



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-3
AGENDA DATE: Thu 03/25/2004
PAGE: 1 of 1

SUBJECT: C14-04-0010 - E.M. Rowshan et al. Property - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 0 F.M. 2222 Road (West Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Property Owners: Esmail M. Rowshan et al. Applicant: City of Austin. Agent: Neighborhood Planning & Zoning Department. City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0010

Z.A.P. DATE: February 17, 2004

ADDRESS: FM 2222 Road

OWNER: Mr. Esmacil M. Rowshan et al.

APPLICANT: City of Austin

AGENT: Neighborhood Planning & Zoning Department

ZONING FROM: I-RR

TO: LO-MU-CO

AREA: 4.924 acres

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is to grant LO-MU-CO (Limited Office-Mixed Use-Conditional Overlay District) zoning. The proposed conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

2/17/04: Approved staff's recommendation of LO-MU-CO zoning (8-1, J. Martinez-Nay);
K. Jackson-1st, M. Whaley-2nd.

DEPARTMENT COMMENTS:

The site is currently undeveloped. The property in question was annexed for full purposes by the City of Austin on September 26, 2002 (Ordinance #020926-58-Attachment A). According to the Transportation, Planning and Sustainability Department (TPSD), annexation ordinances typically include a provision that waives fees for an initial zoning application for a period of one year from its effective date. However, because of an oversight this provision was not included in the annexation ordinance that relates to this property. Therefore, the staff requested that the Zoning and Platting Commission initiate a new zoning application so that the property owners would not incur an expense to permanently zone their property (Attachment B). The Commission approved the staff's request to initiate zoning for this property on January 6, 2004.

The staff is recommending Limited Office-Mixed Use-Conditional Overlay district zoning for this tract of land because LO-MU-CO zoning is consistent with the LO zoning located to the west and the GO zoning located to the south east of this property along FM 2222. The proposed zoning would allow for office, mixed use, or residential development to be constructed along a major arterial roadway. The property in question has numerous development constraints such as slope issues, Hill Country Roadway requirements, compatibility setbacks, and 100-year floodplain, which will limit the build able area on this site.

The property owner agrees with the staff's recommendation.

HILL COUNTRY ROADWAY:

This site is located entirely within a Hill Country Roadway Corridor [low intensity zone] because it is within 1000-feet of FM 2222, a Hill Country Roadway.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|--|
| <i>Site</i> | I-RR | Undeveloped |
| <i>North</i> | County | Undeveloped, Balcones Canyonland Preserve |
| <i>South</i> | SF-2 | Undeveloped |
| <i>East</i> | SF-2 | Undeveloped |
| <i>West</i> | SF-2, I-RR | Vacant Building (Former Restaurant), Undeveloped |

AREA STUDY: N/A**TIA:** Waived**WATERSHED:** West Bull Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

190 – Middle Bull Creek Neighborhood Association
 426 – River Place Residential Community Association, Inc.
 434 – Lake Austin Business Owners
 439 – Concerned Citizens for P&B of FM 2222
 448 – Canyon Creek Homeowners Association
 475 – Bull Creek Foundation
 965 – Old Spicewood Springs Road Neighborhood Association

CASE HISTORIES: N/A**RELATED CASES:** There are no pending related cases.**ABUTTING STREETS:**

| NAME | ROW | PAVEMENT | CLASSIFICATION | DAILY TRAFFIC |
|-------------|------------|-----------------|-----------------------|----------------------|
| RM 2222 | 150' | Varies | Major Arterial | N/A |

CITY COUNCIL DATE: March 25, 2004**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Sherri Gager**PHONE:** 974-3057,
sherri.gager@ci.austin.tx.us

LO
85-340

SP-02-0135B

LO

8P-02-0135B

BALCONES CANYONLAND PRESERVE

I-RR

C7A-02-025

FM 2222

84-0082

SF-2

FM 2222

SF-2

C7A-0

R

GULFPORT



1" = 400'

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: S. GAGER



ZONING

CASE #: C14-04-0010

ADDRESS: FM 2222 RD

SUBJECT AREA (acres): 4.924

DATE: 04-01

INTLS: SM

CITY GRID
REFERENCE
NUMBER

E32



STAFF RECOMMENDATION

The staff's alternate recommendation is to grant LO-MU-CO (Limited Office-Mixed Use-Conditional Overlay District) zoning. The proposed conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day.

BACKGROUND

The site is currently undeveloped. The property in question was annexed for full purposes by the City of Austin on September 26, 2002 (Ordinance #020926-58-Attachment A). According to the Transportation, Planning and Sustainability Department (TPSD), annexation ordinances typically include a provision that waives fees for an initial zoning application for a period of one year from its effective date. However, because of an oversight this provision was not included in the annexation ordinance that relates to this property. Therefore, the staff requested that the Zoning and Platting Commission initiate a new zoning application so that the property owners would not incur an expense to permanently zone their property (Attachment B). The Commission approved the staff's request to initiate zoning for this property on January 6, 2004.

The staff is recommending Limited Office-Mixed Use-Conditional Overlay district zoning for this tract of land because LO-MU-CO zoning is consistent with the LO zoning located to the west and the GO zoning located to the south east of this property along FM 2222. The proposed zoning would allow for office, mixed use, or residential development to be constructed along a major arterial roadway. The property in question has numerous development constraints such as slope issues, Hill Country Roadway requirements, compatibility setbacks, and 100-year floodplain, which will limit the build able area on this site.

The property owner agrees with the staff's recommendation.

BASIS FOR RECOMMENDATION

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

The Limited Office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods.

The purpose of the Mixed Use (MU) Combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

LO-MU-CO zoning is consistent with the LO zoning located to the west and GO to the southeast of this property along FM 2222.

The proposed LO-MU-CO would allow for office, mixed use, or residential development to be constructed along FM 2222, a major arterial roadway.

3. *The proposed zoning should allow for a reasonable use of the property.*

The LO-MU-CO zoning district would allow for a fair and reasonable use of the site because it would allow the owner of the property to develop this tract of land with less intensive commercial uses (office), a mix commercial and residential uses (office and residential), or a residential uses

(single-family, townhouse/condominium, or multifamily) on a property that has numerous site constraints. The property in question has slope issues, Hill Country Roadway requirements, compatibility setbacks, and 100-year floodplain, which will restrict development on the site.

EXISTING CONDITIONS

Site Characteristics

The site is undeveloped and covered with trees. The property slopes upwards to the northwest and contains floodplain along the southeastern corner.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 70 %. However, because the Watershed impervious cover is more restrictive than the LO zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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

| <i>Development Classification</i> | <i>% of Net Site Area</i> | <i>% NSA with Transfers</i> |
|-----------------------------------|---------------------------|-----------------------------|
| One or Two Family Residential | 30% | 40% |
| Multifamily Residential | 40% | 55% |
| Commercial | 40% | 55% |

Development within a Water Quality Transition Zone may not exceed 18% impervious cover.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located on the edge of the Edward's Aquifer Recharge Zone. The site is in the West Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is flood plain in, or within close proximity of, the project location. Based upon the close proximity of the flood plain, offsite drainage should be calculated to determine whether a transition zone exists within the project location.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

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

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 5,925 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 is a City initiated case.

RM 2222 is classified in the Bicycle Plan as a Priority 1 bike route. (Route #434)

Capital Metro bus service is not available within 1/4 mile of this property.

Existing Street Characteristics:

| NAME | ROW | PAVEMENT | CLASSIFICATION | DAILY TRAFFIC |
|---------|------|----------|----------------|---------------|
| RM 2222 | 150' | Varies | Major Arterial | N/A |

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 subdivision, site plan, or zoning 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 offsite main extension, or system upgrades, or utility adjustment, or relocation are required, the landowner will be responsible for all costs and 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. The utility construction must be inspected by the City and the landowner must pay the City inspection fee.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Compatibility Standards

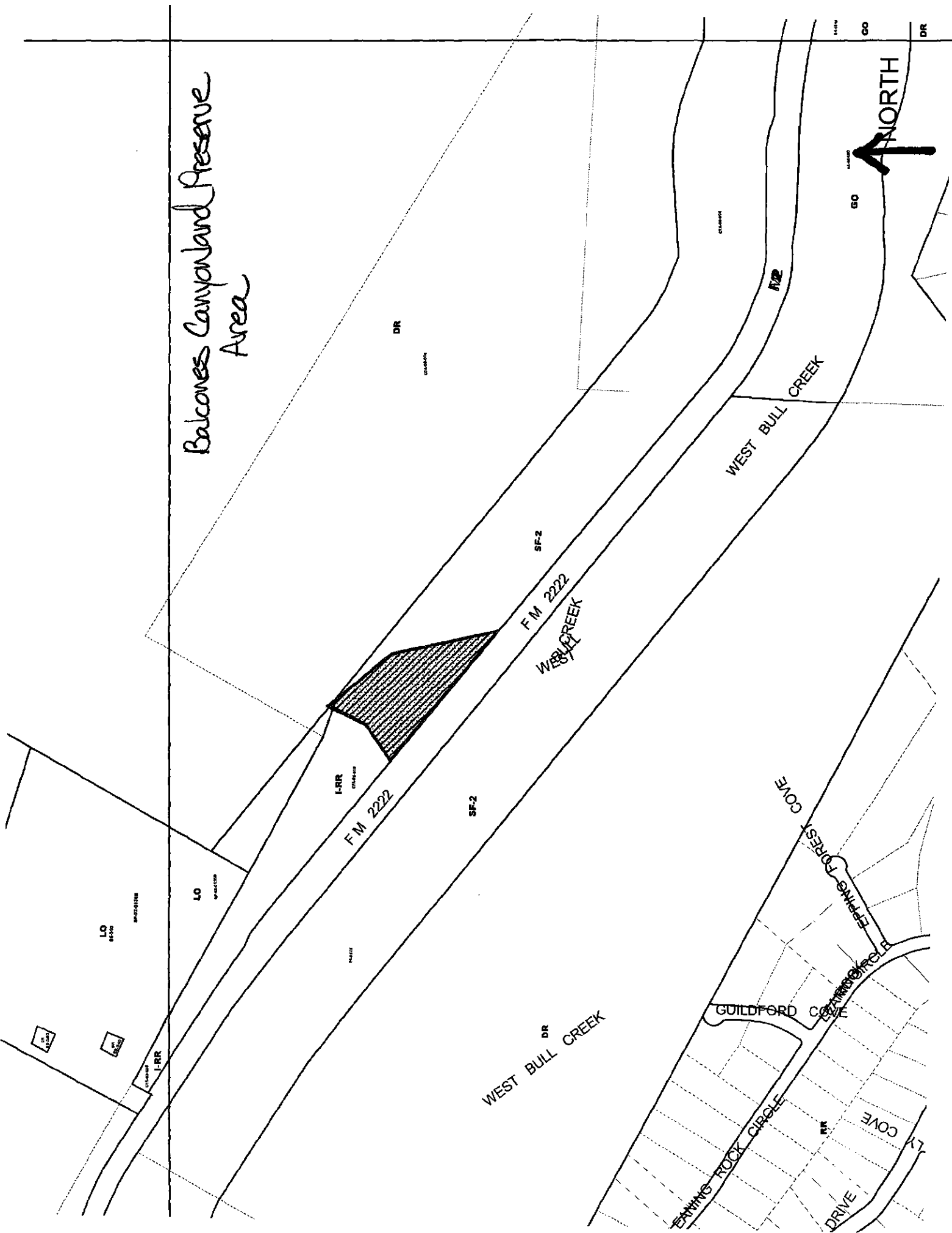
This site is located entirely within a Hill Country Roadway Corridor [low intensity zone] because it is within 1000-feet of FM 2222, a Hill Country Roadway.

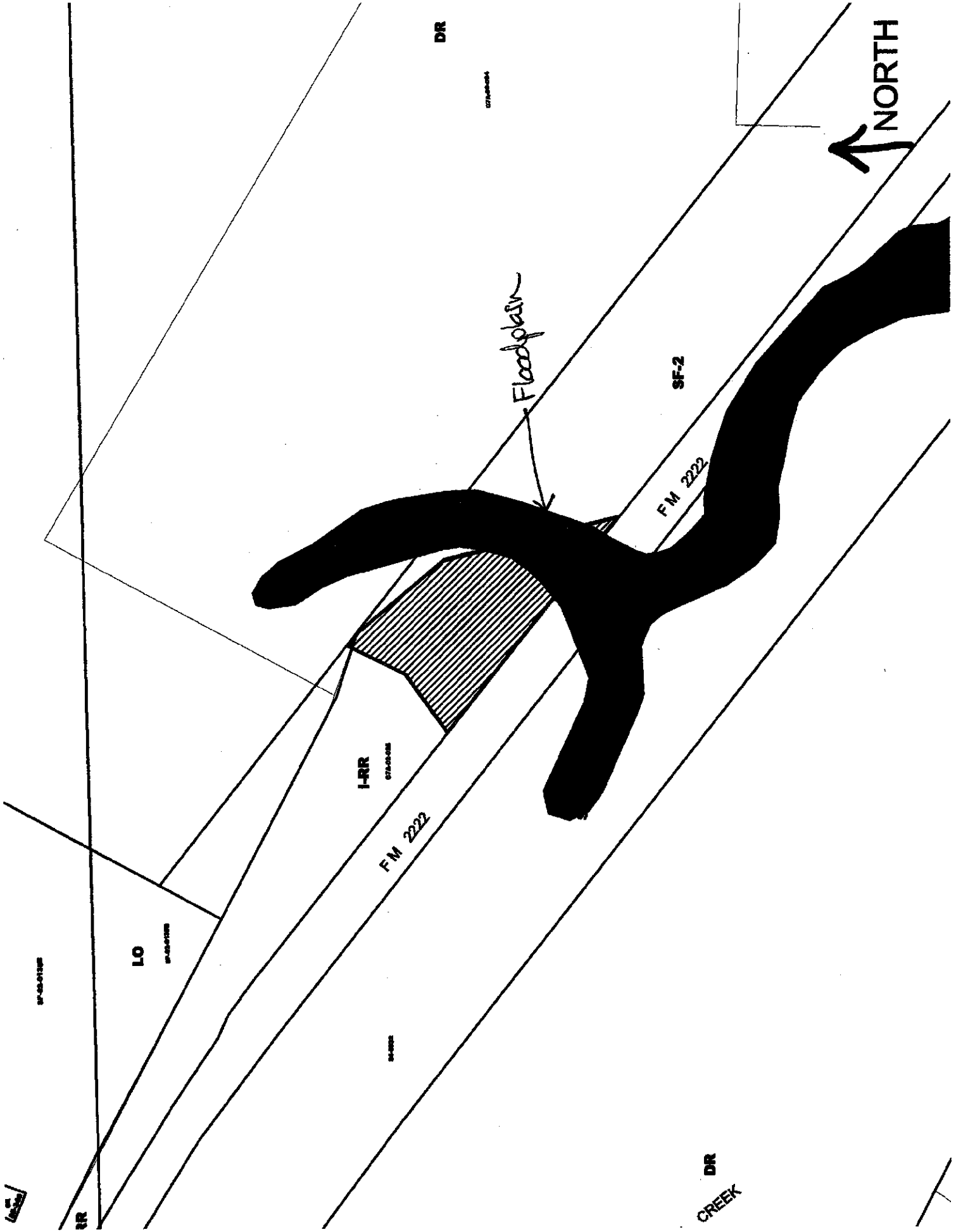
The site is subject to compatibility standards along the eastern property line that abuts the SF-2 zoned property. Along that property line, the following regulations will apply:

- No structure may be built within 25 feet of the property line.
- 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 with 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.

Balcones Canyonland Preserve
Area





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 & Zoning Department

DATE: March 18, 2004

SUBJECT: Zoning and Platting Commission Summary

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

CASE #C14-04-0010

7. C14-04-0010 – CITY OF AUSTIN – NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT (Sherri Gager), By: City of Austin – NPZD, Ranch Road 2222. (West Bull Creek). **FROM I-RR TO LO-MU. ALTERNATE RECOMMENDATION: LO-MU-CO. City Staff: Sherri Gager: 974-3057.**

SUMMARY

Commissioner Baker – “Can we have a map?”

Sherri Gager, staff – “We do not have a map that has the full scale, so that you could see the surrounding development. I can give you a copy of the tax map and tell you where the property is located. It is located on FM 2222 on the incline on the way up to 620. This is the property directly to the east of the Tumble Weed tract”.

Commissioner Baker – “Can we hear from the applicant or the representative, please?”

Ms. Gager – “We’re the applicant”.

Commissioner Baker – “Okay, because this is a city initiated case?”

Ms. Gager – “Yes, a case that the commission approved at the January 6th meeting”.

OPPOSITION

Lisa Schmitley – Spoke in opposition.

Commissioner Jackson – “Did I understand that you’d rather this be residential?”

Ms. Schmitley – “The lower density”.

Commissioner Jackson – “If we have a potential safety issue, you’d rather have people with their kids accessing here; did I hear that right?”

Ms. Schmitley – “Our assumption is that commercial zoning would be greater traffic coming in and out of that area”.

Commissioner Jackson – “I just wanted to make sure I understood that”.

FAVOR

No Speakers.

Commissioner Martinez and Gohil moved to close the public hearing.

Commissioner Jackson – “I make a motion to approve the staff recommendation”.

Commissioner Whaley – “I’ll second that”.

Commissioner Baker – “This is a city initiated case and I understand that for the zoning that has come in, the time frame that was set out; how has that property been zoned primarily?”

Ms. Gager – “I don’t understand your question”.

Commissioner Baker – “There’s some zoning along that road, I assume some office zoning; is that primarily what has come in after the city said you could come in get your zoning and we’ll initiate the case?”

Ms. Gager – “To the south of this property there is some GO at the bottom of the hill and that is being used for apartment complexes right now. To the north of this property, there’s LO, but it is not developed at this time”.

Commissioner Whaley – “Is this platted?”

Ms. Gager – “No the property is not platted”.

Commissioner Whaley – “So they will have to come to the subdivision process and would come back to the commission after meeting ordinance requirements?”

Ms. Gager – “Yes”.

Commissioner Baker – “I would like to comment that driveways and ingress and egress would be initiated at site plan stage”.

Ms. Gager – “That is correct; at this time, the applicant does not have a site plan in process and has not reached that stage”.

Motion carried.

**COMMISSION ACTION:
MOTION:**

YES:

NAY:

**JACKSON, WHALEY
APPROVED STAFF’S
RECOMMENDATION.
PINNELLI, CORTEZ, GOHIL, BAKER,
JACKSON, WHALEY, HAMMOND,
DONISI.
MARTINEZ**

MOTION CARRIED WITH VOTE: 8-1.

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 & Zoning Department

DATE: March 18, 2004

SUBJECT: Zoning and Platting Commission Summary

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

CASE #C14-04-0010

7. C14-04-0010 – CITY OF AUSTIN – NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT (Sherri Gager), By: City of Austin – NPZD, Ranch Road 2222. (West Bull Creek). **FROM I-RR TO LO-MU. ALTERNATE RECOMMENDATION: LO-MU-CO. City Staff: Sherri Gager: 974-3057.**

SUMMARY

Commissioner Baker – “Can we have a map?”

Sherri Gager, staff – “We do not have a map that has the full scale, so that you could see the surrounding development. I can give you a copy of the tax map and tell you where the property is located. It is located on FM 2222 on the incline on the way up to 620. This is the property directly to the east of the Tumble Weed tract”.

Commissioner Baker – “Can we hear from the applicant or the representative, please?”

Ms. Gager – “We’re the applicant”.

Commissioner Baker – “Okay, because this is a city initiated case?”

Ms. Gager – “Yes, a case that the commission approved at the January 6th meeting”.

OPPOSITION

Lisa Schmitley – Spoke in opposition.

Commissioner Jackson – “Did I understand that you’d rather this be residential?”

Ms. Schmitley – “The lower density”.

Commissioner Jackson – “If we have a potential safety issue, you’d rather have people with their kids accessing here; did I hear that right?”

Ms. Schmitley – “Our assumption is that commercial zoning would be greater traffic coming in and out of that area”.

Commissioner Jackson – “I just wanted to make sure I understood that”.

FAVOR

No Speakers.

Commissioner Martinez and Gohil moved to close the public hearing.

Commissioner Jackson – “I make a motion to approve the staff recommendation”.

Commissioner Whaley – “I’ll second that”.

Commissioner Baker – “This is a city initiated case and I understand that for the zoning that has come in, the time frame that was set out; how has that property been zoned primarily?”

Ms. Gager – “I don’t understand your question”.

Commissioner Baker – “There’s some zoning along that road, I assume some office zoning; is that primarily what has come in after the city said you could come in get your zoning and we’ll initiate the case?”

Ms. Gager – “To the south of this property there is some GO at the bottom of the hill and that is being used for apartment complexes right now. To the north of this property, there’s LO, but it is not developed at this time”.

Commissioner Whaley – “Is this platted?”

Ms. Gager – “No the property is not platted”.

Commissioner Whaley – “So they will have to come to the subdivision process and would come back to the commission after meeting ordinance requirements?”

Ms. Gager – “Yes”.

Commissioner Baker – “I would like to comment that driveways and ingress and egress would be initiated at site plan stage”.

Ms. Gager – “That is correct; at this time, the applicant does not have a site plan in process and has not reached that stage”.

Motion carried.

**COMMISSION ACTION:
MOTION:**

YES:

NAY:

**JACKSON, WHALEY
APPROVED STAFF’S
RECOMMENDATION.
PINNELLI, CORTEZ, GOHIL, BAKER,
JACKSON, WHALEY, HAMMOND,
DONISI.
MARTINEZ**

MOTION CARRIED WITH VOTE: 8-1.

ORDINANCE NO. 020926-58

AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE "TUMBLEWEED HILL" AREA, CONSISTING OF APPROXIMATELY 15 ACRES OF LAND OUT OF THE WILLIAM PREECE SURVEY NO. 4, LOCATED IN TRAVIS COUNTY, TEXAS; AND APPROVING A SERVICE PLAN.

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

PART 1. The Council finds that:

- (A) Notice of the two public hearings concerning annexation of the territory described in Exhibit A was published in a newspaper of general circulation in the City of Austin and in the area to be annexed.
- (B) The public hearings were held on August 22, 2002 at 6:00 p.m. and August 29, 2002 at 6:00 p.m., at the Lower Colorado River Authority, Hancock Building, 3700 Lake Austin Boulevard, Austin, Texas.
- (C) The public hearings were concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation. A proposed Service Plan was made available and explained at the public hearings as required by state law.
- (D) The annexation, for full purposes, of the territory described in Exhibit A serves the interest of the current and future residents of the City of Austin.
- (E) All procedural requirements imposed by state law for the full purpose annexation of the territory described in Exhibit A have been met.

PART 2. The present boundary limits of the City are amended to include the following territory which is within the extraterritorial jurisdiction and adjacent to the city limits of the City of Austin in Travis County, Texas, and which land is annexed into the City for the full purposes:

15 acres of land, more or less, consisting of two tracts of land, out of the William Preece Survey, No. 4, Travis County, Texas; the 15 acres of land, more or less, being more particularly described in Exhibit A.

PART 3. The Service Plan attached as Exhibit B is approved as the Service Plan for the area.

PART 4. The City Council declares that its purpose is to annex to the City of Austin each part of the area described in Exhibit A as provided in this ordinance, whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to any part of the area annexed to the City of Austin, that invalidity does not affect the effectiveness of this ordinance as to the remainder of the area.

If any area or lands included within the description of the area set out in Exhibit A are: (1) presently part of and included within the general limits of the City of Austin; (2) presently part of and included within the limits of any other city, town, or village; or (3) are not within the jurisdiction or power of the City of Austin to annex, then that area is excluded and excepted from the area annexed.

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

PART 6. This ordinance takes effect on December 25, 2002.

PASSED AND APPROVED

September 26, 2002

§
§
§

Gustavo L. Garcia

Gustavo L. Garcia
Mayor

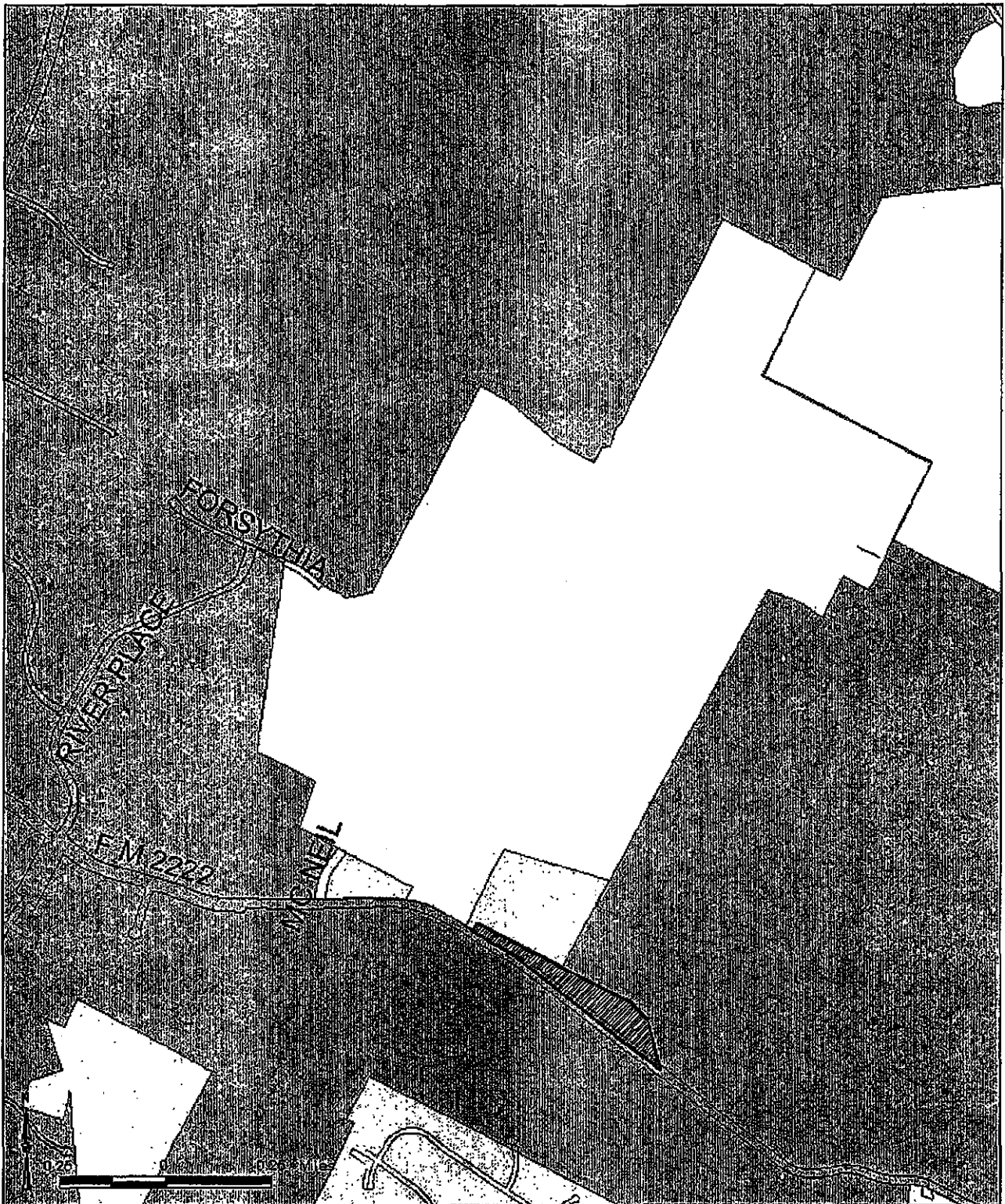
APPROVED:

Sedra Jefferson
Sedra Jefferson
City Attorney

ATTEST:

Shirley A. Brown
Shirley A. Brown
City Clerk





EXHIBIT A



Tumbleweed Hill

C7a-02-025

City of Austin
Transportation, Planning & Sustainability Dept
July 24, 2002

-  Proposed Annexation Area
-  City of Austin - Full Purpose
-  City of Austin - Limited Purpose
-  City of Austin - ETJ



MEMORANDUM

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

From: Gregory Guernsey, AICP, Development Services Manager
Neighborhood Planning and Zoning Department

Date: December 29, 2003

Subject: 0 Ranch Road 2222
4.924 acres, more or less, out of the W M Preece Survey No. 4, Abstract No. 2470, Travis County, TX.

Please accept this memo as a request to initiate the zoning of the above referenced property from Interim-Rural Residence (I-RR) district, zoning to Limited Office-Mixed Use (LO-MU) Combining district, zoning. On September 26, 2002, the Austin City Council approved an ordinance annexing, for full purposes, the referenced property and additional property adjacent to Austin's City Limits. The annexation ordinance (see attached ordinance #020926-58) indicated that it would take effect on December 25, 2002. According to the Transportation, Planning and Sustainability Department, annexation ordinances typically include a provision that waives fees for an initial zoning application for a period of one year from its effective date. However, due to an oversight this provision was not included in this annexation ordinance.

Therefore, Staff is requesting the Zoning and Planning Commission initiate a new zoning application, so the property owners, Mr. Esmail M. Rowshan et al. do not incur an additional expense in permanently zoning their property. At the request of the property owner's agent Ms. Norma Raven of the Kucera Company, Staff is suggesting the initial zoning request be filed for Limited Office-Mixed Use (LO-MU) Combining district, zoning. If you have any questions, please contact me at (512) 974-2387.

Gregory Guernsey, AICP, Development Services Manager
Neighborhood Planning and Zoning Department

Attachment(s): Ordinance #020926-58
Maps

Gager, Sherri

From: Latrell A Bellard [financialsg@juno.com]
Sent: Tuesday, February 03, 2004 1:10 PM
To: pate_brendle@yahoo.com; scameron@austin.rr.com; nrg-gpa@juno.com; Floydemail@aol.com; albecker@onr.com; Charles.Farmer@Sun.Com
Cc: sherri.gager@ci.austin.tx.us
Subject: New Zoning Case On 2222

Late last week I received a Notice of Filing of Application for Rezoning on 4.92 acres on RM222. The File number is C14-04-0010 and the proposed change is from 1 - Interim RR to L0. The case worker is Sherri Gager 512-974-3057. This tract is located on the North side of RM 2222 as it runs up the steepest portion of Tumbleweed Hill.

This is a very dangerous portion of RM 2222 and I cannot imagine anyone allowing a curb cut directly upon the roadway. However, as we all know development continues to appear along RM 2222. I am unaware of any preliminary site plan and think one should accompany this request for rezoning. Your support, suggestions, and comments are most welcomed.

Latrell Bellard
346-5548

The best thing to hit the Internet in years - Juno SpeedBand!
Surf the Web up to FIVE TIMES FASTER!
Only \$14.95/ month - visit www.juno.com to sign up today!

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 0 FM 2222 ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-CO) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim rural residence (I-RR) district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district on the property described in Zoning Case No.C14-04-0010, on file at the Neighborhood Planning and Zoning Department, as follows:

A 4.924 acre tract of land, more or less, out of the William Preece Survey No. 4, in Travis County, the tract of land being more particularly described by metes and bounds in Document No. 1999136062, of the Official Public Records of Travis County, Texas, (the "Property")

locally known as 0 FM 2222 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

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

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, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office (LO) base district and other applicable requirements of the City Code.

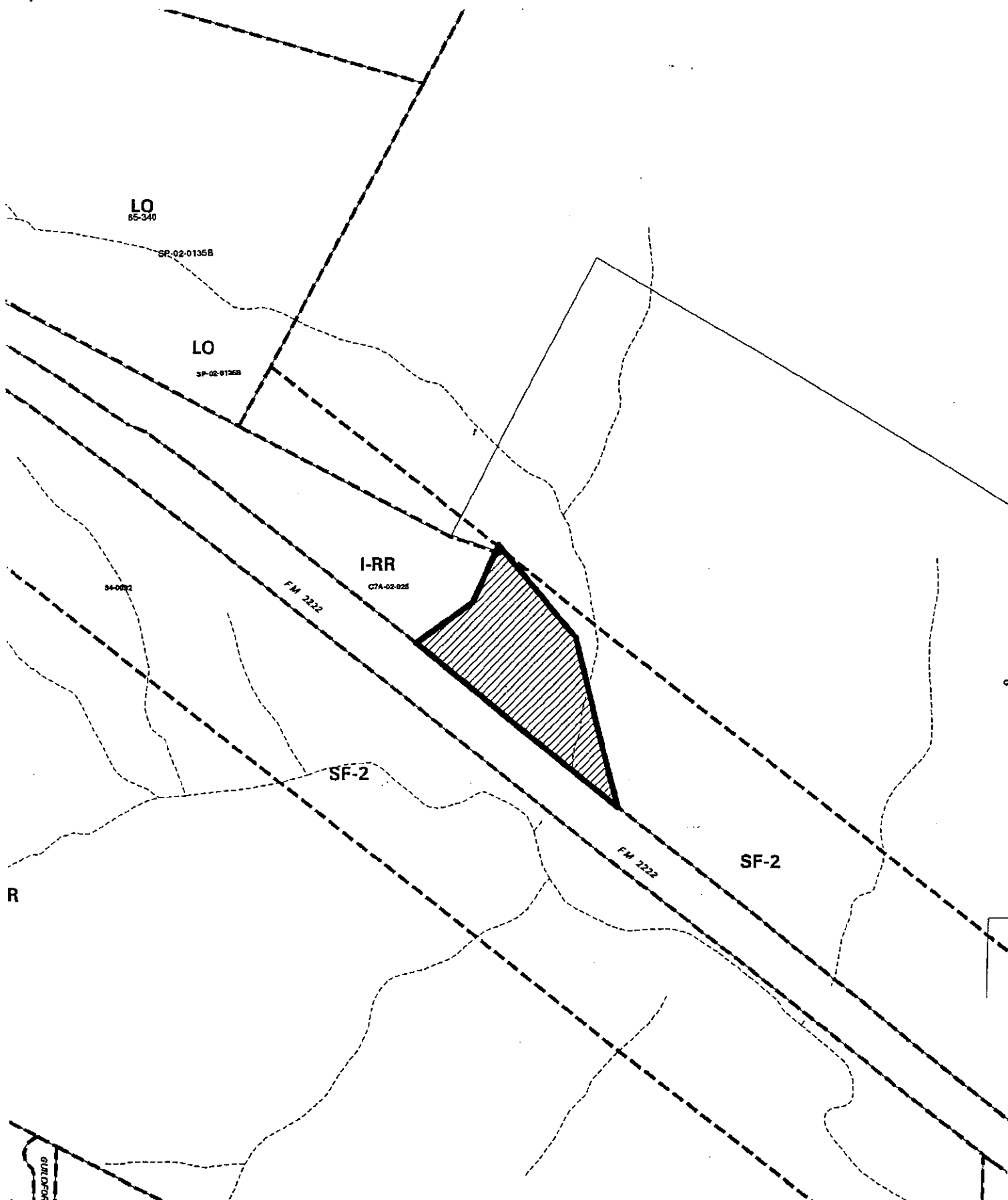
PART 3. This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Brown
City Attorney City Clerk



| | | | |
|--|---|---|--|
| | <p>SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: S. GAGER</p> | <p style="text-align: center;">ZONING EXHIBIT A</p> <p>CASE #: C14-04-0010 ADDRESS: FM 2222 RD SUBJECT AREA (acres): 4.924</p> <p>DATE: 04-01 INTLS: SM</p> | <p>CITY GRID REFERENCE NUMBER E32</p> |
|--|---|---|--|