Zoning CITY OF AUSTIN RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-20 AGENDA DATE: Thu 11/04/2004 PAGE: 1 of 1

<u>SUBJECT:</u> C14-04-0100 - Old Lampasas Trail, Lot 20 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9001 Old Lampasas Trail (Bull Creek Watershed) from interim-single family residence standard lot (I-SF-2) district zoning to limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To deny limited office (LO) district zoning. Applicant: Joseph G. Wheeler. City Staff: Sherri Gager, 974-3057

REQUESTING	Neighborhood Planning	DIRECTOR'S
DEPARTMENT:	and Zoning	AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0100

Z.A.P. DATE: August 17, 2004 September 21, 2004

ADDRESS: 9001 Old Lampasas Trail

OWNER/ APPLICANT: Joseph G. Wheeler

ZONING FROM: I-SF-2 TO: LO AREA: 0.782 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LO (Limited Office District) zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

8/17/04: Postponed to September 21, 2004 by the Neighborhood (8-0, C. Hammond-absent); J. Martinez-1st, J. Gohil-2nd.

9/21/04: Denied staff's recommendation for LO zoning (6-1, M. Whaley-Nay, K. Jackson-off dias, J. Gohil-absent); J. Martinez-1st, T. Rabago-2nd.

ISSUES:

The staff has received numerous phone calls from neighbors in the surrounding residential areas to the northeast and northwest with concerns about possibility of increased traffic on Old Lampasas Trail. There are letters of opposition and of support included as Attachment A to this report.

DEPARTMENT COMMENTS:

The property in question contains a telecommunication tower at the northwest corner. The remainder of the site consists of an undeveloped area with a chain link fence surrounding it. This tract of land was full purpose annexed by the City of Austin on December 31, 2003 (Case C7a-03-014). The applicant is seeking permanent zoning for this property because the city waives zoning case fees for properties that have been annexed within one year of the annexation approval date. The applicant has stated that he has no plans to develop the site at this time.

The staff is recommending LO, Limited Office District, zoning for this tract of land because the property is located adjacent to an electric substation to the southeast and floodplain to the south and west. The site fronts onto a collector street, Old Lampasas Trail, which is a paved two-lane roadway. The proposed zoning will provide a transition in uses from the condominium development to the east and the floodplain and church uses to the west.

The property owner agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

[ZONING	LAND USES
Site	I-SF-2	Cell Tower, Undeveloped Tract of Land
North	P	Floodplain, Parkland
South	County	Pedemales Electric Substation
East	I-SF-6	Developing Single-Family Residences/Condominiums
West	County	Floodplain, Church

AREA STUDY: N/A

TIA: Not required

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- 190 Middle Bull Creck Neighborhood Association
- 426 River Place Residential Community Association, Inc.
- 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
- 978 Upper Bull Creek Neighborhood Association

CASE HISTORIES:

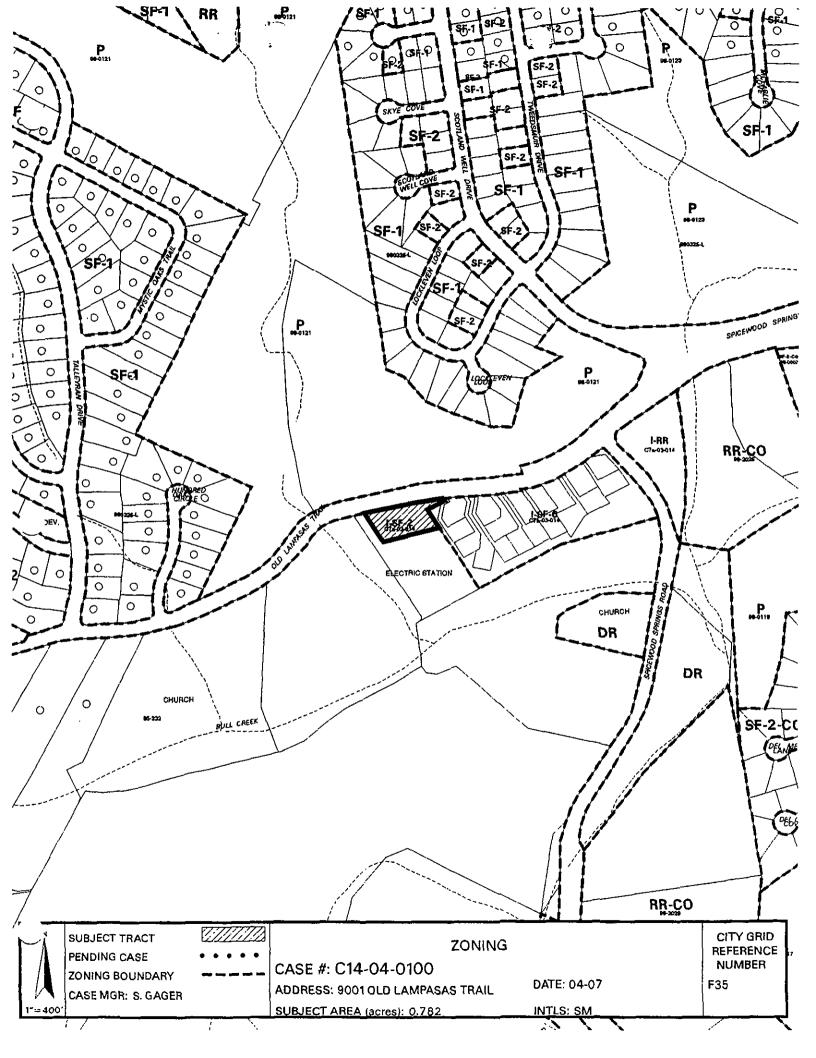
NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-99-2029	I-RR to RR	10/5/99: Approved staff rec. of RR-	11/4/99: Approved PC rec. of RR-
		CO w/conditions of only one	CO (6-0); all 3 readings
]	dwelling unit per existing lot (8-0)	
C14-99-2026	I-RR to RR	10/5/99: Approved staff rec. of RR-	11/4/99: Approved PC rec. of RR-
). 		CO w/conditions of only one	CO (6-0); 1 st reading
		dwelling unit per existing lot (8-0)	
			11/18/99: Approved on consent
			(7-0); 2 nd /3 rd readings
C14-98-0126	DR to GR	9/29/98: Approved LR-CO (9-0)	11/5/98: Approved PC rec. of LR-
		w/condition that uses limited to	CO (Tract A) & LO-CO (Tract B)
	E I	Neighborhood Office (NO) district	w/ conditions (6-0); all 3 readings
		uses	
	í I		10/4/01: Approved Amending
			Ordinance No. 981105-K to
	ľ		correct typo in conditions of
			zoning (6-0)
C14-98-0123	I-RR to P	3/17/98: Directed staff to initiate	10/22/98: Approved PC rec. of 'P'
		zoning of certain parcels to 'P' (8-0)	(7-0); all 3 readings
		9/28/98: Approved 'P' by consent	
		(7-0-1, GW-abstain)	
C14-98-0121	I-RR, RR to	3/17/98: Directed staff to initiate	10/22/98: Approved PC rec. of 'P'
	Р	zoning of certain parcels to 'P' (8-0)	(7-0); all 3 readings

		9/28/98: Approved 'P' by consent (7-0-1, GW-abstain)	
C14-98-0118	DR to P	10/27/98: Approved staff rec. of 'P' by consent (6-0)	12/3/98: Approved PC rec. of 'P' (6-0); 1 st reading
			2/25/98: Approved 'P' (7-0); 2 nd /3 rd readings
C14-98-0007	DR to SF-5	12/8/98: Approved SF-2 (8-0) by consent (8-0); limited to 16 single family units	2/4/99: Approved PC rec. of SF- 2-CO w/conditions 97-0); all 3 readings

<u>RELATED CASES</u>: C7a-03-014 (Full Purpose Annexation by the City Of Austin)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Old Lampasas Trail	70'	35'	Collector
CITY COUNCIL DATE: Novemb	er 4, 2004	ACTION:	
ORDINANCE READINGS: 1st		2 nd	3 rd
ORDINANCE NUMBER:			
CASE MANAGER: Sherri Gager		PHONE: 974-3057, sherri.gager@ci.austin.tx.us	





STAFF RECOMMENDATION

The staff's recommendation is to grant LO (Limited Office District) zoning.

BACKGROUND

The property in question contains a telecommunication tower at the northwest corner. The remainder of the site consists of an undeveloped area with a chain link fence surrounding it. This tract of land was full purpose annexed by the City of Austin on December 31, 2003 (Case C7a-03-014). The applicant is seeking permanent zoning for this property because the city waives zoning case fees for properties that have been annexed within one year of the annexation approval date. The applicant has stated that he has no plans to develop the site at this time.

The staff is recommending LO, Limited Office District, zoning for this tract of land because the property is located adjacent to an electric substation to the southeast and floodplain to the south and west. The site fronts onto a collector street, Old Lampasas Trail, which is a paved two-lane roadway. The proposed zoning will provide a transition in uses from the condominium development to the east and the floodplain and church uses to the west.

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 proposed LO zoning will be located adjacent to two residential neighborhoods and a condominium development. The site will take access to a collector street, Old Lampasas Trail, which is a paved two-lane roadway.

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

The proposed zoning will provide a transition in uses from the condominium development (I-SF-6) to the cast and the floodplain and church (religious) uses to the west. The property to the north of the site under consideration is developed with a single-family residential neighborhood that is visually separated from this site by a cliff and an a heavily wooded area.

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

The LO 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 a small office use. An office use would be appropriate on this tract of land because the property is located adjacent to a telecommunications tower, an electric substation, and floodplain (Bull Creek).

The property in question fronts onto a collector street, Old Lampasas Trail. The Transportation staff has stated that the proposed 8,000 square foot office will generate approximately 112 vehicle trips per day onto Old Lampasas Trail.

EXISTING CONDITIONS

Site Characteristics

The site contains a telecommunication tower at the northwest corner. The remainder of the property consists of an undeveloped, grassy area with a chain link fence surrounding it. The site appears to be relatively flat.

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:

Development Classification	% of Net Site Area	% NSA with Transfers
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	50%

According to flood plain maps, there is flood plain within close proximity of the project location. Based upon the close proximity of the flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone shall be limited to 18%.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the 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 within close proximity of the project location. Based upon the close proximity of the flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone shall be limited to 18%.

The site is not located within the endangered species survey area.

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 precxisting 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 760 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 proposed 8,000sf office will generate approximately 112 vehicles per day.

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

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

Old Lampasas Trail is classified in the Bicycle Plan as a Priority 1 bike route. (Route #339)

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Old Lampasas Trail	70'	35	Collector

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 each lot with City water and wastewater utilities. The landowner will be responsible for providing all necessary water and wastewater utility improvements, system upgrades, offsite main extensions, utility adjustment, and relocation. The water and wastewater 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 and specifications.

Stormwater Detention

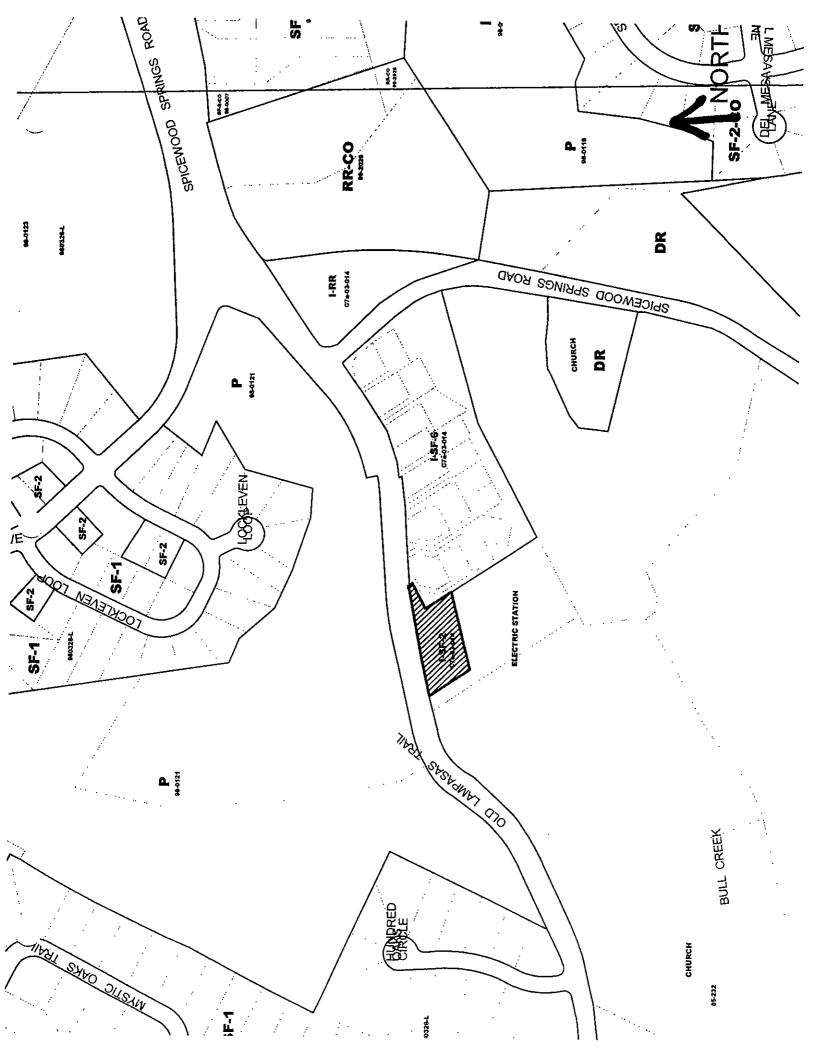
At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm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

Compatibility Standards

Portions of this site are subject to compatibility development regulations do to existing single-family development less than 540-feet from the site. The following development regulations will apply:

- For a structure more than 300 feet but not more than 540 feet from the single-family 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.
- 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.



6. C14-04-0100 – JOSEPH G. WHEELER, By: Joseph G. Wheeler, 9001 Old Lampasas Trail. (Bull Creek). FROM I-SF-2 TO LO. RECOMMENDED. City Staff: Sherri Gager, 974-3057. POSTPONED FROM 8-17 (NEIGHBORHOOD).

DENIED STAFF'S RECOMMENDATION FOR LO ZONING. [J.M. T.R 2^{ND}] (6-1) M.W – NAY; K.J – OFF DAIS; J.G – ABSENT

NEW CASES

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 C14-04-0137 – QUALITY CLOSE-OUTS (Blake Robinson), By: Bury & Partners, Inc. (James B. Knight), 9501 N. FM Road 620. (Bull Creek). FROM I-RR TO MF-1. RECOMMENDED. City Staff: Sherri Gager, 974-3057.

APPROVED STAFF'S RECOMMENDATION OF MF-1 ZONING; BY CONSENT. [J.M; $M.W' 2^{ND}$] (7-0) K.J – OFF DAIS; J.G – ABSENT

 C14-04-0133 – LAMAR VENTURES OF PARTNERSHIP, By: Crocker Consultants (Sarah Crocker), 11800 North Lamar. (Walnut Creek). FROM DR; LO; GR-CO TO GR. ALTERNATE RECOMMENDATION: GR-CO; LO-CO. City Staff: Sherri Gager, 974-3057.

CONTINUED TO 10/05/04 (ZAP) [M.W, J.M 2ND] (7-0) K.J – LEFT EARLY; J.G – ABSENT

*REQUEST MADE FOR STAFF TO NOTIFY FOR CITY COUNCIL FOR 10/21/04.

9. C14-04-0119 – THOMAS & VIRGINIA IVARRA, By: Thomas & Virginia Ivarra, 2303 West Parmer Lane. (Walnut Creek). FROM NO TO LR. RECOMMENDED. City Staff: Glenn Rhoades, 974-2775.

APPROVED STAFF'S RECOMMENDATION OF LR ZONING. [J.M; J.P 2ND] (7-0) K.J – LEFT EARLY; J.G – ABSENT

 C14-99-0129 (RCT) – SOUTH PARK MEADOWS, By: Abel J. and Mary Ann Theriot Family Limited Partnership (Suzanne Sanders), Cunningham-Allen, Inc. (Jana Rice), 9600 IH-35 Service Road Southbound (Slaughter / Onion Creek Watersheds). TO TERMINATE THE RESTRICTIVE COVENANT THAT ADDRESSES THE DISCONTINUANCE OF A COCKTAIL LOUNGE USE. RECOMMENDED. City Staff: Wendy Walsh, 974-7719.

APPROVED STAFF'S RECOMMENDATION; BY CONSENT. [J.M; $M.W 2^{ND}$] (7-0) K.J – OFF DAIS; J.G – ABSENT



Gager, Sherri

From:THess@henselphelps.comSent:Thursday, July 22, 2004 8:39 PMTo:Gager, SherriSubject:Zoning change - file # C-14-04-0100

Sheri,

As discussed over the phone today, please express my personal concern with the subject zoning change currently under consideration to the Zoning and Platting Commission. I understand this request for zoning change will be presented to the Zoning and Platting Commission at the first hearing scheduled for August 17 at 6:00 P.M. As a nearby landowner and resident in this area, I object to this zoning change. There are no offices whatsoever in this area and such a change is non-compatible with the residential character of the area. In addition, this would result in excessive traffic along Old Lampasas Trail which would be very objectionable to this neighborhood community.

Gager, Sherri

From:	Hal Meyer [halmeyer@hotmail.com]
Sent:	Tuesday, August 03, 2004 7:52 AM
To:	halmeyer@hotmail.com; Gager, Sherri
Cc:	THess@henselphelps.com
Subject:	RE: Zoning Change File # C14-04-0100

Sherri, I believe I had an address error in sending my email initially. My apology.

:) Hal Meyer :)

halmeyer@hotmail.com business home 512.918.9868 business cell 512.422.4681

----Original Message Follows----From: "Hal Meyer" <halmeyer@hotmail.com> To: sherrie.gager@ci.austin.tx.us CC: halmeyer@hotmail.com, THess@henselphelps.com Subject: Zoning Change File # C14-04-0100 Date: Tue, 03 Aug 2004 07:29:33 -0500

Food morning Sherri, You returned a phone call to me and spoke to my wife --Betty a couple of weeks ago.

I would like to take this opportunity to voice my disapproval of the proposed coning change for 9001 Old Lampasas Trail from Single Family Residence to Limited Office. You also received an email from Tim Hess on July 22, who is a member of the Upper Bull Creek Neighborhood Association. I represent the Upper Bull Creek Neighborhood Association as President.

Our disapproval of the Proposed Zoning Change as outlined in File Number C14-04-0100 is based on the following:

1] Encreased traffic flow on a two lane roadway. (Our neighborhood constantly battles illegal dumping, vandalism and speeding on Old Lampasas Trail---an office will only add to these issues.)

2] The area is residential in all directions surrounded by garden homes, a samll church, greenbelt and canyonland preserve, single family residences, and homes with acreage ranging from 5 acres to 25 acres.

3] Our neighborhood does not need a Limited Office district to serve the neighborhood or community needs. There is ample office currently existing outside of the immediate neighborhood to meet current or future neighborhood needs.

4] A Limited Office district would destroy the integrity of a neighborhood of families and the surrounding greenbelt and canyonland areas. An office is not compatible with the residential character of the neighborhood.

As a property owner on Old Lampasas Trail, and as President of the Upper >Bull Creek Neighborhood Association, I (we) strongly oppose the Proposed Zoning Change as outlined in File Number C14-04-0100.

Please let me know that you have received this email and that it will become

a component of the documentation of the Zoning and Planning Commission as they evaluate this proposed zoning change.

Thanks for your time, and I look forward to your response.

UHal Meyer, President, Upper Bull Creek Neighborhood Association

:) Hal Meyer :)

halmeyer@hotmail.com business home 512.918.9868 business cell 512.422.4681

Gager, Sherri

From: Sent: To: Cc: Subject: joyeux23@juno.com Tuesday, August 03, 2004 11:01 AM Gager, Sherri halmeyer@hotmail.com; THess@henselphelps.com Re: Zoning Change File # C14-04-0100

Dear Sherri,

I am the owner/developer of the property at Old Lampasas trail consisting of 11 acres (4 lots, min. 2.5 acres) known as the Overlook at Bullcreek. We had spent a lot of money trying to rezone our property into 1 acre residential lots. However, the City forced us to a minimum of 2.5 acres, due to strict environmental issues. Todate, we have not developed but for one lot. The aforementioned scenario happened about 2 years ago. Meanwhile, unknown to us, the City approved a Patio homes subdivision (the gardens at Bullcreek), a high density zoning next to us, in the lowlands!!!. That came to us as an insult and utter amazement. Now, we have this new rezoning case for commercial use. We are adamantly opposed to it, and we will hold the City accountable to its rezoning practices and fairness or lack thereof. We have been treated unfairly once and we do not like it. If this rezoning application is approved, we will apply (en force) for a rezoning of our property from 2.5 acres min. to 1 acre lots.

We sincerely hope that the City will do the right thing and deny this request. This is a 100% residential neighborhood in a very sensitive environment. This is absolutely no place for a commercial zoning!!

Frank Djennas - The Overlook @ Bullcreek 512-825-7585 Mr. Chris Riley, Chairman City of Austin Neighborhood Planning and Zoning Department P.O. Box 1088 Austin, TX 78767-8835

Re: Rezoning C14-04-0100 (Old Lampasas Trail)

Dear Mr. Riley,

As a long time homeowner in the Upper Bull Creek area I am strongly opposed to this proposed rezoning and the construction of an office building in the middle of a residential neighborhood.

+ There is no way that this zoning can fit into the character of this area

+ It would create problems in traffic congestion, increased noise and air pollution, and increased storm runoff into Bull Creek

+ It would bring into the area people who may not share with local residents the ideals and ethics of preservation and conservation of the environment

+ It would endanger the water quality of Bull Creek (already compromised by thoughtless heavy development upstream and a golf course which uses partly treated sewage to water)

+ It would provide parking for persons wishing to trespass to gain illegal access to private property on the creek on weekends (already a problem)

+ There is absolutely no need for an office building in this neighborhood, with space available in the vicinity on Anderson Mill Road and Jollyville Road (two minutes away)

In short, the placing of a commercial building in the center of a residential area with a strong rural and preserve character makes no sense and should be opposed. In fact, anything other than a residence in this location seems bizarre. I request that you pass this information on to all the members of the Planning Commission, and I urge you to NOT approve this rezoning. Please let me hear back from you on this matter.

Thank you.

Dr. Thomas Lowry V Vice-President, Upper Bull Creek Neighborhood Association 9207 Old Lampasas Trail Austin, Texas 78750

Cc: Members, Upper Bull Creek and Northwest Balcones Neighborhood Associations

Ernest Lundelius, Jr. 7310 Running Rope Drive Austin, Texas 78731

August 9, 2004

Ms. Sherri Gager Case Manager Zoning Change File #C14-04-0100 Neighborhood Planning and Zoning Department PO Box 1088 Austin Texas 78767-8835

Dear Ms. Gager,

I am the owner of a residential lot on Old Lampasas Trail in the Upper Bull Creek area. I am strongly opposed to the proposed rezoning and construction of an office building on Old Lampasas Trail and Spicewood Springs Road. This is the heart of an essentially residential neighborhood and this type of zoning does not in any way fit into the character of this area. Spicewood Springs Road has complex traffic problems, single lane roadway, heavy traffic density at rush hours, closures at times of heavy rainfall that are not conducive to an increase in traffic density. An office building at this site would created problems in traffic congestion, increased noise and air pollution, and increased storm runoff into Bull Creek. It would endanger the water quality of Bull Creek, which is already compromised by thoughtless development This neighborhood currently has a problem with trespassers upstream. crossing private property trying to gain access to the creek, especially on weekends. This proposed development would provide parking and access that would exacerbate this problem.

The placing of a commercial building in the center of a residential area with a strong rural and preserve character threatens the fragile Bull Creek cosystem that the current landowners have gone to great lengths to maintain. This zoning change should be opposed. Please pass this objection on to the members of the Planning Commission, and I urge you to NOT approve this rezoning. Please let me hear back from you on this matter.

Thank you.

Emert Sundeling

Ernest L. Lundelius, Jr.

Gager, Sherri

From: Riley, Chris Sent: Wednesday, August 11, 2004 11:01 AM

To: Thomas Camardo

Cc: Gager, Sherri

Subject: RE: Opposition to zoning request C14-04-0100

Mr. Camardo:

I'm not familiar with this zoning case, but I believe it would be going to the Zoning & Platting Commission, not the Planning Commission.

The Planning Commission only handles zoning cases in Neighborhood Planning Areas. (A map of Neighborhood Planning Areas is accessible at http://www.ci.austin.tx.us/zoning/planning_areas.htm.) Zoning cases in other areas go to the Zoning & Platting Commission.

Contact info for the Zoning & Platting Commission is accessible at http://malford.ci.austin.tx.us/boards/search.cfm .

Hope this helps.

Regards, Chris Riley Planning Commission

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

From: Thomas Camardo [mailto:camard1@sbcglobal.net] Sent: Tuesday, August 10, 2004 10:12 PM To: Chris Riley; jmvcortez@hotmail.com; cidg@galindogroup.com; matt@glenrose.com; Matt.PC@Newurban.Com; jbnewton0813@yahoo.com; jay_reddy@dell.com Cc: mna@masseytexas.com; sherrie.gager@ci.austin.tx.us Subject: Opposition to zoning request C14-04-0100

To Planning Commission Members-

As a member of the Mountain Neighborhood Association, I have become aware of the subject zoning request.

This portion of Old Lampass Trail is situated in an exclusively residential area. Most residents here share my position that maintaining its residential status is in the best interest of the community. Any commercial building in this area threatens property values we hope to maintain.

Sincerely, Thomas Camardo MNA member and resident 512-250-0551

Gager, Sherri

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From: Sent: To: Cc:	Skip Cameron [scameron@austin.rr.com] Monday, September 20, 2004 10:16 PM Gager, Sherri; bbaker@austintexas.org; kbjackson@pbsj.com; josephamartinez@yahoo.com; jdonisi@austin.rr.com; jay@jaygohilrealty.com; chammond1@austin.rr.com; apsinc@bga.com; Pinnelli@flash.net; trabago@austin.rr.com Joe Wheeler; Hal Meyer
Subject:	C14-04-0100 SF-2 to LO - ZAP August 21, 2004 ITEM 6
Dear 2AP Commissione	ers:
(Sherri: please see not read this beforehand).	that this gets into the member's information packet in case they do
Thanks for your self	fless service to our community!
LO requested is OK, uses:	but it should include an overlay restriction to only these permitted
Administrative and E	exceeding 5000 sq. ft. gross floor area
As I understand it, think this LO	this is the intention of the uses planned by the applicant, and I
	e accepted by most, if not all, of the neighbors to the south, even
	ose the LO request at this hearing.
not live	comes could be much worse if the property were sold to a buyer who does res not about the aesthetics of this area.
-	area, this tract on Old Lampasas Trail , a collector street to large
residential	e west accessed by Tallyran Drive, has a cluster home development to
the north, a	males Electric sub station to the East, a church to the south, and
past the church is a vacant 1	li acre lot and then several large acroages with one home each. To the
-	Trail is the east end of the NW Balcones Park greenbelt (no parking or
access and unimproved).	
	ng uses the possible options are for coning are: Trable at this location - largely residential area and size of lot .78
Single family (not d	desirable because of the cell tower and sub station adjacent) esirable because of the cell tower and sub station and size of lot .75
	ϵ fit for small professional office ~ 8,000 sq ft incl. parking and
The cluster home dev cluster home	reloper could have acquired this tract when planning the adjacent
	ose not to because it did not fit into their cluster design. And the
	it Morlodge, told me they are not interested in acquiring this property
	ievelopment. He says that LO is more appropriate.

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This is a tract with an applicant who lives in his own home just across Bull Creek to the east. I believe he will develop the tract tastefully with a small professional office, perhaps for his own accounting practice, and tastefully blend it in "Texas style" with this neighborhood. Please pass and recommend to City Council LO with an overlay allowing only: Medical Offices not exceeding 5000 sq. ft. gross floor area Professional Office Software Development Respectfully, Skip Cameron, President Bull Creek Foundation 6711 Bluegrass Drive Austin, TX 78759-7801 (512) 794-0531

for more information www.bullcreek.net

Upper Bull Creek Neighborhood Association Old Lampasas Trail Corridor

Sherri Gager City of Austin Neighborhood Planning and Zoning Commission 505 Barton Springs Road Austin, Texas 78767-8835

Re: File Number: C14-04-0100

Dear Ms Gager,

The Upper Bull Creek Neighborhood Association adamantly opposes any and all commercial and/or limited office zoning of the Old Lampasas Trail Corridor.

Our Association has met with the applicant, Joe Wheeler, to discuss his intentions concerning the property being requested to be rezoned as Limited Office. We further met with Mr. Wheeler, and you, to learn more about the definition of Limited Office and the options that would be available to consider what might be appropriate in the OLT corridor.

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The Upper Bull Creek Neighborhood Association met on September 8 and 15, 2004 to discuss how we would proceed with respect to the application to rezone 9001 Old Lampasas Trail to Limited Office (Reference Case: C14-04-0100).

After much thought and consideration, we respectfully oppose the application to rezone to Limited Office.

The Upper Bull Creek Neighborhood Association and surrounding neighborhood associations opposes any and all commercial and limited office zoning of the Old Lampasas Trail Corridor for the following reasons:

- The OLT corridor and surrounding area is residential in nature.
- The tract proposed to be rezoned is immediately adjacent to family homes.
- Any commercial and/or limited office zoning diminishes the integrity of the OLT corridor.
- Commercial and/or limited office zoning in a residential area will lower the value of the existing homes.
- It sets a precedent for other commercial and/or limited office zoning in the OLT corridor which is unacceptable. This is a major concern in that this precedent could irreversibly degrade and devalue the neighborhood.
- Old Lampasas Trail is not a road that is capable of accommodating heavy business traffic.

- Traffic increases and with the increase in traffic comes safety issues especially in a residential setting that exist in the Old Lampasas Trail Corridor and the adjacent neighborhoods.
- Much of the available area watersheds into Bull Creek, an environmentally sensitive zone. Our concern lies in the effects of site constructions and heavy traffic patterns on the surrounding established conservation area.
- Even though the transportation reviewer states that Old Lampasas Trail is designated a collector street, it is a very short dead-end street that raises questions as to whether or not Old Lampasas Trail should be designated a collector street.

We would like to take this opportunity to thank Mr. Wheeler for his time and efforts in communicating his intentions for the property and for participating in the meeting with you and several of our neighbors regarding the definition of a Limited Office District.

We would also like to thank Sherri Gager for her support in setting up a meeting with our association, which included Mr. Wheeler, to present us with information regarding a Limited Office District.

We/thank you for your consideration in this matter. Hal Meyer, President

Upper Bull Creek Neighborhood Association

Bill Sanchez

9110 Old Lampasas Trail

SOIMP 1 L/ (y) Greg & Loyce Dettran

9113 Old Lampasas Trail

Tim & Gail Hess 9115 Old Lampasas Trail

Tom & Alaire Lowry

9207 Old Lampasas Trail

Sundelins (by alan Foury Ernie & Judy Lundelius

7310 Running Rope (Own 5 acres on Old Lampasas Trail)

Barbara (Inderson) Bill & Barbara Anderson

9215 Old Lampasas Trail

Elton & Kerza Prewitt 9315/Old bampasas Trail

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9415 Old Lampasas Trail

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Frank & Katherine Djennes 10607 DK Ranch Road (Owns 11 acres on Old Lampasas Trail)

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Keith & Penny Nunt 9802 Tallyran

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Forn Westhead President, Spicewood Estates Homeowners Association

oria Marsh 1 Gloria Marsh

President, Balcones Place Neighborhood Association

Brian Massey, President, The Mountain Neighborhood Association

Upper Bull Creek Neighborhood Association Old Lampasas Trail Corridor

October 25, 2004

Honorable Mayor Will Wynn and Members of the Austin City Council,

Re: File Number: C14-04-0100

Dear Sirs and Madames,

My name is Hal Meyer and I am the President of the Upper Bull Creek Neighborhood Association. I represent 10 families who own homes and acreage on the Old Lampasas Trail corridor. Our homes are adjacent to Bull Creek and the Balcones Canyonland Preserve.

The Upper Bull Creek Neighborhood Association and surrounding neighborhood associations (including Spicewood Estates Homeowners Association, Balcones Place Neighborhood Association and The Mountain Neighborhood Association) opposes any and all commercial and limited office zoning of the Old Lampasas Trail corridor for the following reasons:

- The OLT corridor and surrounding area is residential in nature. The tract (9001 Old Lampasas Trail, approximately ³/₄ acre) proposed for rezoning is adjacent to family homes. This is a unique residential neighborhood with a strong rural character.
- Commercialization, limited office or neighborhood office zoning diminishes the integrity of the neighborhood and will lower the value of the existing homes.
- Bull Creek is an environmentally sensitive area along the Old Lampasas Trail corridor as well as throughout the city of Austin. Site construction, parking lot and increased traffic will negatively impact Bull Creek and the surrounding greenbelt and conservation area.
- Traffic increases, which further exacerbates safety issues along the Old Lampasas Trail corridor and adjacent neighborhoods. Old Lampasas Trail is a not a road capable of managing increased traffic from an office.
- It sets a precedent for other commercial and/or limited office zoning in the OLT corridor which is unacceptable. A precedent of this nature could irreversibly degrade and devalue the neighborhood.

On September 21, 2004 this proposed rezoning was reviewed by the Neighborhood Planning and Zoning Commission. Two (2) motions were presented before the Commission to rezone from Single Family Residence to Limited Office. Both motions failed: one motion was a 6-2 vote against the rezoning; and a second motion was a 6-1 vote against the rezoning. That signals a clear and direct message that the Old Lampasas Trail corridor should maintain its character, integrity, quality of the environment and safety of family and homes in our neighborhood.

I have attached for your review the following letters:

- A copy of a letter that is part of the documentation on File Number C14-04-0100 that is signed by each of our neighbors, and the Presidents of three (3) surrounding neighborhood associations opposing the proposed rezoning;
- And personal letters from our neighbors on the Old Lampasas Trail corridor stating their opposition to the proposed rezoning.

We ask for your continuing support to help us maintain the residential integrity of our neighborhood and deny the request to rezone 9001 Old Lampasas Trail from Single Family Residence to Limited Office.

We appreciate your commitment to protect the character of our neighborhoods and the quality of environment.

We thank you for your consideration and review of this matter.

Hal Meyer Hal Meyer, President

Hal Meyer, President Upper Bull Creek Neighborhood Association 9415 Old Lampasas Trail Austin, Texas 78750 halmeyer@hotmail.com

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Serving the Residents of Upper Bull Creek

10-19-04

Mayor Will Wynn and Members of the Austin City Council VIA HAND DELIVERY

Dear Sirs and Madames,

RE: C14-04-0100

I strongly protest any rezoning of the vacant Wheeler lot at 9100 Old Lampasas Trail from SF-1 to a commercial zoning. As recommended by the City Planning and Zoning Commission, this location should remain residential, and not be rezoned to office building use.

There are several important reasons for this lot remaining residential:

- 1. This is a unique residential neighborhood with a strong rural character.
- 2. A larger office building development with adequate parking lot would increase the storm water runoff into Bull Creek nearby.
- 3. A parking lot in this location would allow for weekend trespassing on private property on Bull Creek, already a problem.
- 4. Location of a commercial establishment would add traffic congestion on this winding narrow two-lane road.
- 5. The owner of this lot has already expressed interest in offering it for sale for residential use.
- 6. There is no commercial development in this area.
- 7. Commercial establishments are less than three minutes away.

I appreciate the hard work each of you do to protect the character of our neighborhoods and to protect the water quality of Bull Creek.

Sincerely,

Thomas W. Lowry Vice-President, Upper Bull Creek Neighborhood Association 9207 Old Lampasas Trail Austin, TX 78750

Judith and Ernest Lundelius 7310 Running Rope Dr. Austin, TX 78731

City Council Members City of Austin October 25, 2004

Dear City Council Member; Re: case # C14-04-0100

We have been members of the Upper Bull Creek Neighborhood Association since its inception. We are the owners of a 5 acre property at 9301 Old Lampasas Trail for the past 18 years. Our residential enclave Walden Oaks, restricting the properties to only one home per 5 acres, has been populated with residents who are committed to the preservation of the quality of Bull Creek and its environs. Surrounding properties have restrictions ranging from one home per 2 1/2 acres to standard lot size.

Recently, an extremely intense housing development at the corner of Old Lampasas Trail and Spicewood Springs Road has sprung up in what may well be the Bull Creek flood plain that will have an adverse effect on Bull Creek. The previous owner of that property now wishes to rezone a small adjacent tract at 9001 Old Lampasas Trail to Light Office (case C14-04-0100). We object to the commercialization of this essentially residential neighborhood. This will have a negative effect on traffic volume, property values and may well set a precedent for further intense development in the Old Lampasas Trail Corridor.

Please preserve the residential status of this environmentally unique neighborhood and deny the request for any form of commercial development.

Thank you, Ernerf Lymdelins J Jucith Lurclelin

Ernest and Judith Lundelius

- To: Mr. Will Wynn, City OF Austin Mayor City Of Austin Council
- From: Frank & Katherine Djennas, 9310 Old Lampasas Trail Austin, TX 78759

Subject: Case number C14-04-0100, Joe Wheeler zoning case

Dear Mayor and Council members,

We are writing you this letter to hereby express and officially record our upmost opposition to this zoning request by Mr. Joe Wheeler. The parcel in question is located on Old Lampasas Trail, just west of Spicewood Springsroad. It is located in a very sensitive area within the Bullcreek Watershed, adjacent to Bullcreek proper.

We own a large track on Old Lampasas trail, just west of subject track, we had applied for SF1 zoning (1 acre lots), however, the City rejected our request and imposed an overlay of 2.5 acre minimum lot size. We were told that the Overlay was due to the sensitive nature of this watershed area.

We are asking the Council to please vote consistently and deny ANY commercial zoning in this neighborhood. This neighborhood is 100% residential located on a very small, dead-end street that shoulders the bccp Lands and Bullcreek.

There are large undeveloped tracks in this area; a commercial zoning in this area will set a PRECEDENT that will have a disastrous and irreversible effect and will severely degrade the very sensitive Bullcreek Watershed and this neighborhood as a whole.

Sincerel Frank & Katherine Diennas

Mr. and Mrs. Tim L. Hess 9115 Old Lampasas Trail Austin, Texas 78750-4203 512/335-5800 512/913-2016 (Cell) 512/834-9844 (Fax) thess@henselphelps.com (e-mail)

October 21, 2004

City of Austin Att: The Honorable Will Wynn, Mayor of Austin P.O. Box 1088 Austin, Texas 78767-8865

SUBJECT: Request for Zoning Change – File # C14-04-0100

Dear Mayor Wynn,

My wife and I have owned our home on Old Lampasas Trail since 1987 and we are members of the Upper Bull Creek Neighborhood Association. Our property is in very close proximity to the property owned by Mr. Wheeler which is being considered for a zoning change from Single Family Residence to Limited Office.

We would like to take this opportunity to express our opposition to this zoning change. The reasons for our opposition have been delicately vocalized and documented to the Planning Commission. The site being considered for the zoning change lies within an environmentally sensitive area and is part of a large neighborhood community with residential homes. Besides traffic and environmental issues, our opposition is mainly focused on the fact that this neighborhood community does not need a Limited Office district to serve its needs. There is ample office space currently existing within close proximity to meet the current or future needs of the neighborhood.

Please support the position taken by the Planning Commission to date which is to disapprove the requested zoning change. Please call or write should you need additional information.

Sincerely, Tim L. Hess CC: City Council Members

Greg and Loyce Dettman 9113 Old Lampasas Trail Austin, Texas 78750

October 20, 2004

To the attention of the Mayor and City Council Members of Austin,

Our names are Greg and Loyce Dettman and we have resided at 9113 Old Lampasas Trail for eleven years. We purchased the land with the hope of raising our two children in a beautiful residential area of Austin with strong schools in the Round Rock Independent School District. That has been possible up to this point with the previous support of the City Council and Planning Commission who have preserved the area through appropriate zoning restrictions.

A request for zoning change on your November 4, 2004 agenda, however, threatens that goal. File number c14-04-0100, requesting a ³/₄ acre Limited Office permit will negatively change the integrity of the neighborhood. There are NO businesses located within 2 miles of this area and the area does NOT warrant this kind of zoning. We are definitely opposed to any change in the current status of the land in question. Your Planning Commission has studied this issue and it is our understanding that they will recommend staying with the current zoning of Single Family. We encourage you to support their recommendation and oppose the request for change to LO.

Thank you for your support for our neighborhood.

Sincetely, na Hoyce Dettman

Greg and/Loyce Dettman 9113 Old Lampasas Trail 918-9151 dettman@austintx.com batesdettman@yahoo.com October 24, 2004

Mayor Will Wynn Mayor Pro Tem Jackie Goodman Council Member Raul Alvarez Council Member Betty Dunkerley Council Member Brewster McCracken Council Member Daryl Slusher Council Member Danny Thomas

Subject: Item on agenda of November 4, 2004 city council meeting

Mayor Wynn Mayor, Pro Tem Goodman, Council Members,

I am writing in opposition of the rezoning to Limited Office of the tract cited in File Number: C14-04-0100. This is a tract of land located on Old Lampasas Trail, Austin, Texas.

My husband and I have owned five acres of land at 9315 Old Lampasas Trail for 17 years. We built our home here and have lived on the property for 10 years. In that time development has surrounded this area leaving the region from Spicewood Springs Road to County Road 2222, Highway 620 to Loop 360 as a block of land being eaten away from all sides and sometimes in the middle. You know all of this. It's something that you and your predecessors have considered and alleviated as possible through use of the Balcones Canyonlands Conservation Plan (BCCP).

When we purchased our property, and built, our main objective was to preserve and protect the natural condition of the area as much as possible. We, and our neighbors, limited the amount of construction on our land, and its placement, to this end. We have extended the intent of the BCCP along Old Lampasas Trail. The character of our neighborhood and its surroundings are vitally important to us.

The tract of land in question is small, less than one acre located on what is essentially a rural road, but the rezoning under consideration represents a major threat to this area. All of the surrounding land is residential or undeveloped property. The only exception is a small church one parcel away from the tract under consideration. Increased traffic on Old Lampasas Trail is already a safety issue and allowing any type of commercial zoning would only exacerbate the situation. Allowing commercial development here would also set a terrible precedent for an area struggling to maintain its residential character.

Please help us maintain the residential integrity of our neighborhood. Your support in this matter would be greatly appreciated.

Sincerely

Kerza A. Prewitt and Elton R. Prewitt 9315 Old Lampasas Trail Austin, Texas 78750 512.258.6658 kaprewitt®earthlink.net

Hal and Betty Meyer 9415 Old Lampasas Trail Austin, Texas 78750 51-918-9868 halmeyer@hotmail.com

October 24, 2004

Mayor Will Wynn and Members of the Austin City Council

RE: C14-04-0100

Dear Sirs and Madams,

My name is Hal Meyer. My wife Betty and I reside at 9415 Old Lampasas Trail. We purchased the property five (5) years ago. We are also members of the Upper Bull Creek Neighborhood Association. We are writing to let you know that we strongly oppose the zoning change for 9001 Old Lampasas Trail from Single Family Residence to Limited Office.

Before I state why we oppose the zoning change, we want to tell you something about our property. Our home is a restored log cabin that was an original structure in Bull Creek Valley. Our home sits on 25 acres at the end of Old Lampasas Trail. Canyon Creek runs onto our property where it has created a small 2 acre lake, and flows directly into Bull Creek. To the south, our property borders Bull Creek and Balcones Canyonland Preserve; to the west, our property borders Balcones Canyonland Preserve; to the north, is Old Lampasas Trail; and to the east are our friends and neighbors that also border Bull Creek for almost three quarters of a mile down Bull Creek.

Betty and I want you to understand that what we are describing is a beautiful neighborhood and residential area. And it is our desire that our neighborhood along the Old Lampasas Trail corridor continues as a neighborhood and not include limited office or commercial structures.

Our reasons to continue opposing the zoning change from Single Family Residence to Limited Office are simple:

- The Old Lampasas Trail corridor is residential. A proposed office of any sort is not compatible with the current homes and neighborhood environment;
- The surrounding greenbelt and canyonland areas are negatively impacted with the construction of an office;
- Additional runoff is created by an office structure and the parking lot which endangers the quality of water in Bull Creek;
- And it sets a precedent for future office and/or commercial building in our neighborhood.

I spoke to the Neighborhood Planning and Zoning Commission and their vote on two (2) motions supported our opposition.

Betty and I oppose the zoning change and ask that as you review this zoning case that you support maintaining 9001 Old Lampasas Trail as a Single Family Residence and not Limited Office.

Thanks for your careful review and consideration of this matter.

Sincerely,

Hal Meyer Betty Meyer Hal and Betty Meyer

Bill Sanchez 9111 Old Lampasas Trail Austin, Texas 78750

October 25, 2004

Re: File Number: C14-04-0100

To the attention of the Honorable Mayor Will Wynn and City Council Members,

My name is Bill Sanchez and I have resided at 9111 Old Lampasas Trail for ____() 22 years.

I would like to state that I oppose the proposed rezoning from Single Family Residence to Limited Office for the tract of land at 9001 Old Lampasas Trail.

This is a neighborhood with homes and acreage that sit along Bull Creek. Our neighborhood is also adjacent to the Balcones Canyonland Preserve. Offices and/or commercialization along Old Lampasas Trail negatively impact the character that make up the homes in our neighborhood. Additional traffic will add to increasing safety · concerns. It also has the potential to set a precedent for future commercialization along Old Lampasas Trail which could damage the character of the neighborhood.

Thanks for your careful review of this matter, and for continuing to preserve our

neighborhood. Ill Sanchez Bill Sanchez

Keith and Penny Hunt 9802 Tallyran Austin, Texas 78750

October 24, 2004

To the attention of the Honorable Mayor Will Wynn and City Council Members,

Re: File Number: C14-04-0100

Our names are Keith and Penny Hunt and we have resided at 9802 Tallyran for sixteen (16) years where we have raised our family. We are members of the Upper Bull Creek Neighborhood Association.

We would like to express our strong opposition to the proposed zoning change from Single Family Residence to Limited Office. The Old Lampasas Trail area is a beautiful section of Austin that borders Bull Creek and the Balcones Canyonland Preserve.

The potential rezoning to limited office and/or commercialization of Old Lampasas Trail will permanently destroy the integrity of the neighborhood. Traffic continues to increase and an office structure will increase both traffic and safety concerns on a narrow and winding road. The additional structure(s) and associated parking lot will negatively impact the preservation of the water quality of Bull Creek. It will also set a precedent for future office building that could change the character of the neighborhood forever.

Keith and I are strongly opposed to rezoning the tract at 9001 Old Lampasas Trail from Single Family Residence to Limited Office.

We ask that you continue to preserve the neighborhood and residential character of Old Lampasas Trail and deny the request to rezone to limited office.

Thanks for your time and consideration in this matter, and for your support of our neighborhood.

Keith and Penny Hunt

Keith and Penny Hunt Heith + Penny Kort