of the children walking to Cowan Elementary** but know this will be unavoidable.

I, along with my neighborhood, have one major concern about the developers' plans: **APARTMENTS**. This little area cannot handle that much business. We already have Tanglewood Apartments on Aftonshire and duplexes that have caused issues for Tanglewood Forest & **Kocurek Elementary**. Plus Brodie already has plenty of apartments **one block** north of Harris Ranch. There are plenty of places along Brodie that don't dump into neighborhoods across from **elementary schools** along very **poor visibility** streets like Davis. Speaking of which, does the developer have a plan to help the City **pay** for improving Davis? Even with the speed limit of 30mph, it is very **dangerous** at times because of the hill it is on. If the development didn't dump onto Brodie, traffic would either flow through our neighborhood or onto Davis. Sounds like a **law suit** waiting to happen either way.

We are reasonable homeowners. We know we can't fight all developers. But this one **misled** us by 1<sup>st</sup> telling Tanglewood & Cherry Creek they were putting in nice town homes w/commercial facing Brodie & maybe some duplexes. **Then** they led us to think they would put up Single Family like ours. That was less desirable because they would be smaller homes and might bring down our values because **smaller=cheaper=investment property=renters**.

**Now** they are totally **ignoring** the **Planning and Zoning** Committees recommendation and going to you with their idea of apartments, shopping strips, and duplex/triplexes or whatever else they feel they can squeeze into 8 acres and forget what everyone else has said is best for this area. I feel like they are **wasting your time** & flexing their big business muscles by going to the Council with this. I understand it is their right to do so. I just feel it is disrespectful.

To **summarize**, the homeowners in this area are mostly concerned about the **safety** and amount of **traffic** apartments and multi-family units would bring to a very **residentially zoned** area. We understand commercial along Brodie. Our second concern is the **value of our property** with multi-family. I know that is a huge concern all the time but there is a **profitable** product this developer **can** put into such a small space that would actually **raise our values**, look tasteful and be a very **appropriate transition** from business Brodie Lane to Residential Westgate Lane. Last little thought- is it a good idea to put that many people on top of the **Longhorn Pipeline**? I thought there was already too much **liability** there.

Thank you again for your time,

Marissa Atkinson  
 9340 Notches Drive  
 Austin, TX 78748  
 (512) 554-2596  
 www.marissaatkinson.com

**Walsh, Wendy**

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**From:** john.larkin@amd.com  
**Sent:** Wednesday, June 16, 2004 9:23 AM  
**To:** Guernsey, Greg  
**Cc:** Walsh, Wendy  
**Subject:** Harris Ranch Case C14-03-0157

Hello Greg,

I would like request a one week postponement of the Harris Ranch case on behalf of the Cherry Creek on Brodie Lane neighborhood. That would put the case on the June 24<sup>th</sup> agenda.

I would also like to request that the Harris Ranch and Brodie31 PUD cases be placed sequentially on the agenda if possible. For example, if one case is Z9, we would like the other case to be Z10.

Our reasoning is that we are attempting to focus the council's attention on the collective impact of the proposals on the local community. I know that this may not be possible, but thought I would ask just in case! We of course will be making our pitch for at least a focused planning effort on the roughly 150 acres represented by these cases.

Thanks,

John

970-8157

6/16/2004

## Walsh, Wendy

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From: Guernsey, Greg  
Sent: Wednesday, June 16, 2004 7:51 PM  
To: Walsh, Wendy  
Subject: FW: Harris Ranch (Zoning Case # C14-03-0157)

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

From: Edyta Sawin [mailto:edsawin@austin.rr.com]  
Sent: Tuesday, June 15, 2004 9:39 PM  
To: Wynn, Will; Goodman, Jackie; Slusher, Daryl; Thomas, Danny; Alvarez, Raul; Dunkerley, Betty; McCracken, Brewster; Guernsey, Greg  
Subject: Harris Ranch (Zoning Case # C14-03-0157)

Dear City of Austin Council Members:

My husband and I live at 3112 Cohoba Drive and are directly affected by this case (The Harris Ranch Development). WE ARE AGAINST the proposed zoning changes and instead support the alternative recommendation(s) of: 1st) the valid petitioners (Rural Residential), or 2nd) Cherry Creek on Brodie Homeowners Association, or 3rd) the recommendation of ZAPCO in that order. We are deeply concerned with the magnitude of local development and our accompanying desire to properly plan current and future development on our local community. We are also cognizant of the accompanying safety and environmental issues that will arise from a development of this density within our local community, as well as the impact to our local property values and quality of life.

Sincerely,

Edyta & Gregory Sawin  
3112 Cohoba Drive  
Austin, Texas 78748  
512 292 9913

**Walsh, Wendy**

---

**From:** john.larkin@amd.com  
**Sent:** Thursday, June 17, 2004 3:33 PM  
**To:** Guernsey, Greg; Walsh, Wendy  
**Cc:** jklarkin@austin.rr.com; john.larkin@amd.com  
**Subject:** Harris Ranch and Brodie31 PUD

Hello Greg,

Regarding:

Harris Ranch (Zoning Case # C14-03-0157)

Brodie31 Planned Unit Development (Zoning Case # C814-04-0024)

I would like to change our request for postponement of the Harris Ranch zoning request to reflect our desire to have both the Harris Ranch and Brodie 31 PUD zoning applications reviewed concurrently. The local community feels that it is imperative for the council to consider both at the same time to effectively discuss the pending uses in the holistic context necessary to reach a determination that properly reflects the impact to our local community.

Thanks,

John

Cherry Creek on Brodie

970-8157

6/17/2004

## **Walsh, Wendy**

---

**From:** Guernsey, Greg  
**Sent:** Wednesday, June 23, 2004 2:57 PM  
**To:** Walsh, Wendy  
**Subject:** FW: Harris Ranch application

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

From: Bill Embrey [mailto:bembrey@Intertechflooring.com]  
Sent: Wednesday, June 23, 2004 2:34 PM  
To: Guernsey, Greg; Wynn, Will  
Cc: Goodman, Jackie; Slusher, Daryl; Thomas, Danny; Alvarez, Raul;  
Dunkerley, Betty; McCracken, Brewster; 'jklarkin@austin.rr.com'  
Subject: Harris Ranch application

Please respond if possible.

If this land is developed does anyone know what will happen to all the different wildlife that lives there now ?

Any change and development in this land will have serious outcome for the established communities in this area. I support the Cherry Creek, SW Austin, and Tanglewood Neighborhood Associations which are against the development of this land.

I will be out of town for the meeting this Thursday, so a response would be welcomed.

Respectfully,  
Bill Embrey  
8803 Peppergrass Cove  
Austin, Tx. 78745



**Walsh, Wendy**

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**From:** Laura Cardoso [lcardura@yahoo.com]  
**Sent:** Thursday, June 24, 2004 3:28 PM  
**To:** Wynn, Will; Goodman, Jackie; Slusher, Daryl; Thomas, Danny; Alvarez, Raul; Dunkerley, Betty; McCracken, Brewster  
**Cc:** Walsh, Wendy  
**Subject:** Opposition to Harris Ranch Development, #C14-03-0157

Dear City Council:

I am a resident of the Tanglewood Oaks neighborhood. I would like to express my opposition to the proposed zoning plans of the developers for Harris Ranch, case #C14-03-0157. Their current proposal for general retail, apartments, townhomes, triplexes, etc. is not compatible with the surrounding neighborhoods (single family homes), will greatly reduce our quality of life, create safety, noise, and pollution problems, and have an adverse effect on our property values as well.

Because my home is on the corner of Westgate and Cohoba this development directly affects my family's quality of life and safety. Ideally, I would like Harris Ranch to remain as it is - RR. However, I understand the need for a return on the investment and will support the options listed below. I am hopeful that the developer will consider building a wall for sound abatement along the Westgate corridor in Tanglewood Oaks and will also provide at a minimum 200 ft buffer "no build" on the south end of their property.

I am in support of the following options in order of preference:

1.) Leaving the zoning as it is now, RR and DR.

or

2.) Zoning GR in the northwestern corner (~8 acres) with the remainder of the tract SF-1, and a 200' 'no build' buffer along the entire southern border of the tract.

or

3.) Zoning as per the Zoning and Platting Commission recommendation of GR in the northwestern corner (~8 acres), SF-2 in the remainder except for a 200' 'no build' buffer zoned DR along the entire southern edge.

Thank you for your consideration in this matter.

Laura Cardoso  
3000 Cohoba Drive  
Austin, TX 78748  
512.589.4033

---

## **M E M O R A N D U M**

**TO:** Betty Baker, Chair and Members of the Zoning and Platting Commission

**FROM:** Dora Anguiano, Zoning and Platting Commission Coordinator  
Neighborhood Planning and Zoning Department

**DATE:** June 23, 2004

**SUBJECT:** Zoning and Platting Commission Summary

Attached is a Zoning and Platting Commission summary, which will be forwarded to the City Council.

**CASE # C14-03-0157**

6. C14-03-0157 – HARRIS RANCH, By: John Weldon Harris, Darrow Dean Harris and Robert Brent Harris; Weynand Builders, Ltd. (Mike Weynand), South side of Davis Lane between Brodie Lane and Westgate Boulevard. (Slaughter Creek – Barton Springs Zone). **FROM DR; RR TO GR; MF-2; SF-6; AS AMENDED. ALTERNATE RECOMMENDATION: GR-CO, MF-2, SF-6; WITH CONDITIONS. City Staff: Wendy Walsh, 974-7719. POSTPONED FROM 3-16 (STAFF), 4-6 (NEIGHBORHOOD), 5-4 (APPLICANT).**

### SUMMARY

Commissioner Baker – “Let me try something here with a question. It is pretty obvious what has occurred. When we do the 200-foot setback to invalidate a petition, we like to ask the applicant what is going to go into those 200-feet.”

Mike Weynand, applicant – “It is our representation to the neighborhood that it would be 200-foot no build buffer; the first 100-foot vegetative buffer; and the second 100-feet available for water quality”.

Commissioner Baker – “Staff, can you do water quality in RR?”

Ms. Walsh – “No; water quality is not allowed in RR and DR; given the zoning. If it was SF-2 or anything SF-5 or more restrictive, we could, but with SF-6 and the different zoning that are proposed on this, it will not be allowed, so it cannot occur in DR and RR”.

Commissioner Baker – “So it remains a valid petition?”

Commissioner Jackson – “Or it remains a 200-foot setback; I don’t know if the neighborhoods volunteered to withdraw anything”.

Commissioner Baker – “They don’t look really friendly tonight. Staff, will you go ahead and make your presentation?”

Wendy Walsh, staff – “This is an undeveloped 89-acre property; it is presently zoned RR and Development Reserve. The applicant has amended their original request so that is now GR, MF-2 and SF-6. Specifically, the applicant is asking for 8-acres of GR uses with the intent of providing 3 sit down restaurants with the option for a bank for the GR piece. This is illustrated on page 10 of the staff report. The GR piece would be located at the corner of Brodie and David; southeast corner. Proceeding east, the applicant is proposing 19-acres of multi-family residences - low-density along Davis Lane and the remaining 62-acres is proposed for SF-6, which is for townhomes and condos. Staff is recommending the applicant’s request with conditions. Regarding the GR-CO zoning, it is consistent with other similar situated properties, as well as an upcoming zoning case on the west side of Brodie Lane. The conditional overlay is to prohibit auto-related uses given that this property is located in the Barton Springs Zone. Staff is also recommending MF-2, located along Davis, consistent with other zonings along Davis

Lane and Westgate. This provides for a transition between the commercial development and the proposed townhouse condominium. SF-6 is for the balance and that also diversifies the number of available types of housing in this area. There is a restrictive covenant on this that is for the Traffic Impact Analysis, we do have staff here to cover that. This application has been in since last October; there is a T.I.A; the applicant has met with Cherry Creek and Tanglewood Oaks to discuss the proposed project. Prior to this evenings meeting, there was a valid petition on this property at 28% that was filed in opposition. With the withdrawal of the 200-foot along the south property line that has been removed from this zoning case; that petition has been reduced to 3.98%. The Watershed Protection Development Review Department have clarified that this property is located within the Barton Springs Zone; this property covers both the Recharge Zone and Contributing Zone, where impervious cover is limited within the contributing zone that is 25% and the recharge zone that's 15%, so this property is subject to the S.O.S Ordinance. This concludes my presentation".

Commissioner Jackson – "You said that there's a zoning case pending on the west side of Brodie? What is that?"

Ms. Walsh – "That will be brought before the Commission for the first time on the 1<sup>st</sup> of June. It is property presently zoned DR, proposed for a Planned Unit Development; it includes convenience storage, two restaurants and auto repair. That is what the applicant has proposed".

Commissioner Whaley – "Is there any way that we could get a map of the Recharge Contributing Zone?"

Ms. Walsh – "I do have a map that has been prepared by the Watershed Protection Department, it isn't finalized, but it's a good indication of where the recharge zone and contributing zone is; in general, we can divide up the tract, the west side is generally contributing zone; the middle segment is recharge and the eastern side is contributing zone".

[End of tape]

Commissioner Jackson – "Now that we have a 200-foot strip, what happens across that RR and DR?"

Ms. Walsh – "There is an agreement between A.I.S.D, the City and the Harris family; as well as a title company that requires construction of Westgate Blvd. south of Davis Lane and connecting with the subdivision to south, Tanglewood Oaks, with the development of this property. That would have to occur following subdivision / site plan approval".

Commissioner Jackson – "Is that with any subdivision with this property; or just subdivision adjacent to Westgate?"

Ms. Walsh – “I do not know; maybe we could ask George Zapalac if he knows. That was contemplated with the development agreement that has been recorded at the court house and is expected with the development of this property”.

Commissioner Baker – “For Tract 2, you said MF-2 provides a multi-family component to the housing opportunities envision for this development. It’s appropriately located along Davis Lane, which is classified as a minor arterial; when I look at the map, and along Davis Lane, I’m looking for other MF-2 and I don’t see any; did I miss something?”

Ms. Walsh – “I have multi-family on Westgate Blvd.; there’s a piece on Westgate Blvd. that’s zoned for multi-family; and the applicant is providing a map as well”.

Commissioner Baker – “Your MF-2 where your street stubs into it; is it developed?”

Ms. Walsh – “That’s the property where there is a site plan that is being finalized. So it is not developed yet”.

Commissioner Baker – “And it’s been zoned MF-2 for how long?”

Ms. Walsh – “Since at least 2000 or 2001”.

Commissioner Baker – “Okay; then you make a statement relative to Tract 3 for the SF-6; then I start looking for SF-6 and I have a hard time finding that; could you help me?”

Ms. Walsh – “There is SF-6 further to the south; there were two cases on Slaughter Lane.”

Commissioner Baker – “But it’s not on this map, is it?”

Ms. Walsh – “No, but it is on Slaughter Lane”.

Commissioner Whaley – “How wide is the roadway width on the MF-2 tract (pointing to the map) and the MF-2 over there (pointing to the map)?”

Ms. Walsh – “This section on Westgate is not built yet”.

Commissioner Whaley – “So that MF-2-CO is not constructed?”

Ms. Walsh – “That’s right”.

Commissioner Whaley – “What is the proposed roadway width there?”

Ms. Walsh – “I’ll need to ask Mr. Zapalac for those figures”.

George Zapalac, staff – “I’m sorry I do not have the exact figure; but I believe it’s 90-feet”.

Commissioner Whaley – “And the other roadway width for the MF-2-CO tracts over on Brodie?”

Mr. Zapalac – “It’s 90-feet of right-of-way”.

Commissioner Whaley – “And what’s the right-of-way width on Davis Lane?”

Mr. Zapalac – “Davis Lane is approximately 70-feet”.

Ms. Whaley – “Thank you”.

Mike Weynand, applicant – “We have been working on this tract of land since 2001 when we initially submitted a project assessment with the City for essentially the same land uses that are shown on the current plan. Some significant things have changed with the property. Originally, the property was the Slaughter Creek watershed and not an S.O.S related property, since that time it has changed and the property has been reduced in intensity from what would have been 60 plus impervious cover to now an average of 18% impervious cover. In response to your question earlier about the locations of the different uses, the center portion of the property bounded by Davis Lane on the north of Brodie; on the west of the right-of-way for the future construction of Westgate Blvd. on the east the existing the single-family development on the south. It is also transected by the two pipeline easements that cross the property and they are not the Longhorn Pipeline. The recharge portion of the site is basically a horseshoe area that makes up the middle heart of the property and it is approximately 53-acres of the total 103. This property has been owned by the Harris Family for over 50-years, they have watched the City grow around them for the entire point of time that they have owned the property. They sold the property to the school for the construction of the elementary school on this site. They anticipated in right-of-way donation for the existing streets that are adjacent. Our proposal is a for-sale housing component in the portion of the property that is south of the pipeline, a potential lower-density multi-family on the property that’s north of the pipeline, adjacent to Davis. It is compatible with the other multi-family uses that are existing in that area. We have over the course of our involvement, with this property and particularly within the last two years, we have on numerous occasions with the neighborhood representatives, to discuss our proposed uses of the site and discussed with them and debate things that would like to see as far as the way the property is used. We cannot solve some of their problems”.

Commissioner Jackson – “You have been working on this for how long?”

Mr. Weynand – “Since 2001; and we’ve probably done about 55 different types of land plans”.

Commissioner Jackson – “While we are listening to the rest of the case, you might want to give some consideration to a cap on the number of units on that SF-6”.

Mr. Weynand – “Okay, thank you”.

**FAVOR**

No Speakers.

**OPPOSITION**

Linda James – Spoke in opposition  
Lynda Williams  
Nancy Miller  
Olga Puryear  
Sharon Barney  
Paul Barney – Spoke in opposition  
Brent Brown  
Paul Erb – Spoke in opposition  
Phil Brown – Spoke in opposition  
Gary Trumble – Spoke in opposition  
John Larkin – Primary Speaker in opposition  
Jeff Peabody – Spoke in opposition  
Jan Naughton  
Phil Naughton – Spoke in opposition  
Alfonso Delgado  
Robert Johnson – Spoke in opposition  
Brian Judis – Spoke in opposition  
Henry Cowen – Spoke in opposition  
Antonio Ebgicamp  
Marlene Greeman  
Polly Robinette

**REBUTAL**

Mr. Weynand – “I believe that we have responded to the neighborhood on numerous occasions and we have met more than what was represented tonight. We had proposed that the 200-foot strip to be an SF-2 zoning category and they expressed the desire for that not to be the case because they felt that something could be developed there if it was SF-2 zoned; they preferred it not to be developed. We do not propose to connect the trail, we never have, that has not been our proposal; that was included by the city staff to enable possible more trip generations for a potential signal in the future at the entrance to the Cherry Creek Subdivision. Cherry Creek, years ago, petitioned to have this street removed, so there was no connection here, so they gave up their access to Westgate, to create an entrance. This property is built on recharge land, we have responded to their concerns, we originally had a hike and bike trail along the property, thinking that would be something positive for the neighborhood. They expressed concerns in that, so we

removed that from the plans. We had wet ponds that were adjacent to the property, they expressed concern, so we removed them and now we will not have any wet ponds; they will be dry ponds, they have been moved further away from the property line. When we started this process, we were given a report by staff that said that this property could be developed with over 60% impervious cover. Now it is less than 18% impervious cover, so we are two thirds less development intensity than what we had originally proposed or what we originally thought we could do when we were initially dealing with the neighborhood".

Commissioner Whaley – "Is that in your project assessment?"

Mr. Weynand – "Yes".

Mr. Weynand – "Davis Lane is a small road, it is on the plans to be upgraded, as this property is developed, we will have to participate in the fiscal for that upgrade. We are responsible with building Westgate".

Commissioner Jackson – "And the commitment on Westgate is to construct it from Davis?"

Mr. Weynand – "We don't think we have a choice; we have to build Westgate as a 4-lane boulevard road. That's not what the neighborhood wants; but that is what we believe we are required to do and have to do".

Commissioner Jackson – "But that is from Davis to the current property line?"

Mr. Weynand – "Yes".

Commissioner Jackson – "For the record, you believe that you are committed to that even if you end up with some DR or RR strip?"

Mr. Weynand – "Absolutely, if there is any questions about that, if it would be the commissions' preference for the DR to be moved back from the property line to make sure that that is not a technical issue; we would be happy to support that. From an economic stand point, we don't care to build Westgate; the economics of this property are one-third of what they were before, so if we had a choice, we wouldn't want to build Westgate, but we don't believe we have a choice".

Commissioner Whaley – "Is this platted, do you have any 1704 on this lot at all?"

Mr. Weynand – "No".

Commissioner Whaley – "No".

Commissioner Martinez and Gohil moved to close the public hearing.



Commissioner Jackson – “I was asleep; can I see the three recommendations?”

Recommendations were shown by the Mr. Larkin.

Commissioner Martinez – “Tell me about this valid petition; on again and off again, I’m not clear on that?”

Ms. Walsh – “What happened was; originally, this case extended down to the property line between Cherry Creek; with that, there was a valid petition of 28% on this property. Subsequent to that I received revised field notes from Mr. Weynand that removed 200-feet from the south property line going north”.

Commissioner Martinez – “So it was the applicant’s doing to remove that line 200-feet...”

Ms. Walsh – “He withdrew 200-feet from the zoning application”.

Commissioner Martinez – “Therefore, it invalidated the petition?”

Ms. Walsh – “Yes, it went from 28% to about 4%”.

Commissioner Martinez – “Can I ask what was the motivation to do that?”

Mr. Weynand – “The primary motivation was to respond to the neighborhood’s request that there be a definitive...”

Commissioner Martinez – “So it had nothing to do with the valid petition?”

Mr. Weynand – “It was a consideration; it wasn’t the primary consideration and it wasn’t the reason; but it was a consideration; yes sir. And it’s not a surprise, we told the neighborhood up front, we didn’t try to do it underhandedly”.

Commissioner Baker – “Mr. Martinez, if you’ll take the chair, I’ll make a motion”.

Commissioner Martinez – “Okay”.

Commissioner Baker – “I make a motion for the 8-acre tract, GR, that fronts on Brodie, for the strip along the existing subdivision to the south, 75-feet RR. The remainder of the tract, SF-2”.

Commissioner Martinez – “Please repeat that”.

Commissioner Baker – “GR for the 8-acre tract at the corner of the north (white on map); the strip that says DR, that abuts the existing residential neighborhood, 75-feet of that RR; the remainder will be SF-2”.

Ms. Walsh – “Chair, the DR and the RR are not part of this application; the peach part on the board...”

Commissioner Baker – “That’s fine; then forget it; I’m sorry”.

Ms. Walsh – “That area has been withdrawn. It is presently DR and RR”.

Commissioner Baker – “Then we’ll leave the 200-foot strip of DR”.

Commissioner Pinnelli – “I’ll second the motion”.

Commissioner Baker – “I’d like to amend it now (laughter), no drive-thru restaurants on the GR; no auto-related uses, no pawnshops, no guidance services”.

Commissioner Jackson – “I was going to offer a friendly amendment...”

Commissioner Baker – “Let me speak to my motion first; I looked at this case several times. I respect the property owner’s right to develop the property and I can appreciate the fact that they want a fair and reasonable use. I stress those words because that’s all the constitution gives you; not the highest and best. Given the development in the area, I feel that the GR and SF-2 has been demonstrated to be a fair and reasonable use”.

Commissioner Pinnelli – “By looking at the area, I just can’t see that anything higher and denser fits or is compatible; I think SF-2 is very compatible with that is already there”.

Commissioner Jackson – “Looking at this and listening, I’m recognizing that the site is in the contributing zone and the recharge zone; those regulations override the zoning regulations. So they restrict their impervious cover to somewhere...the contributing zone is restricted to 25% impervious cover, the recharge zone is restricted to 15% impervious cover; I had guessed that it was 20%; the applicant said it was 18%. I ran through some numbers and on SF-6, they probably won’t get but 235-240 units worth of impervious cover, which is about 3.6 units to the acre. That is less dense than SF-2 allows; this would allow them to cluster a product. The development regulations for SF-2 and SF-6, as far as lot size, impervious cover, I think the only difference is height. I was hoping that I could make a friendly amendment to SF-6 with some unit cap”.

Commissioner Baker – “I don’t feel very friendly”.

Commissioner Jackson – “I guess I could make a substitute motion”.

Commissioner Baker – “I looked at this and I think the neighborhood did a little bit of overkill; I wish you hadn’t, because you had a good case. I didn’t feel that comfortable when the 200-foot strip had a little bit of weight as far as the petition. I would have no problem if you had a density number that you could tell me what the SF-2 would do; because I would like the idea of the clustering”.

Commissioner Jackson – “I think that the SF-2 is going to give you ...”

Commissioner Baker – “How many units?”  
Silence.

Commissioner Baker – “See where I’m going? I don’t mind the clustering.”

Commissioner Jackson – “I think the SF-2 is going to reduce the number of units because you cannot cluster”.

Commissioner Baker – “No, forget the recharge and everything, if you just have SF-2”.

Commissioner Jackson – “SF-2 is going to give you somewhere between 4 to 4 ½ units per acre”.

Commissioner Baker – “And there’s 80 something acres. We took 8 out for the GR; we took 21 out for the strip that he gave up...”

Mr. Weynand – “That’s 14.2 acres”.

Discussion continued about the acreage.

Commissioner Martinez – “Well Mr. Jackson there is a motion on the table; is there another...”

Commissioner Baker – “I’m just going to leave it as it is; he can make his case at Council”.

Commissioner Jackson – “I’ll offer a substitute motion; I offer a motion that 8.04 acres of GR-CO at the corner of Davis and Brodie, with the same conditions that Ms. Baker stated; the balance of the tract will be SF-6-CO with a unit cap of 350 units”.

Mr. Weynand – “We will agree to a cap of 275 units”.

Commissioner Jackson – “That’s even better. So GR-CO at the corner of Davis and Brodie with the conditions that Betty Baker stated; SF-6-CO with a unit cap of 275 units”.

Commissioner Whaley – “I’ll second”.

Commissioner Jackson – “This gives the land owner and developer some flexibility, but gives the neighborhood some assurances of what’s going to go in here; it’s SF-6 but it is very limited. I too have to agree with Chair Baker, I don’t like pulling out the 200-foot; that doesn’t look good; but now there’s a 200-foot buffer. The other condition that I would make is that Westgate be constructed as part of this development”.

Mr. Weynand – “We are willing to have the restriction on no connection to Tea Rose Trail; if that’s the commissions’ desire”.

Commissioner Jackson – “I would add that also”.

Commissioner Whaley – “I would like to add that with the unit restriction and that the way that it would work out with the SF-6 zoning that it would require a site plan; it would require staff input and comments. If it were SF-2, it would not; it would go through a subdivision process and then they will pull their building permits. With an SF-6 zoning they would have to come in and do a site plan, have a transportation review and there would be more input in it. I feel more comfortable with that with the limitations of the impervious cover and the ability to cluster”.

Commissioner Martinez – “What about the 200-foot strip that has been pulled out?”

Commissioner Whaley – “I would love to see them dedicate that as a no build area”.

Mr. Weynand – “We would be happy to do that; it’s going to be part of the plat”.

Commissioner Baker – “If you look at your map; this is probably your last chance for a single-family residential on Brodie. This is a large tract and it goes back into an area that has other residential. This is your last chance”.

Commissioner Martinez – “We’re focused on this dirt; there’s another part that we’re missing that the neighborhood brought up, which is Comprehensive Neighborhood Planning, because we haven’t done that in that area. It’s late in the process, but better to direct city staff to use our resources in some way; otherwise, you’ll be back here next week. I’d like to suggest that we make it part of this motion; that we do that the neighborhood suggest in terms of Comprehensive Neighborhood Plan”.

Commissioner Donisi – “May I be recognized to speak against the substitute motion? I’m going to speak against the substitute motion because I think we’ve seen a new spirit of the applicant willing to negotiate and discuss some other options in light of the motion that was made by Chair Baker. So I am going to support her motion so that hopefully the applicant will meet with the neighborhood, continue to work on something on their way to Council and hopefully they can work something out. This has been the first time that they have seem to be offering things and start to deal”.

Commissioner Martinez – “You don’t see that happening with the substitute motion?”

Commissioner Donisi – “I see that they are willing to deal on the second; but I think that they are inspired to deal because of the first motion”.

Commissioner Martinez – “I see; I got it”.

Commissioner Whaley – “If that’s the case; then maybe we should postpone”.

Commissioner Pinnelli – “I would like to vote. I call the question.”

Commissioner Martinez – “At this moment, we’ll be voting on Commissioner Jackson’s motion. All those in favor of the substitute motion. Motion fails”. “Then we’ll vote on the first motion by Commissioner Baker”.

Commissioner Gohil – “Please restate that motion”.

Commissioner Baker – “GR-CO for the portion in white on the map; SF-2 for the remainder. Under the GR the CO would prohibit drive-thru restaurant, auto related uses, pawnshops and guidance services”.

Ms. Walsh – “Does the motion also include the restrictive covenant for the T.I.A?”

Commissioner Baker – “Yes”.

Commissioner Martinez – “How about directing the city staff to recommend Comprehensive Neighborhood Planning for this area?”

Commissioner Baker – “We can add that too”.

Motion passed. (6-2)

**COMMISSION ACTION:  
MOTION:**

**BAKER, PINNELLI  
APPROVED GR-CO FOR 8.04 ACRES;  
PROHIBITING ALL AUTO RELATED  
USES AS RECOMMENDED BY STAFF;  
PROHIBIT PAWNshops SERVICES,  
GUIDANCE SERVICES,  
RESTAURANT WITH DRIVE  
THROUGH SERVICES; SF-2 ZONING  
FOR THE REMAINDER OF  
PROPERTY; RESTRICTIVE  
COVENANT FOR THE TRAFFIC  
IMPACT ANALYSIS.**

**AYES:**

**NAY:**

**\* COMMISSION RECOMMENDED  
COMPREHENSIVE PLANNING  
PROCESS FOR THE GENERAL AREA  
PINNELLI, MARTINEZ, WHALEY,  
HAMMOND, BAKER, DONISI  
JACKSON, GOHIL**

**MOTION CARRIED WITH VOTE: 6-2.**