



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 03/11/2004
PAGE: 1 of 1

SUBJECT: C14-03-0116 - Colorado Crossing - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6800 Burleson Road (Carson Creek and Onion Creek Watersheds) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning for Tract 1 and rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning for Tract 2 to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Applicants: Missile Partners Associates, L.P. (Stephen L. Millham) & Bergstrom Partners, L.P. (Stephen L. Millham and Gregory T. Weaver). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, L.L.P. (Michele Haussmann). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-03-0116

P.C. DATE: December 9, 2003
January 13, 2004
January 27, 2004

ADDRESS: 6800 Burleson Road

OWNERS AND APPLICANTS: Missile Partners Associates, L.P. (Stephen L. Millham) &
Bergstrom Partners, L.P. (Stephen L. Millham and Gregory T. Weaver)

AGENT: Drenner Stuart Wolff Metcalfe von Kreisler, LLP (Michele Haussmann)

ZONING FROM: LI-CO-NP – Tract 1; **TO:** LI-PDA-NP **AREA:** 644.192 acres
RR-CO-NP – Tract 2

In this request the applicant is asking for limited industrial services (LI) uses, as well as the following uses, to be **permitted** (please also refer the Site Development Standards Colorado Crossing PDA – Attachment A at the back of the staff report – Listed as Number 1 in the chart):

<u>Residential Uses</u>	<u>Commercial Uses</u>	<u>Civic Uses</u>
Single Family Residential	Consumer Repair Services	Administrative Services
Single Family Attached	Research Assembly Services	Postal Facilities
Small Lot Single Family	Research Testing Services	Convalescent Services
Townhouse Residential	Research Warehousing Services	Public Primary Education Facilities
Duplex Residential	Pet Services	Private Primary Education
Two Family Residential	Recreation Equipment	Facilities
Condominium Residential	Maintenance and Storage	Public Secondary Education
Multifamily Residential	Recreation Equipment Sales	Facilities
Retirement Housing (Small Site)		Private Secondary
Retirement Housing (Large Site)		Education Facilities

* A 100' wide buffer is proposed between the following commercial, industrial and civic uses and all Residential Uses (# 7 in the chart):

<u>Commercial Uses</u>	<u>Industrial Uses</u>	<u>Civic Uses</u>
Agricultural Sales and Services	Limited Warehousing and Distribution	Maintenance Service Facilities
Construction Sales and Services	Custom Manufacturing	Facilities
Equipment Repair Services		Railroad Facilities
Equipment Sales		Postal Facilities
Research Services		exceeding 10,000 square feet
Research Assembly Services		
Research Testing Services		
Research Warehousing Services		

* A 200' wide buffer is proposed between the following industrial uses and all Residential Uses (# 8 in the chart):

Industrial Uses

General Warehousing and Distribution

Light Manufacturing

* The 200' buffer shall also be established and maintained between portions of the subject tract developed with Residential Uses and uses defined as General Warehousing and Distribution and Light Manufacturing located on Lot 2 and Lot 3 (the two tracts zoned LI-PDA-NP in the middle of the subject tract – # 9 in the chart). Lot 2 and Lot 3 are: 1) already developed with commercial, office, warehouse and industrial type uses, 2) under separate ownership and 3) are not a part of this zoning application. Furthermore, the 200' buffer shall also be established and maintained between portions of the subject tract developed with Residential Uses and uses defined as General Warehousing and Distribution and Light Manufacturing located on Lots 7-14 of the Burleson Business Park, which is the adjacent property to the west along Dime Circle.

* A 50' buffer is proposed between Residential Uses and the perimeter of the property, which includes the tracts of land across McKinney Falls Parkway, Burleson Road and the railroad tracks on the west side of the property. Since these tracts surrounding the subject tract are across roadways and a railroad easement, the total buffer between and industrial or commercial development on these tracts and Residential Uses and the subject tract will be at least 100 feet (# 9 in the chart).

* A 25' vegetative buffer is proposed between Residential Uses and certain commercial uses to provide screening (# 5 in the chart)

The applicant has asked to **prohibit** the following uses under a Planned Development Agreement (# 3 in the chart):

Commercial Uses

Monument Retail Sales

Scrap and Salvage

Industrial Uses

Basic Industry

Recycling Center

Resource Extraction

The applicant is proposing **Optional Site Development Standards** that allow the owner to develop the property with Traditional Neighborhood Development (TND) type site development regulations (see attached Attachments B and B-2 of the Site Development Standards Colorado Crossing PDA for site development standards and associated variance requests - # 6 in the chart). The TND type of site development standards allow for smaller lots, narrower streets, alternative street standards as specified in the TND ordinance and smaller setbacks. The Optional Site Development Standards can apply to all Residential Uses, Civic Uses and Neighborhood Commercial Uses established in the PDA. The Neighborhood Commercial Uses are uses that are appropriate in close proximity to Residential Uses. The following are Neighborhood Commercial Uses established in the PDA:

Neighborhood Commercial Uses

Administrative and Business office

Arts and Craft Studio (limited)

Consumer Convenience Services

General Retail Sales (convenience) – maximum single building size: 25,000 square feet

Medical Offices

Outdoor Sports and Recreation

Personal Improvement Services – maximum single building size: 25,000 square feet

Personal Services

Pet Services – maximum single building size: 25,000 square feet

Professional Office

Restaurant (general)

Restaurant (limited)

The applicant is proposing to prohibit Residential Uses in the A0-3 zone, which is the area of the subject tract where the Code established noise regulations from the airport runways (# 10 in the chart).

The applicant is proposing to limit the number of residential units to 5,500, of which only 1,500 can be developed as multifamily units (# 11 in the chart).

The applicant has included creek setback regulations to provide a 50' setback from unclassified creeks or increased water quality measures as recommended by staff (# 12 in the chart).

The applicant is proposing regulations that separate residential traffic from industrial traffic to prevent trucks from using residential streets (# 13 and # 14 in the chart).

The applicant is proposing an increase in the zoning impervious cover for Residential Uses from 45% to 65% to allow clustering of lots. The maximum impervious cover of 65% does not affect the impervious cover permitted under the watershed regulations (# 15 in the chart).

The applicant is requesting that the amendment provisions in the Code for Planned Unit Developments (Section 25-2-403) be used for future amendments to the PDA Site Development Standards (# 16 in the chart).

SUMMARY STAFF RECOMMENDATION

The staff's recommendation is to grant limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning, incorporating all of the conditions set forth in the Site Development Standards and for Colorado Crossing PDA – Attachments A, B and B-1 at the back of the staff report.

In addition, the staff is recommending a public Restrictive Covenant that establishes a minimum 200-foot wide setback between any residential dwelling and certain hazard ("H") – occupancy uses defined by the Uniform Building Code, as amended and the Uniform Fire Code, as amended. Specifically, this setback would be for storage areas or loading areas of H-Occupancy uses defined as flammable / combustible liquids and gases, and / or toxic chemicals, and residential uses, as determined by the Austin Fire Department.

PLANNING COMMISSION RECOMMENDATION:

December 9, 2003: *POSTPONEMENT REQUEST BY THE APPLICANT TO 1-13-04*
[M.A, N.S 2ND] (7-0) ORTIZ ON LEAVE

January 13, 2004: *POSTPONEMENT REQUEST BY THE APPLICANT TO 1-27-04*
D.S, M.M 2ND] (5-0) N.S, C.R - ABSENT, ORTIZ ON LEAVE

January 27, 2004: *APPROVED LI-PDA DISTRICT ZONING; BY CONSENT*
VOTE: 7-0 (NS-1ST, CR-2ND)

ISSUES:

A letter from the Director of the Facilities Management Department of Travis County is attached at the very back of the staff packet.

The applicant has worked closely with Neighborhood Planning and Zoning Department staff on the development of the Site Development Standards Colorado Crossing PDA. Zoning staff has worked with the Fire Department to determine appropriate setbacks between the proposed Residential Uses and hazardous industrial materials that might be stored and used on future industrial tracts within the development.

The applicant has also worked with the Kensington Park Homeowners, surrounding commercial and industrial property owners, and the Del Valle School Independent District (DVISD) throughout the process and with the development of the PDA Site Development Standards. The Kensington Park Homeowners have indicated their support for the proposed LI-PDA-NP zoning. The applicant has met with surrounding commercial and industrial property owners and informed Staff that those owners support and are not opposed to the LI-PDA-NP zoning. One owner submitted a support letter, attached at the back of the staff report. The applicant has met with DVISD and informed Staff that they are not opposed to the addition of the Residential Uses to this tract.

DEPARTMENT COMMENTS:

A majority of the subject platted lots are currently undeveloped, with only two of the lots – Lots 1 and 4, developed with office buildings. The tracts are relatively flat and zoned LI-CO and RR-CO since the tract was rezoned in March of 2001. There are two creeks defined as classified creeks and two creeks that are defined as unclassified creeks that are shown on Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant would like to pursue the development of residential uses in the LI zoning district to allow the opportunity for the construction of residential uses, both single family and multi-family, in close proximity to employer-type office/industrial development. This will provide a live/work environment while locating the residential uses away from incompatible industrial uses. Therefore, the applicant is requesting limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) district zoning, with all permitted LI district uses and with the additional uses listed on Page 1.

The staff recommends the applicant's concept as described above for LI-PDA-NP district zoning based on the following: a) the proposed LI-PDA-NP zoning would allow for a transition in the intensity of uses from the U.S. Highway 183 area to the north and west to the Burleson Road area to the south where single family development and commercial and industrial development exist; b) non-residential development will occur along U.S. Highway 183 within the AO-3 area; c) buffers are provided to adjacent, existing single family residential subdivisions, and between future residential and intensive commercial, industrial and civic uses; d) water quality setbacks are in place to protect the waterways that flow through this property; and e) the Economic Growth and Redevelopment Services Office certified that the proposed project, in the predevelopment stage, meets the requirement of promoting the recruitment or retention of an employment center with 100 or more employees.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-CO-NP; RR-CO-NP	Undeveloped; Warehouse / Office
<i>North</i>	P-NP; P-CO-NP; CS-MU-CO-NP; LI-NP; SF-2-NP; MH-NP; CS-CO-NP	LCRA Service Center; Undeveloped; Single family residences; Manufactured home park; Mobile home storage
<i>South</i>	LI-PDA-NP; N / A (County)	Undeveloped; Warehouse / Office park; Single family residences
<i>East</i>	IP-CO-NP; LI-CO-NP; CS-CO-NP; SF-2-NP; LI-NP	Undeveloped; Auto washing; Single family residences
<i>West</i>	LI-CO-NP; LI-NP	Warehouse / Office park

Note: As shown in Exhibit A (Zoning Map), the rezoning area surrounds a research and development facility zoned LI-PDA-NP and a single family residential subdivision zoned SF-2-NP.

ADOPTED PLAN: Southeast Austin Combined Planning Area (Southeast) – October 2002

The rezoning request for the mixed-use project described above is supported by the following four goals of the Southeast Combined Neighborhood Plan:

- Provide a balance of mixed-income housing options that will contribute to the neighborhood's vitality and stability and encourage the development of land uses that promote the interaction between residential and non-residential uses.
- Provide opportunities for the development of neighborhood and community-serving businesses and activities.
- Encourage employment centers, commercial activities, and other non-residential development to locate along major thoroughfares.
- Accommodate a range of land uses that will support the needs of the airport, commuters along U.S. Highway 183, nearby residents, and businesses in the Southeast area, while updating land uses to be compatible with the airport overlay zone (AO-3) ordinance.

TIA: Waived – the property is subject to the previously approved Traffic Impact Analysis and recorded traffic phasing agreement and Restrictive Covenant

WATERSHED: Carson Creek; Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

96 – Southeast Corner Alliance of Neighborhoods

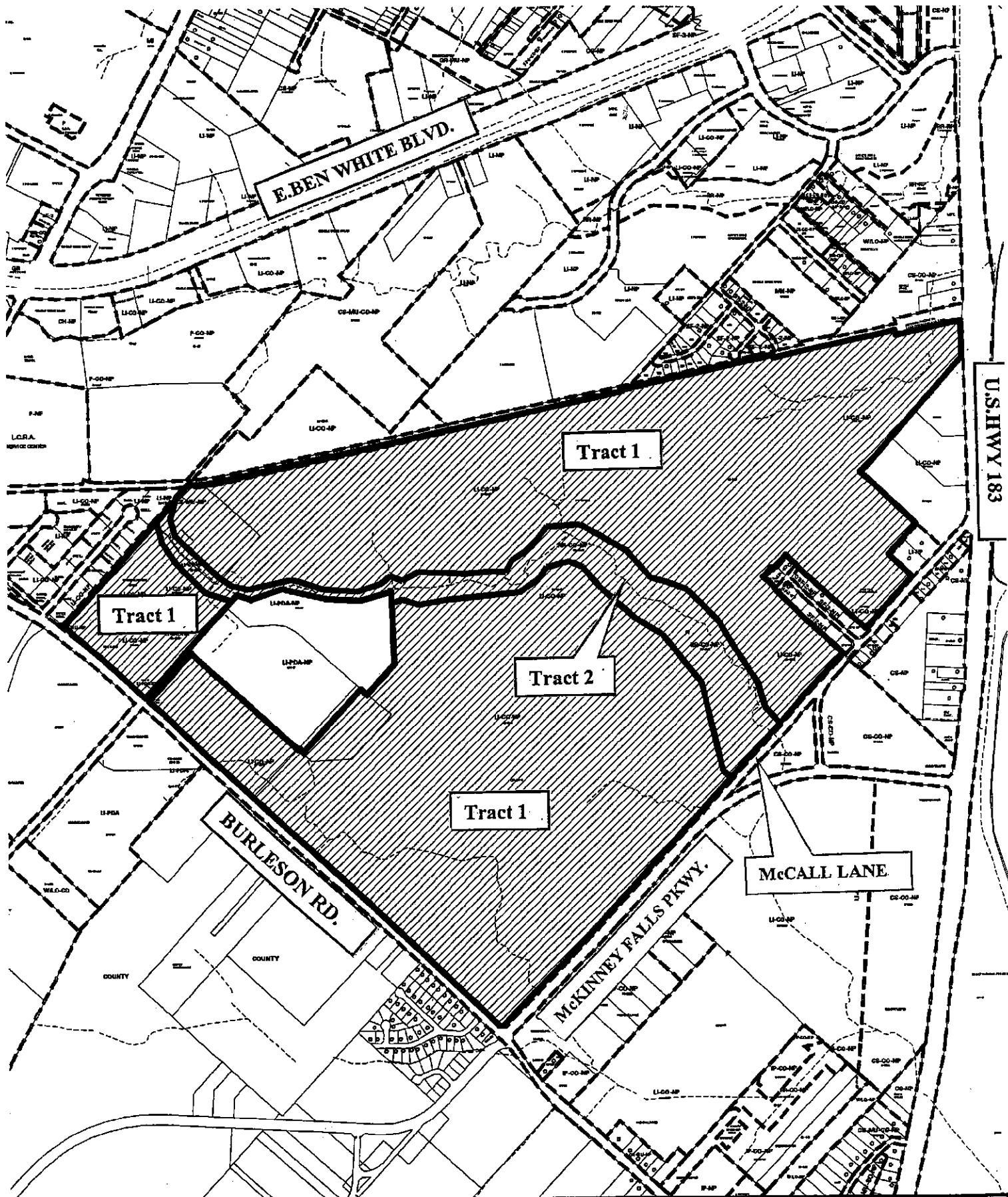
300 – Terrell Lane Interceptor Association

428 – Barton Springs / Edwards Aquifer Conservation District

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Assn.

634 – Montopolis Area Neighborhood Alliance



	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: W.WALSH</p>	<p>ZONING <i>Exhibit A</i></p> <p>CASE #: C14-03-0116</p> <p>ADDRESS: 6800 BURLESON RD.</p> <p>SUBJECT AREA (acres): 644.192</p>	<p>DATE: 03-11</p> <p>INTLS: TRC</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>L16,L17</p>
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BRELL/BURLESON SUBDIVISION

A RESUBDIVISION OF LOTS 2, 3 AND 4 LOCKHEED MARTIN SUBDIVISION

LEGEND

- 1/2" IRON ROD FOUND (ALSO NOTED)
- COTTON SHANK FOUND
- CHISELED "X" FOUND
- IRON PIPE FOUND
- 1/2" IRON ROD WITH CAP SET
- CONCRETE MONUMENT FOUND
- SHERMAN



VICINITY MAP
N.T.S.

LOT 5
LOCKHEED MARTIN SUBDIVISION
RESUBDIVISION OF LOTS 1 & 1A
LOCKHEED ADDITION
VOL. 98, PGS. 73-77

LOT 1
LOCKHEED MARTIN SUBDIVISION
RESUBDIVISION OF LOTS 1 & 1A
LOCKHEED ADDITION
VOL. 98, PGS. 73-77

LOT 2
23.957 AC.
BLOCK "A"

LOT 8
3.261 AC.

CURVE TABLE

Sta.	Curve Length	Radius	Chord	Area
1+00.00	100.00	100.00	100.00	100.00
1+100.00	100.00	100.00	100.00	100.00
1+200.00	100.00	100.00	100.00	100.00
1+300.00	100.00	100.00	100.00	100.00
1+400.00	100.00	100.00	100.00	100.00
1+500.00	100.00	100.00	100.00	100.00
1+600.00	100.00	100.00	100.00	100.00
1+700.00	100.00	100.00	100.00	100.00
1+800.00	100.00	100.00	100.00	100.00
1+900.00	100.00	100.00	100.00	100.00
2+000.00	100.00	100.00	100.00	100.00

LINE TABLE

Sta.	Distance	Angle	Length	Area
1+00.00	100.00	90.00	100.00	100.00
1+100.00	100.00	90.00	100.00	100.00
1+200.00	100.00	90.00	100.00	100.00
1+300.00	100.00	90.00	100.00	100.00
1+400.00	100.00	90.00	100.00	100.00
1+500.00	100.00	90.00	100.00	100.00
1+600.00	100.00	90.00	100.00	100.00
1+700.00	100.00	90.00	100.00	100.00
1+800.00	100.00	90.00	100.00	100.00
1+900.00	100.00	90.00	100.00	100.00
2+000.00	100.00	90.00	100.00	100.00

Exhibit B
SUBDIVISION
IN PROCESS

BRELL/BURLESON SUBDIVISION
A 3 LOT SUBDIVISION
CONSISTING OF 57.160 ACRES
DATE: MARCH, 2003
PREPARED BY:
Bury+Partners
Consulting Engineers and Surveyors
Austin, Texas Tel 512/282-4011 Fax 512/282-1025
Bury+Partners, Inc. Copyright, 2003
Drawn by: BM Approved by: JTB Project No. 1004-0133 File: B-BRELL/BURLESON.DWG

JOE K SMITH
SUBDIVISION
VOL. 59, PG. 26

PAP REALTY
PARTNERSHIP &
CHG PARTNERSHIP,
LTD. et al.
VOL. 12469, PG. 384
308.852 AC
M GOODNIGHT
VOL. 4189, PG. 852

13.172 AC
HELEN BOOTH
VOL. 6587, PG. 1541

28.711 AC
SUN NLF LIMITED PARTNERSHIP
VOL. 12656, PG. 341

PORTION OF 309.157 ACRES
STATE OF TEXAS
VOL. 7113, PG. 236

LOCKHEED MARTIN SUBDIVISION
RESUBDIVISION OF LOTS 1 & 1A
LOCKHEED ADDITION
VOL. 98, PGS. 73-77

LOT 5
LOCKHEED MARTIN SUBDIVISION
RESUBDIVISION OF LOTS 1 & 1A
LOCKHEED ADDITION
VOL. 98, PGS. 73-77

MISSILE PARTNERS
ASSOCIATES, L.P.
VOL. 12840, PG. 22

LOCKHEED MARTIN SUBDIVISION
RESUBDIVISION OF LOTS 1 & 1A
LOCKHEED ADDITION
VOL. 98, PGS. 73-77

BRELL/BURLESON SUBDIVISION

A 3 LOT SUBDIVISION

CONSISTING OF 57.160 ACRES

DATE: MARCH, 2003

PREPARED BY:

Bury+Partners

Consulting Engineers and Surveyors

Austin, Texas Tel 512/282-4011 Fax 512/282-1025

Bury+Partners, Inc. Copyright, 2003

Drawn by: BM Approved by: JTB Project No. 1004-0133 File: B-BRELL/BURLESON.DWG

REPLAT OF LOT 5, LOCKHEED MARTIN SUBDIVISION (BEING A PORTION OF LOT 5, LOCKHEED MARTIN SUBDIVISION AND 19.85 ACRES, MISSILE PARTNERS, L.P.)



- LEGEND**
- 1/2" IRON ROD FOUND
 - CHASED "X" FOUND
 - IRON PIPE FOUND
 - 1/2" IRON ROD SET
 - CONCRETE MONUMENT FOUND
 - ... CIRCULAR
 - ... CRITICAL WATER QUANTITY ZONE
 - NOTE: WATER QUANTITY ZONE

EASEMENT LEGEND

- E1 5' WIDE ELECTRIC AND TELEPHONE LINE EASEMENT, VOL. 11013, PG. 797
- E2 DRAINAGE AND LATERAL SUPPORT EASEMENT, VOL. 10084, PG. 922
- E3 5' WIDE ELECTRIC AND TELEPHONE LINE EASEMENT, VOL. 10084, PG. 974
- E4 10' WIDE WATER EASEMENT, VOL. 11792, PG. 989
- E5 5' WIDE ELECTRIC AND TELEPHONE LINE EASEMENT, VOL. 11013, PG. 797
- E6 5' WIDE ELECTRIC AND TELEPHONE LINE EASEMENT, VOL. 11013, PG. 797
- E7 10' WIDE ELECTRIC AND TELEPHONE LINE EASEMENT, VOL. 11042, PG. 243
- E8 DOWN SUT ANCHOR EASEMENT, VOL. 8759, PG. 288
- E9 10' WIDE ELECTRIC UTILITY EASEMENT, VOL. 12005, PG. 000

CURVE TABLE

Station	Curve Data	Station	Curve Data
1+00.00	127.77 AC VILLAGE MOBILE HOME COMMUNITY VOL. 13189, PG. 497	1+00.00	127.77 AC VILLAGE MOBILE HOME COMMUNITY VOL. 13189, PG. 497
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LINE TABLE

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1+00.00	127.77 AC	1+00.00	127.77 AC

REPLAT OF LOT 5, LOCKHEED MARTIN SUBDIVISION
A ONE (1) LOT SUBDIVISION
CONSISTING OF 501.444 ACRES
DATE: MAY, 2003
PREPARED BY:
Bury+Partners
Consulting Engineers and Surveyors
Austin, Texas Tel 512/328-0811 Fax 512/328-0823
BuryPartners, Inc. Copyright 2003

C9-03-00302A

EXHIBIT B
REPLAT IN PROGRESS

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning, incorporating all of the conditions set forth in the Site Development Standards and for Colorado Crossing PDA – Attachments A, B and B-1 at the back of the staff report.

In addition, the staff is recommending a public Restrictive Covenant that establishes a minimum 200-foot wide setback between any residential dwelling and certain hazard (“H”) – occupancy uses defined by the Uniform Building Code, as amended and the Uniform Fire Code, as amended. Specifically, this setback would be for storage areas or loading areas of H-Occupancy uses defined as flammable / combustible liquids and gases, and / or toxic chemicals, and residential uses, as determined by the Austin Fire Department.

BACKGROUND

A majority of the subject platted lots are currently undeveloped, with only two of the lots – Lots 1 and 4, developed with office buildings. The tracts are relatively flat and zoned LI-CO and RR-CO since the tract was rezoned in March of 2001. There are two creeks defined as classified creeks and two creeks that are defined as unclassified creeks.

The applicant would like to pursue the development of residential uses in the LI zoning district to allow the opportunity for the construction of residential uses, both single family and multi-family, in close proximity to employer-type office/industrial development. This will provide a live/work environment while locating the residential uses away from incompatible industrial uses. Therefore, the applicant is requesting limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) district zoning, with all permitted LI district uses and with the additional uses listed on Page 1.

The staff recommends the applicant's concept as described above for LI-PDA-NP district zoning based on the following: a) the proposed LI-PDA-NP zoning would allow for a transition in the intensity of uses from the U.S. Highway 183 area to the north and west to the Burleson Road area to the south where single family development and commercial and industrial development exist; b) non-residential development will occur along U.S. Highway 183 within the AO-3 area; c) buffers are provided to adjacent, existing single family residential subdivisions, and between future residential and intensive commercial, industrial and civic uses; d) water quality setbacks are in place to protect the waterways that flow through this property; and e) the Economic Growth and Redevelopment Services Office certified that the proposed project, in the predevelopment stage, meets the requirement of promoting the recruitment or retention of an employment center with 100 or more employees.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LI district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site. The PDA combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts.

2. *The proposed zoning should promote consistency and orderly planning.*

The staff recommends the applicant's concept as described above for LI-PDA-NP district zoning based on the following: a) the proposed LI-PDA-NP zoning would allow for a transition in the intensity of uses from the U.S. Highway 183 area to the north and west to the Burleson Road area to the south where single family development and commercial and industrial development exist; b) non-residential development will occur along U.S. Highway 183 within the AO-3 area; c) buffers are provided to adjacent, existing single family residential subdivisions, and between future residential and intensive commercial, industrial and civic uses; d) water quality setbacks are in place to protect the waterways that flow through this property; and e) the Economic Growth and Redevelopment Services Office certified that the proposed project, in the predevelopment stage, meets the requirement of promoting the recruitment or retention of an employment center with 100 or more employees.

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

The proposed LI-PDA zoning will allow for the opportunity for the construction of residential uses, both single family and multi-family, in close proximity to employer-type office/industrial development to provide a live/work environment while protecting the residential uses from incompatible industrial uses.

EXISTING CONDITIONS

Site Characteristics

The site consists of a warehouse / office building and otherwise undeveloped acreage. The primary topographic features on the property are the classified and unclassified waterways that flow from west to east through the property.

Impervious Cover

The maximum impervious cover allowed by the LI zoning district would be 80 %, a consistent figure between the watershed impervious cover and the zoning district's allowable impervious cover, as shown in the table below.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Carson Creek and Onion Creek Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

According to flood plain maps, there is a floodplain within the project boundary. Offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

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

This site is known to contain wetland Critical Environmental Features throughout the waterway that transects it. A contiguous 50 ft CEF setback along the waterway is required. Existing trees to be removed with proposed infrastructure are required to be mitigated for.

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

Additional right-of-way will be required with the subdivision.

The trip generation under the requested zoning is estimated to be 259,297 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

The traffic impact analysis for this site was waived because this site is subject to the previously approved TIA and recorded traffic phasing agreement and restrictive covenant (Doc. # 2001046447). Per the TIA this site will generate approximately 59,101 vehicle trips per day with the proposed uses: Office, Warehouse, Hotel, Shopping Center, and High Turn-over Restaurant. The traffic phasing agreement outlines the cost and improvements that are to be made to the surrounding roadway network with each phase of development.

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 adjustments are required, the landowner will be responsible for all costs and for providing. Also, the utility plan must be reviewed and approved by the City of Austin Water and Wastewater Utility. The plan must be in accordance with the City's utility design criteria.

Compatibility Standards

Portions of this tract along the northern and eastern property lines are subject to compatibility development regulations. Along that property lines adjacent to the SF-2-NP zoned property, the following regulations will apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- For a structure more than 100 feet but not more than 300 feet from the property line, a structure may attain a height of 40 feet plus one foot for each 10 feet if distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from the property line, a structure may attain a height of 60 feet plus one foot for each four feet if distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- No parking or driveways are allowed within 25 feet of the property line
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.
- 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.

Applicant's
Suggested
DRAFT

SITE DEVELOPMENT STANDARDS
Colorado Crossing PDA
Updated November 2003

1) All permitted and conditional limited industrial (LI) uses are permitted and conditional uses of the Property.

2) The following are additional permitted uses of the Property:

<u>Residential Uses</u>	<u>Commercial Uses</u>	<u>Civic Uses</u>
Single Family Residential	Pet Services	Administrative Services
Single Family Attached	Consumer Repair Services	Postal Facilities
Small Lot Single Family	Recreation Equipment Maintenance and Storage	Convalescent Services
Townhouse Residential	Recreation Equipment Sales	Public Primary Educational Facilities
Duplex Residential	Research Assembly Services	Private Primary Educational Facilities
Two Family Residential	Research Testing Services	Public Secondary Educational Facilities
Condominium Residential	Research Warehousing Services	Private Secondary Educational Facilities
Multifamily Residential		
Retirement Housing (Small Site)		
Retirement Housing (Large Site)		

3) The following uses are prohibited uses of the Property:

<u>Commercial Uses</u>	<u>Industrial Uses</u>
Monument Retail Sales	Basic Industry
Scrap and Salvage	Recycling Center
	Resource Extraction

4) The Property shall comply with Section 25-2-648 of the City Code.

ATTACHMENT A

5) A 25-foot wide vegetative buffer to provide screening shall be provided and maintained between Single Family Residential, Single Family Attached, Small Lot Single Family, Duplex Residential, Two Family Residential, Condominium Residential, Multifamily Residential, Retirement Housing-Small Site, Retirement Housing-Large Site, Townhouse Residential, Congregate Living, Convalescent Services (collectively, the "Residential Uses") and property developed with a commercial or industrial use, except the following uses: administrative & business office; arts and crafts studio (limited); consumer convenience services; general retail sales (convenience); medical offices; outdoor sports & recreation; personal improvement services; personal services; pet services; professional office; restaurant (general); restaurant (limited). Improvements permitted within this vegetative buffer are limited to hike and bike trails, drainage, underground utility improvements, overhead electric or communication lines, or those improvements that may be otherwise required by the City of Austin. Notwithstanding the foregoing, development of the Property will remain subject to any additional compatibility standards required by City Code that are not fully satisfied by compliance with the terms of this Paragraph 5.

6) LI zoning site development standards apply to the Property, except that the RR through MF-6 site development regulations set out in Section 25-2-492, or the alternative regulations described in **Exhibit "A"** hereto, shall apply to the permitted residential, civic and neighborhood commercial uses on the Property described in #2 above and in **Exhibit "A"** hereto. Plat notes on final plats for each developed area of the Property shall specify the applicable site development standards for each phase or section of the plat, and the site development regulations must remain uniform within each phase or section of a plat.

7) Except as provided in Paragraph 9 below, a 100-foot wide buffer zone shall be established and maintained between property developed with any Residential Uses and the following uses:

<u>Commercial Uses</u>	<u>Industrial Uses</u>	<u>Civic Uses</u>
Agricultural Sales and Services	Limited Warehousing and Distribution	Maintenance and Service Facilities
Construction Sales and Services	Custom Manufacturing	Railroad Facilities
Equipment Repair Services		Postal Facilities exceeding 10,000 square feet
Equipment Sales		
Research Services		
Research Assembly Services		
Research Testing Services		
Research Warehousing Services		

developed with Residential Uses to the commercial, industrial or civic building; provided, however, if a portion of the property developed with Residential Uses is in a flood plain, the foregoing buffer zone shall be measured from the boundary of the flood plain within such residential lot or the property line for the property developed with Residential Uses, whichever is furthest from the commercial, industrial or civic building. Improvements permitted within the 100-foot buffer zone are limited to streets, access easements, driveways, parking facilities, solid fences, pedestrian trails, hike and bike pathways, recreational facilities, detention and water quality re-irrigation facilities, underground utility improvements, overhead electric and communication lines, or those improvements that may be otherwise required by the City of Austin; provided, however, no driveway, access easement or private street serving a commercial, industrial or civic building shall be permitted within 50 feet of a property line or flood plain line, as applicable, of a lot used for Residential Uses.

8) Except as provided in Paragraph 9 below, a 200-foot wide buffer zone shall be established and maintained between property developed with any Residential Uses and the following uses (the "Special Industrial Uses"):

Special Industrial Uses
General Warehousing and Distribution
Light Manufacturing

The foregoing buffer zone shall be measured from the property line for the property developed with Residential Uses to the building used for Special Industrial Uses; provided, however, if a portion of the property developed with Residential Uses is in a flood plain, the foregoing buffer zone shall be measured from the boundary of the flood plain within such residential lot or the property line for the property developed with Residential Uses, whichever is furthest from the building used for Special Industrial Uses. Improvements permitted within the 200-foot buffer zone are limited to streets, access easements, driveways, parking facilities, solid fences, pedestrian trails, hike and bike pathways, recreational facilities, detention and water quality re-irrigation facilities, underground utility improvements, overhead electric and communication lines, or those improvements that may be otherwise required by the City of Austin; provided, however, no driveway, access easement or private street serving a building used for Special Industrial Uses shall be permitted within 100 feet of a residential property line or flood plain line, as applicable.

9) Notwithstanding the terms of Paragraphs 7 and 8 above, the terms of this Paragraph 9 shall govern the buffer zones required between areas of the Property developed with Residential Uses and the exterior perimeter of the Property; except as hereinafter provided in this Paragraph 9, the said buffer zones described in Paragraphs 7 and 8 do not apply to buildings located outside the Property. A 50-foot buffer zone shall be established and maintained between areas of the Property developed with Residential Uses and the exterior perimeter of the Property; provided, however, notwithstanding the foregoing, (a) for purposes of this Paragraph 9 only, the property described as Lots 2 and 3 of the Lockheed Martin Subdivision, Resubdivision of Lots 1 and 1A Lockheed

3 of the Lockheed Martin Subdivision, Resubdivision of Lots 1 and 1A Lockheed Addition, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume 98, Page 73, Map Records of Travis County, Texas, shall be considered to be part of the Property (i.e., a 200-foot wide buffer zone shall be established and maintained between property developed with any Residential Uses and the Special Industrial Uses in accordance with Paragraph 8 above) and (b) a 200-foot wide buffer zone shall be established and maintained between portions of the Property developed with Residential Uses and any Special Industrial Uses located on Lots 7-14, Burleson Business Park, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume 77, Page 15, Map Records of Travis County, Texas, all in accordance with Paragraph 8 above. The foregoing 50-foot buffer zone shall be measured between the exterior perimeter property line and the building used for Residential Uses. Improvements permitted within the 50-foot buffer zone are limited to streets, access easements, driveways, parking facilities, solid fences, pedestrian trails, hike and bike pathways, recreational facilities, detention and water quality re-irrigation facilities, underground utility improvements, overhead electric and communication lines, or those improvements that may be otherwise required by the City of Austin. Without limiting the foregoing, the property lines separating the Property from the property described as the "McCall Subdivision" recorded in Volume 64, Page 43 of the Real Property Records of Travis County, Texas, shall be considered an "exterior perimeter of the Property" for the purposes of this Paragraph 9.

10) The area described on **Exhibit "B"** may not be developed with any of the Residential Uses.

11) The aggregate number of units developed with the Residential Uses may not exceed 5,500 units. The aggregate number of units developed with the Multifamily Residential Uses may not exceed 1,500 units.

12) The site contains four creeks that are identified as creeks A, B, C and D as described in **EXHIBITS "C" and "D"**. The term "Creek A" means the creek identified on the Property part of which is classified as minor, intermediate, or major waterway under City Code Section 25-8-91 and identified on **EXHIBIT "C"** attached and incorporated by reference. The term "Creek B" means the creek part of which is classified as minor, intermediate, or major waterway under City Code Section 25-8-91 and identified on **EXHIBIT "C"**. The term "Creek C" means the unclassified creek on the Property identified on **EXHIBIT "D"** attached and incorporated by reference. The term "Creek D" means the unclassified creek on the Property identified on **EXHIBIT "D"**. Note: the terms of this Paragraph 13 are also set forth in a Declaration of Restrictive Covenants Regarding Water Quality Setbacks filed in the Real Property Records of Travis County, Texas at Document Number 2003216558.

(a) Creeks A and B. For the portions of each of Creeks A and B that are unclassified, the building setback shall be 50 feet on either side of the centerline of the affected Creek. Improvements permitted within such setback are limited to utility crossings, hike and bike trails, driveway crossings and roadway crossings, or those improvements that may be otherwise required by the City. For the

portions of each of Creeks A and B that are classified, the owners shall maintain Creeks A and B in their current, natural condition. The owners may not make floodplain modifications, and the owners agree that the City's regulations apply to development on or near Creeks A and B. Notwithstanding the above, the owner may:

- (i) use Creeks A and B in a manner allowed by City Code; and
- (ii) use Creeks A and B in a manner authorized in a recorded document accepted and signed by the City; and
- (iii) use Creeks A and B in a manner authorized in writing by the City under Section 25-8-42 of the City Code.

(b) Creeks C and D. Except as otherwise provided in this PDA document, the owner shall not allow improvements other than utility crossings, hike and bike trails, driveway crossings, and roadway crossings within fifty feet (50') of the centerline of either Creek C or Creek D (the "50' Setback") without the prior written consent of the Director of the City's Department of Watershed Protection and Development Review (or successor department), provided, however, that notwithstanding the foregoing, the 50' Setback shall not apply if an owner or developer of any part of the Property otherwise affected by the 50' Setback (a "Developer") provides for a water quality system with the following three characteristics:

(i) Construction of a water quality system that incorporates a "wet pond/detention" facility, which system provides equal or greater water quality and erosion control protection than would be provided pursuant to applicable standards under the City's Land Development Code (or successor ordinance) in effect at the time of the application for development within the 50' Setback (the "Code"), as determined by generally accepted engineering and other relevant data; and

(ii) Water quality capture volume equal to at least 125% of the capture volume required for minor waterways in a suburban watershed, as well as detention of the 1-year storm event, both as required under the Code; and

(iii) A water quality/detention pond of an area at least as large as would be covered by the 50' Setback, which pond does not have to be constructed "in line" with the existing drainage way but does have to be located in the same drainage basin as the affected creek. The drainage way may be rerouted to meet site development standards. The water quality pond must only be sized for property being permitted and not for off-site areas. The owners must provide both maintenance of the pond/s and makeup water to maintain the permanent

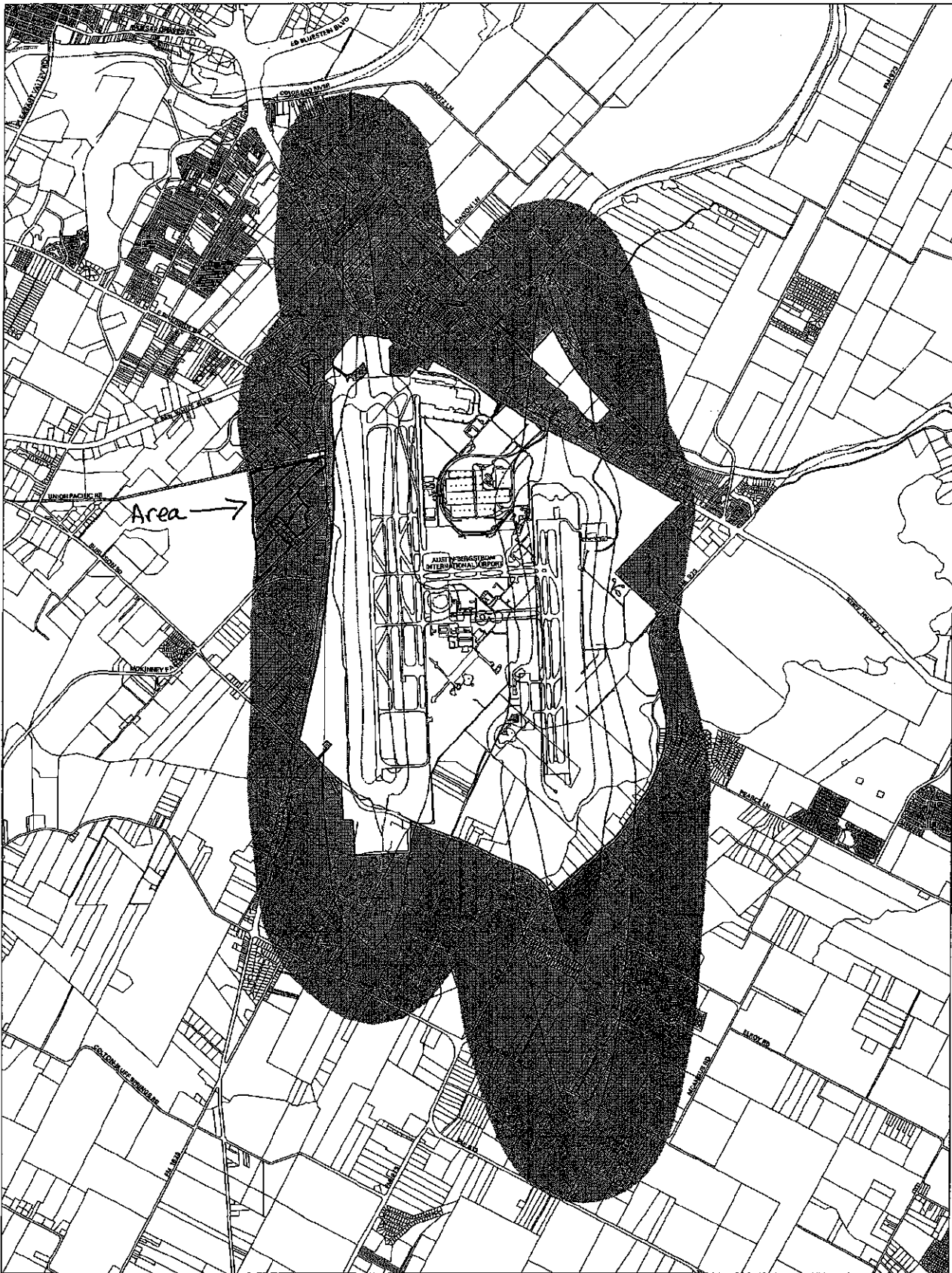
pool level/s.

13) Any areas developed with Single Family Residential, Single Family Attached, Small Lot Single Family, Townhouse Residential, Duplex Residential, Two Family Residential or Condominium Residential must have access to at least one of the following streets without sole use of an Industrial Collector as defined by the Transportation Criteria Manual: Burleson Road, McKinney Falls Parkway or U.S. Highway 183. However, as long as the foregoing requirement is satisfied, property developed with the foregoing uses may have access to an Industrial Collector.

14) All areas developed with General Warehousing and Distribution, Limited Warehousing and Distribution, Light Manufacturing and Custom Manufacturing shall have access to an Industrial Collector either directly or via a Commercial Collector (as defined by the Transportation Criteria Manual) or private driveway or street. Truck traffic serving those industrial areas shall be prohibited by signage on Local Streets (as defined by the Transportation Criteria Manual).

15) For purposes of Section 25-2-492, the maximum impervious cover for Residential Uses is 65% and the front setback is 15 feet. The maximum impervious cover of 65% in this paragraph does not affect the impervious cover permitted in Section 25-8-391.

16) The same standards applied to amendments described in Section 25-2-403 shall apply to this PDA.



Austin-Bergstrom International Airport

Airport Overlay Zones



Plotted: August 12, 2002

- Airport Overlay Zone AO-1
- Airport Overlay Zone AO-2
- Airport Overlay Zone AO-3

- 65 DNL Contour
- 70 DNL Contour
- 75 DNL Contour
- Airport Property Boundary

EXHIBIT "B"

Produced by:
RDMT - GIS Services

This map has been produced by the City of Austin for the sole purpose of providing information. It is not intended for any other use. No warranty is made by the City regarding the accuracy or completeness of the information. It is not guaranteed without limitation from the City of Austin - RDMT - GIS Services.

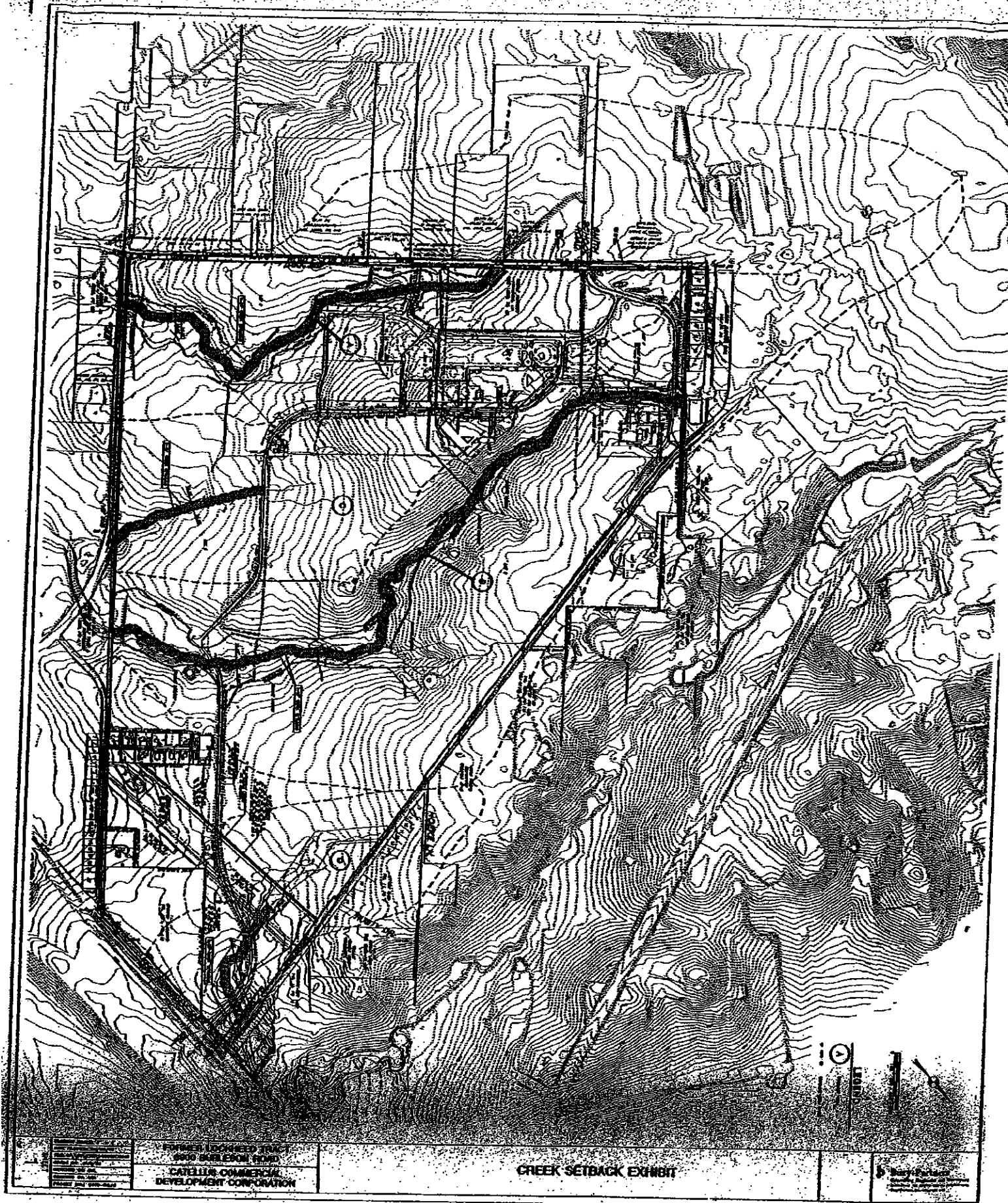


EXHIBIT "C"

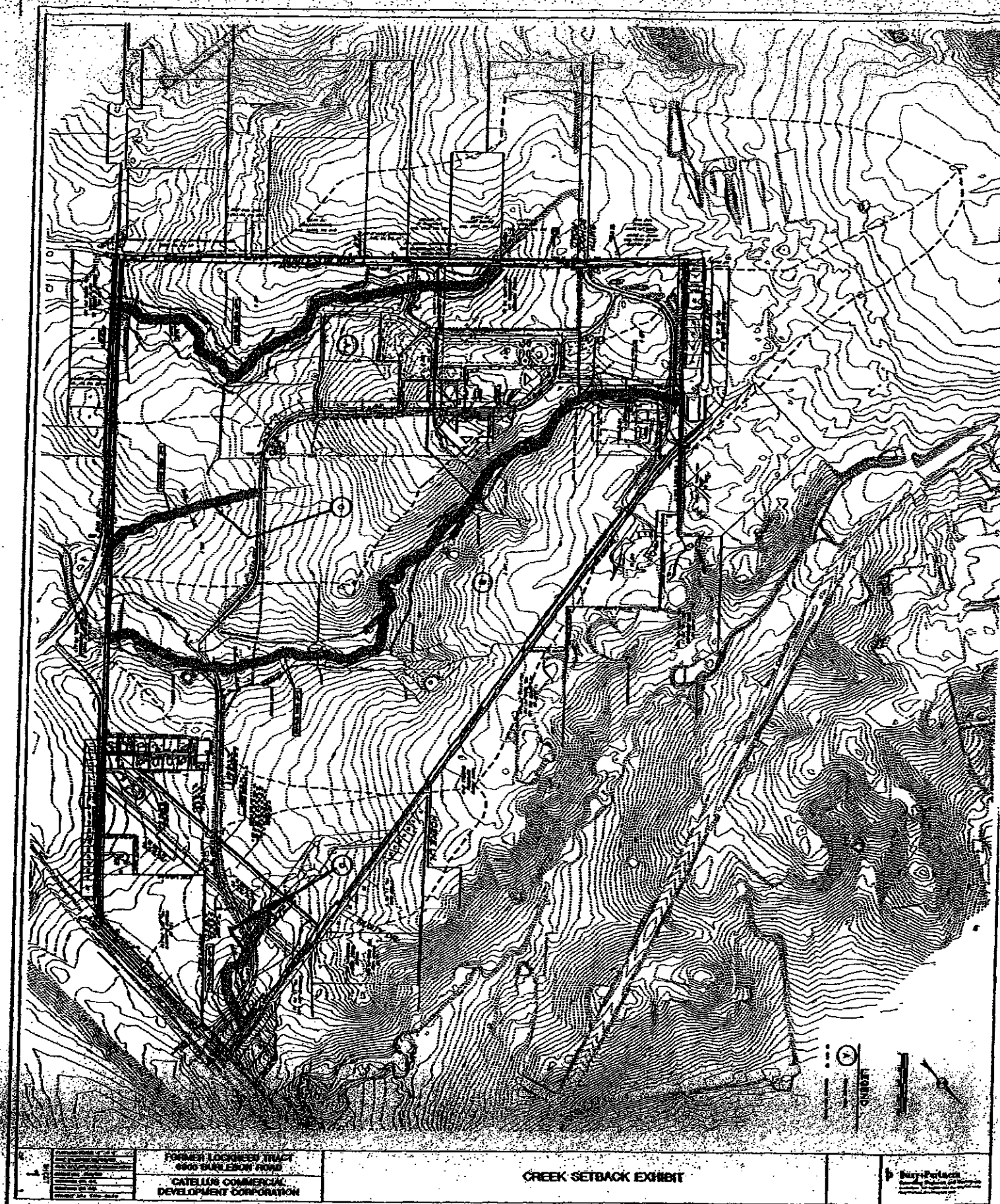


EXHIBIT "D"

Applicant's
SUGGESTED
DRAFT

EXHIBIT "A"

PDA OPTIONAL SITE DEVELOPMENT REGULATIONS FOR RESIDENTIAL USES, CIVIC AND NEIGHBORHOOD
COMMERCIAL USES

1. Section 25-2-492(A) of the Land Development Code establishes the principal site development regulations for each zoning district listed therein. Notwithstanding the foregoing, however, any residential, civic and neighborhood commercial uses permitted under this PDA may, at the election of the owner, be developed using either (i) the regulations set out in Section 25-2-492(A) for that base district, or (ii) the table below. Any site development regulations criteria not noted shall still comply with the provisions of Section 25-2-492(A) of the Land Development Code. The base districts shown at the top of the relevant column in the table below shall determine the site development regulations and all other applicable regulations for each lot, unless otherwise stated in the PDA standards.

OPTIONAL SITE DEVELOPMENT REGULATIONS FOR RESIDENTIAL, CIVIC AND NEIGHBORHOOD COMMERCIAL
USES

The following table lists the optional site development regulations for residential, civic and neighborhood commercial uses (see attached Schedule 1).

Accessory Uses

Notwithstanding Section 25-2-893 (Accessory Uses for a Principal Residential Use), one accessory cottage containing not more than 700 square feet of gross building area is permitted as an accessory to a residential use provided that the principal use is a PDA-SF2, PDA-SF3, PDA-SF-4A, Single Family, Duplex or Two-Family Residential use located on a lot with at least 3,600 square feet of area. An accessory cottage may be occupied by family members, occasional nonpaying guests of the permanent residents, by a family that has a person employed on-site for security, maintenance, management, supervision or personal service, or by at least one person who is 60 years of age or older or physically disabled. An accessory cottage may be either attached or detached to the principal dwelling unit.

Transportation – Streets and Sidewalks

Subdivision layout requirements set forth in Section 25-3-52 of the Traditional Neighborhood District, including provisions for use of TND street types, alleys and street layout, shall be required when establishing optional site development regulations for residential, civic, and neighborhood commercial uses, except that:

- (i) due to the proximity to adjacent arterial streets and buffer zones and setbacks associated with four creeks on-site, referenced in item 12 of the PDA, perimeter block lengths shall comply with provisions of Section 25-4-154 BLOCK LENGTH. Block lengths for internal streets shall comply with Section 25-3-52 (N), and
- (ii) minimum lot size, maximum lot size, and minimum lot width are as specified in the chart in this Schedule 1.

The director may approve the use of innovative roadway designs serving the residential, civic and neighborhood commercial uses of the PDA that are not listed in the Traditional Neighborhood District Criteria Manual.

ATTACHMENT B

In accordance with Section 25-2-411 of the Land Development Code, the PDA standards identified herein shall apply in lieu of otherwise applicable Code sections, City regulations or the City policies, subject to approval by fire protection and emergency medical services.

Schedule 1

REGULATION	PDA-SF-2, PDA-SF-3, PDA-SF-4A SINGLE FAMILY DUPLEX TWO-FAMILY RESIDENTIAL	PDA-SF-5 TOWNHOUSE	PDA-MF, PDA-SF-6 PDA-LR, PDA-LO MULTIFAMILY CONDOMINIUM NEIGHBORHOOD COMMERCIAL ⁴	PDA-CIVIC	PDA - SIDE YARD HOUSE ³
Minimum Lot Size	3,600 SF 4,000 SF on corner lot	2,000 SF 2,500 SF on corner lot	3,600 SF 4,000 SF on corner lot	3,600 SF 4,000 SF on corner lot	2,400 SF 2,800 SF
Minimum Lot Width ¹	40 FT 45 FT on corner lot	20 FT 25 FT on corner lot	40 FT 45 FT on corner lot	40 FT 45 FT on corner lot	30 FT 35 FT on corner lot
Maximum Height	35 FT	35 FT	35 FT	35 FT	35 FT
Minimum Front Yard Setback	10 FT	5 FT	5 FT	5 FT	5 FT
Minimum Front Garage Setback	20 FT	20 FT	20 FT	20 FT	20 FT
Minimum Street Side Yard Setback	10 FT	10 FT	10 FT	10 FT	10 FT
Minimum Interior Side Yard Setback	5 FT	0 FT	5 FT	5 FT	0 FT ²
Minimum Rear Yard Setback	5 FT	5 FT	10 FT	10 FT	10 FT
Maximum Building Coverage	55%	70%	70%	55%	55%
Maximum Impervious Cover	65%	75%	75%	65%	65%

Applicant's
SUGGESTED
DRAFT

ATTACHMENT B-1

Schedule 1

¹ ON A COURTYARD OR CURVED STREET, THE MINIMUM LOT WIDTH BETWEEN THE FRONT LOT LINE AND THE MINIMUM FRONT YARD SETBACK IS 15 FEET FOR A TOWNHOUSE LOT AND 30 FEET FOR OTHER LOTS.

² The minimum required side yard between structures is ten feet.

³ An owner of a lot must impose the following limitations on the lot by the filing of appropriate deed restrictions:

- 1) A structure may be erected adjacent to an interior side lot line. The wall of a structure erected adjacent to an interior side lot line must be solid and opaque with no openings of any kind, except for transom windows with a sill a minimum of six feet above the floor. The eaves of a structure may extend across the interior side lot line not more than three feet.
- 2) Except for a patio or patio cover, the minimum distance between structures on adjoining lots is ten feet. The minimum distance between a patio or patio cover and a structure on an adjoining lot is six feet.
- 3) An easement is required on each lot that abuts a lot with a structure adjacent to a common interior side lot line. The easement is for the purpose of construction and maintenance of the structure and drainage. The easement must be not less than five feet wide and extend the full length of the interior side lot line.

⁴ PDA NEIGHBORHOOD COMMERCIAL USES ARE AS FOLLOWS:

- administrative & business office
- arts and crafts studio (limited)
- consumer convenience services
- general retail sales (convenience) - maximum single building size: 25,000 SF
- medical offices
- outdoor sports & recreation
- personal improvement services – maximum single building size: 25,000 SF
- personal services
- pet services – maximum single building size: 25,000 SF
- professional office
- restaurant (general)
- restaurant(limited)

Note:

1. Variance to Section 25-2-775(H)(1)(a) of the Land Development Code which requires a minimum of 100 feet between townhouse groups when abutting a local street is reduced to 15 feet.
2. Variance to Section 25-2-775(H)(1)(b) of the Land Development Code which restricts a townhouse group when abutting a local street to no more than 6 units is adjusted to allow up to 8 units in a townhouse group.
3. A residential use may be located above the first floor of a commercial building.



City of Austin

One Texas Center, 505 Barton Springs Road, Suite 1300, P.O. Box 1088, Austin, TX 78767-8839
www.ci.austin.tx.us

Economic Growth and Redevelopment Services Office

July 29, 2003

Mr. Greg Weaver, Vice President Development
Catellus Development Corporation
111 Congress Avenue, 4th Floor
Austin TX 78701

RE: Neighborhood Plan Amendment - Former Lockheed Tract – Approximately 665
Acres Located at the Intersection of U.S. Highway 183 and Burleson Road

Dear Mr. Weaver:

Based on the information submitted, the Economic Growth and Redevelopment Services Office certifies that the proposed project, in the predevelopment stage, meets the requirement of promoting the recruitment or retention of an employment center with 100 or more employees.

Please contact me at 974-7820 if you need additional information.

Sincerely,

Sue Edwards
Director

cc: Michele Haussmann, Planner Principal, Drenner Stuart Wolff Metcalfe
von Kreisler, LLP
Alice Glasco, Director, Neighborhood Planning & Zoning Department



VIA FACSIMILE

June 30, 2003

Mr. Gregory Weaver
Catellus Development Corporation
111 Congress Avenue, 4th Floor
Austin, Texas 78701

Re: Residential Rezone at the Former Lockheed Tract

Dear Greg,

Thank you for taking the time to discuss the proposed rezone incorporating residential into the existing zoning at the former Lockheed tract. As the owner of 6800 Burleson Road located within the Lockheed tract, we are in full support of this rezone and believe the mixed-use component will further enhance the attractiveness of the project.

Should you need additional information from me in the future in regards to this rezone, please contact me at your convenience. Good luck with your rezone.

Sincerely,
Koll Bren Schreiber Realty Advisors

Rodney Richerson
Senior Vice President

Koll Bren Schreiber Realty Advisors
4343 Van Kamen Avenue • Newport Beach, CA 92660
TEL 949.833.1773 • FAX 949.250.6055

December 8, 2003

Alice Glasco, Director
Neighborhood Planning and Zoning Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

RE: Colorado Crossing PDA

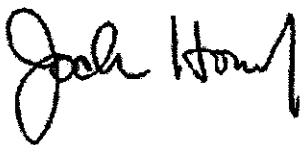
Dear Ms. Glasco,

As the neighborhood representative of the Southeast Combined Neighborhood Planning group, I wish to express support for the proposed plan amendment necessary to facilitate the Colorado Crossing PDA.

Neighborhood issues such as residential density and creek protections have been addressed and are in the PDA document.

Although the owner, developer or representatives did not benefit from the nine months process involving other commercial landowners, residents, and COA staff, they were open to concerns covered in the SCNP.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Howison". The signature is fluid and cursive, with the first name "Jack" and last name "Howison" clearly distinguishable.

Jack Howison, resident
Southeast Combined Neighborhood Plan

January 27, 2004

Mr. Greg Weaver
Bergstrom Partners, L.P.
816 Congress Avenue, Suite 1540
Austin, TX 78701

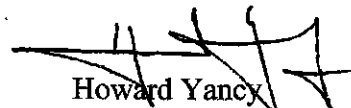
VIA HAND DELIVERY

RE: **Colorado Crossing Project** – 644 Acres Located at the Intersection of U.S. Highway
183 and Burleson Road

Dear Mr. Weaver:

As you know, we are the owners of commercial and industrial land known as Met Center that exists adjacent to your proposed Colorado Crossing project on U.S. Highway 183. I submit this letter in support of the zoning and neighborhood plan amendment applications you have on file at the City. As we discussed, your proposal to include residential development and a mix of land uses on the property will enhance the area and add to the existing mixed-use nature of the area. I welcome your proposal and look forward to continuing to work with you.

Respectfully,


Howard Yancy
Met Center Partners

**BILL LUDWIG COMPANY, INC.**
COMMERCIAL, INDUSTRIAL & INVESTMENT REAL ESTATEBUS (512) 345-0555 • RES (512) 345-1488
FAX (512) 345-05553400 EXECUTIVE CENTER DRIVE, SUITE 210
AUSTIN, TEXAS 78731

December 8, 2003

VIA FAX: 974-6054

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

Re: File Number: C14-03-0116
File Number: NPA-03-0014.03

Dear Ms. Walsh:

I object to the proposals. Housing is not compatible with the nearby Ludwig Two Subdivision and the new Travis County Precinct 4 Office Complex.

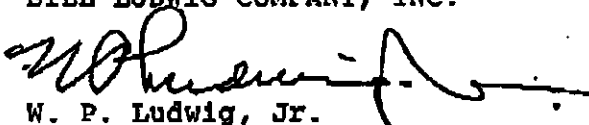
This entire general area is becoming a large industrial development which is the area's highest and best use. Also, the type of housing in the area may tend to attract vandalism to nearby industrial operations.

The applicant has failed to give the least idea as to the location of the proposed housing so the large area of adjoining properties will know how these adjoining properties will be affected. They have the right to know now, not later.

Further, extended hearings were conducted to form the Southeast Combined Neighborhood Plan. The public was then promised such plans would not be changed for a year. The applicant has been given special consideration to put aside this promise, claiming that 100 new jobs would be created. The one year promise to the property owners of Southeast Austin should be kept and the applicant's applications should be deferred.

Sincerely,

BILL LUDWIG COMPANY, INC.


W. P. Ludwig, Jr.

W. P. Ludwig, Jr., President of Bill Ludwig Company, Inc. has been a Texas licensed real estate broker since 1981 handling varied commercial real estate for both the corporate client and private investor on a confidential and professional basis with special expertise in commercial and industrial site locations.

L.H. LAYNE Co.COMMERCIAL & INDUSTRIAL
DEVELOPMENT, LEASING,
MANAGEMENT & SALE

Planning Commission Assistant
Transportation, Planning and Sustainability Department,
P.O. Box 1088,
Austin, TX 78767
Attn: Sonya Lopez

RE: File number: NPA 03-0014.03
File Number: C 14-03-0116

Dear Ms Lopez,

I manage the industrial warehouse project located at 7303 Burleson Road, Austin, TX, which is across the street from the proposed Colorado Crossing Development.

I have received the notices from the City of Austin on the above referenced file numbers. I understand family housing is planned for the development and feel this use is not compatible with the surrounding area which has been zoned and developed into an industrial complex.

Omni Business Park is adjacent to the Shallowbrook Trail Neighborhood. We have an ongoing assortment of problems consisting of noise, trash, and vandalism which continue to be a problem to both the neighborhood and to us. The close proximity of industrial parks to neighborhoods has not worked consequently; Omni Business Park is opposed to adding any more residential neighborhoods in the proposed Colorado Crossing Development.

Sincerely,

Len H. Layne
General Partner, Omni Business Park

BERGSTROM PARTNERS, L.P.

Mr. Len Layne
L.H. Layne Co.
404 W. Powell Lane, Suite 202
Austin, TX 78753

Mr. William Ludwig
Bill Ludwig Company, Inc.
3409 Executive Center Drive, Suite 210
Austin, Texas 78731

January 26, 2004

Dear Mr. Layne and Mr. Ludwig,

I would like to thank you for your time recently in meeting with Bergstrom Partners regarding the new Colorado Crossing mixed-use development. We are excited about participating in projects that will add to the city of Austin's unique character.

As a follow-up to our discussions, I wanted to remind you of some of the highlights of the master-planned community Colorado Crossing. Our community will include commercial, limited industrial, single-family and neighborhood office uses. As part of a master-planned community, all uses must adhere to a high level of standards set forth in codes, covenants and restrictions (CC&R). Within the single-family portion of the project, we are moving forward to select a builder that would develop a high level of product, similar to the one you were shown.

In previous discussions, you mentioned the possibility of increased flooding on your property if ours was built-out in a mixed-use fashion. However, Bury + Partners, Inc. engineers studied the drainage issues for your property and determined that the proposed Colorado Crossing would not create any adverse effect relating to flooding on your property.

As always, I thank you for your time and continued discussions for making the Burleson / McKinney Falls area a success for Austin. Please contact me with any further questions.

Sincerely,

Greg Weaver



cc: Wendy Walsh, City of Austin



FACILITIES MANAGEMENT DEPARTMENT

Roger A. El Khoury, P.E., Director

1010 Lavaca St, Suite 400 • P.O. Box 1748, Austin, Texas 78767 • Phone: (512) 854-9661 • Fax: (512) 854-9226

January 21, 2004

Alice Glasco, Director, Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, TX 78767

Bergstrom Partners, L.P.
816 Congress Avenue, Suite 1540
Austin, Texas 78701

**RE: Proposed Zoning Change for Colorado Crossing -McKinney Falls Parkway
Case # C1403-0116**

Travis County has learned of the above numbered proposed zoning change. Having carefully considered the matter, we desire to communicate several facts.

Travis County is mandated to provide a facility for State of Texas Probation Services serving this County.

Because of the State mandate and the fact that constructing a new facility resulted in long-term lease savings, Travis County constructed an office building in Precinct 4. The facility houses seven (7) probation units with a combined clientele of approximately 10,000 probationers with a variety of offenses. In addition to probation services, the facility offers GED, ESL & Literacy Classes, and Pre-Employment Program Community Service Restitution, and it houses the Precinct 4 Justice of the Peace and Constable, with the presence of 11 deputy constables, and a satellite tax office.

A primary reason for selecting the Precinct four office building site was that the majority of the surrounding land was zoned "Light Industrial". County representatives appeared before the Planning Commission on March 6 of 2001 to change its zoning to "P" for Public, and that zoning was approved. The Precinct 4 site was purchased in December 2001. The Commissioners Court approved the schematic design on March 19, 2002, and awarded the construction contract in November 2002. All departments moved into the facility in October and November 2003. Due to the then existing zoning of the surrounding areas, the airport noise overlay zone, and the presence of light industrial facilities in the area, no residential development was anticipated. The proposed zoning change in Case # C1403-0116 would allow residential development.

Travis County supports economic development for the area and welcomes the opportunity to partner with the City of Austin and Bergstrom Partners to create a safe, vital community that meets all the needs of the citizens of Southeast Travis County. If the Planning Commission

supports Bergstrom Partners' pending zoning request, Travis County will work diligently with the City of Austin and Bergstrom Partners to achieve a mutually acceptable development plan.

Thanks for your consideration.

Sincerely,



Roger A. El Khoury, P.E., Director
Facilities Management Department

Copy:

Travis County Commissioners Court
Alicia Perez, Executive Manager, Administrative Operations
John Hille, Assistant County Attorney

CITY PLANNING COMMISSION

January 27, 2004

One Texas Center

505 Barton Springs Road

Conference Room 325

CALL TO ORDER – 6:00 P.M.

____ Maggie Armstrong, Secretary

____ Michael Casias

____ Cynthia Medlin, Asst. Secretary

____ Matthew Moore

____ Lydia Ortiz, Chair

____ Chris Riley, Vice Chair

____ Niyanta Spelman

____ Dave Sullivan, Parliamentarian

CONDUCT OF PUBLIC HEARINGS

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those **FAVORING** the request.
4. Applicant's presentation (5 minutes).
5. Others favoring the request (3 minutes).
6. Chair calls on those **OPPOSING** the request.
7. Primary presentation (5 minutes).
8. Others opposing the request (3 minutes).
9. Applicant is given opportunity to answer objections stated. (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

<p>CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION OR CITIZENS THAT ARE UNABLE TO SPEAK BUT WOULD LIKE TO MAKE THE COMMISSION AWARE OF THEIR POSITION ARE REQUESTED to REGISTER BY SIGNING A CARD AT THE ENTRANCE.</p>

Any interested party aggrieved by a decision of the Planning Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Transportation, Planning and Sustainability Department within fourteen (14) days following the decision of the Planning Commission.

- 11. Neighborhood Plan Amendment:** **NPA-03-0014.03 - Colorado Crossing -Southeast Neighborhood Plan Amendment**
Location: 6800 Burleson Road, Carson Creek / Onion Creek Watershed, Southeast NPA
Owner/Applicant: Missile Partners Associates, L.P. (Stephen L. Millham) and Bergstrom Partners, L.P. (Stephen L. Millham and Gregory T. Weaver)
Agent: Drenner Stuart Wolff Metcalfe von Kreisler, LLP. (Michele Haussmann)
Request: Amend the future land use map designation for this property from Industrial to Major Planned Development
Staff Rec.: **Recommended**
Staff: Sonya Lopez, 974-7694, sonya.lopez@ci.austin.tx.us
Neighborhood Planning and Zoning Department
- 12. Rezoning:** **C14-03-0116 - Colorado Crossing**
Location: 6800 Burleson Road, Carson Creek / Onion Creek Watershed, Southeast NPA
Owner/Applicant: Missile Partners Associates, L.P. (Stephen L. Millham) and Bergstrom Partners, L.P. (Stephen L. Millham and Gregory T. Weaver)
Agent: Drenner Stuart Wolff Metcalfe von Kreisler, LLP. (Michele Haussmann)
Request: LI-CO-NP; RR-CO-NP to LI-PDA-NP
Staff Rec.: **Recommended**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning Department
- 13. Rezoning:** **C14-03-0176.SH - Pleasant Valley Courtyards - S.M.A.R.T. Housing**
Location: 4503 - 4511 East St. Elmo Road, Williamson Creek Watershed Watershed, Southeast Combined Planning Area (Franklin Park) NPA
Owner/Applicant: Pleasant Valley Courtyards Housing, L.P. (Craig Alter on behalf of Carlos Herrera)
Agent: Brown McCarroll, L.L.P. (Nikelle S. Meade)
Request: MF-3-CO-NP to MF-3-CO-NP. The rezoning request is to modify the Conditional Overlay to allow for the location of residential dwelling units and community recreation (private) use on Tract One.
Staff Rec.: **Recommended to modify the Conditional Overlay to allow residential dwelling units on Tract One. Not Recommended to allow community recreation (private) use on Tract One.**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning Department