


A U S T I N C I T Y C O U N C I L

AGENDA

Thursday, June 22, 2006

#99 PH

 Back**Zone Hearings/App Ordinances/Restrictive Covenants
RECOMMENDATION FOR COUNCIL ACTION**

Subject: C14-06-0010 - 8515 FM 1826 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8515 FM 1826 Road (Williamson Creek Watershed - Barton Springs Zone) from development reserve (DR) district zoning to limited office-conditional overlay (LO-CO) combining district zoning for Tract 1 and single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning for Tract 2. Planning Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning for Tract 1 and single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning for Tract 2. Applicant: G. Scott Beard. City Staff: Wendy Walsh, 974-7719.

Additional Backup Material

(click to open)

 **Staff Report****For More Information: Wendy Walsh, 974-7719.**

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0010

P.C. DATE: March 28, 2006

ADDRESS: 8515 FM 1826 Road

OWNER & APPLICANT: G. Scott Beard

ZONING FROM: DR

TO: LO-MU-CO for Tract 1 (3.17 acres);

AREA: 10 acres

SF-2 for Tract 2 (6.83 acres)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant limited office – mixed use – conditional overlay (LO-MU-CO) combining district zoning for Tract 1; and SF-2-CO for Tract 2.

On Tract 1, the Conditional Overlay: 1) prohibits medical offices exceeding 5,000 square feet of gross floor area, 2) limits building and structure height to a maximum of 35 feet and two stories; 3) establishes a 50 foot building setback along the north and south property lines; 4) allows for professional office use and medical offices less than 5,000 square feet of gross floor area use; 5) limits the number of driveway access points onto FM 1826 to two; 6) requires that all lighting be hooded and shielded; and 7) limits signage on the property to one freestanding sign which may not exceed 24 square feet and 6 feet in height above grade, and must be constructed on a berm.

On Tracts 1 and 2, the Conditional Overlay: 1) limits the number of daily trips to 2,000 and the number of residential units to 10.

PLANNING COMMISSION RECOMMENDATION:

March 28, 2006: *FOR TRACT 1, LO-CO DISTRICT ZONING WAS APPROVED WITH THE CONDITIONAL OVERLAY PERMITTING PROFESSIONAL OFFICES AND MEDICAL OFFICES ONLY; LIMITS BUILDING AND STRUCTURE HEIGHT TO A MAXIMUM OF 35 FEET AND ONE STORY; ESTABLISHES A 50' WIDE BUILDING SETBACK ALONG THE NORTH AND SOUTH PROPERTY LINES; REQUIRES THAT ALL LIGHTING BE HOODED AND SHIELDED; LIMITS SIGNAGE ON THE PROPERTY TO ONE FREESTANDING SIGN WHICH MAY NOT EXCEED 24 SQUARE FEET AND 6 FEET IN HEIGHT ABOVE GRADE AND MUST BE CONSTRUCTED ON A BERM. FOR TRACT 2, SF-2-CO DISTRICT ZONING WAS APPROVED WITH THE CONDITIONAL OVERLAY LIMITING RESIDENTIAL USE TO ONE DWELLING UNIT. ON TRACTS 1 AND 2, THE CONDITIONAL OVERLAY IS FOR 2,000 TRIP LIMIT AND LIMITS THE NUMBER OF DRIVEWAY ACCESS POINTS ONTO FM 1826 TO 2.*

[J. REDDY, K. JACKSON – 2ND] (8-0) J.M. CORTEZ – LEFT EARLY

ISSUES:

The Applicant has met with the Estates at Loma Vista HOA and both parties have agreed upon a Conditional Overlay that covers setbacks, structure height, permitted uses, number of driveways, lighting and signage. Please refer to Attachment A. Furthermore, the agreed upon Conditional Overlay has been incorporated into the Staff recommendation, as listed above. A private Restrictive Covenant between both parties is also being finalized.

DEPARTMENT COMMENTS:

The subject property consists of one single family residence on a 10 acre unplatted tract and is zoned development reserve (DR). Access is taken to FM 1826. The Estates of Loma Vista is adjacent to the north, east and south (SF-2; RR; SF-1-CO). The west side of FM 1826 consists of Seton Southwest Hospital (proposed for GO zoning), a manufactured home park; lawn equipment sales and single family residences (County). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to create two tracts: limited office – mixed use – conditional overlay (LO-MU-CO) for Tract 1 and single family residence standard lot (SF-2) district for Tract 2. As shown in Exhibit B, Tract 1 consists of approximately 3.3 acres along FM 1826, and the Applicant would like to pursue medical and professional uses. The Applicant intends to continue residing on Tract 2, which is the remaining 6.7 acres.

The Staff supports the Applicant's request based on the following considerations of the property: 1) office use is appropriate for an arterial roadway, is in close proximity to a hospital, and FM 1826 is scheduled for expansion to a five-lane roadway; 2) a development assessment shows that a minor tributary forms near the common boundary line between Tracts 1 and 2 and drains east - therefore, the developable area of Tract 2 is quite limited; 3) the Conditional Overlay provides for enhanced compatibility with the adjacent single family residences to the north and south.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	One single family residence
<i>North</i>	SF-2	Single family residences
<i>South</i>	SF-1	Single family residences
<i>East</i>	RR	Undeveloped
<i>West</i>	N/A (County)	Seton Southwest Hospital; Lawn equipment sales; Manufactured home park; Single family residences

NEIGHBORHOOD PLANNING AREA: Oak Hill NPA **TIA:** Is not required
(West Oak Hill)

WATERSHED: Williamson Creek –
Barton Springs Zone

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A**SCENIC / HILL COUNTRY ROADWAY:**

No

NEIGHBORHOOD ORGANIZATIONS:

943 – Save Our Springs Alliance 675 – Fox Run Ridge Homeowners Association
 641 – Granada Homeowners Association
 459 – Wynnrock Area Neighborhood Association
 428 – Barton Springs/Edwards Aquifer Conservation District
 384 – Save Barton Creek Association 385 – Barton Springs Coalition
 967 – Circle C Neighborhood Association 298 – Oak Hill Association of Neighborhoods

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-86-004 (Sections of Shadow Ridge Crossing, including Section 12 - north)	I-RR to RR; SF-2; SF-3	To Grant RR; SF-2; SF-3 as requested.	Approved RR; SF-2; SF-3 (3-24-88).
C14-93-0135 (Shadow Ridge Crossing, Section 11 – to the south)	DR to SF-1	To Grant SF-1-CO. The CO limits density to 205 units (Vote: 7-0). 11/16/93	Approved PC recommendation (Vote: 7-0). 12/2/93.
C14-99-0125 (Nassour Tract – HEB #10)	SF-2 and DR to GR	Approved GR without conditions (Vote: 7-0). 1/11/00.	Approved PC recommendation (Vote: 7-0). 4/20/00
C14-02-0089 (HEB Austin No. 10)	RR to GR	Approved GR without conditions (Vote: 8-0). 6/25/02.	Approved PC recommendation (Vote: 7-0).
C14-05-0219 (Seton Southwest)	I-RR to GO	Pending – Applicant discussion of transportation issues with Staff	N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
FM 1826	70 feet	24 feet	Major Arterial	No	No	No

CITY COUNCIL DATE: June 22, 2006**ACTION:**

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

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

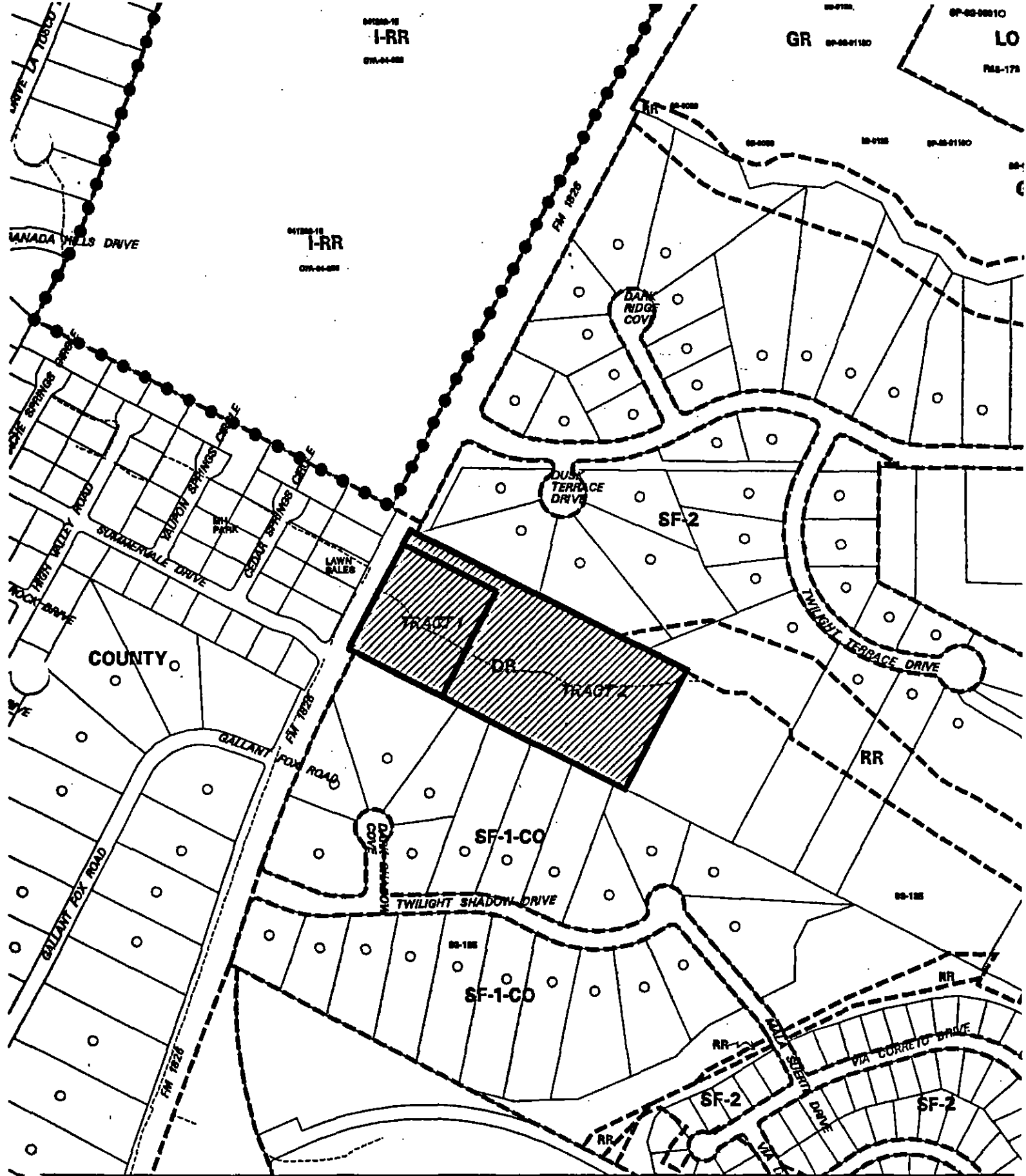
PHONE: 974-7719

041280-10
I-RR
07A-04-000

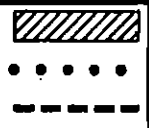
GR 07-00-01100

LO
P&S-170

041280-10
I-RR
07A-04-000



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



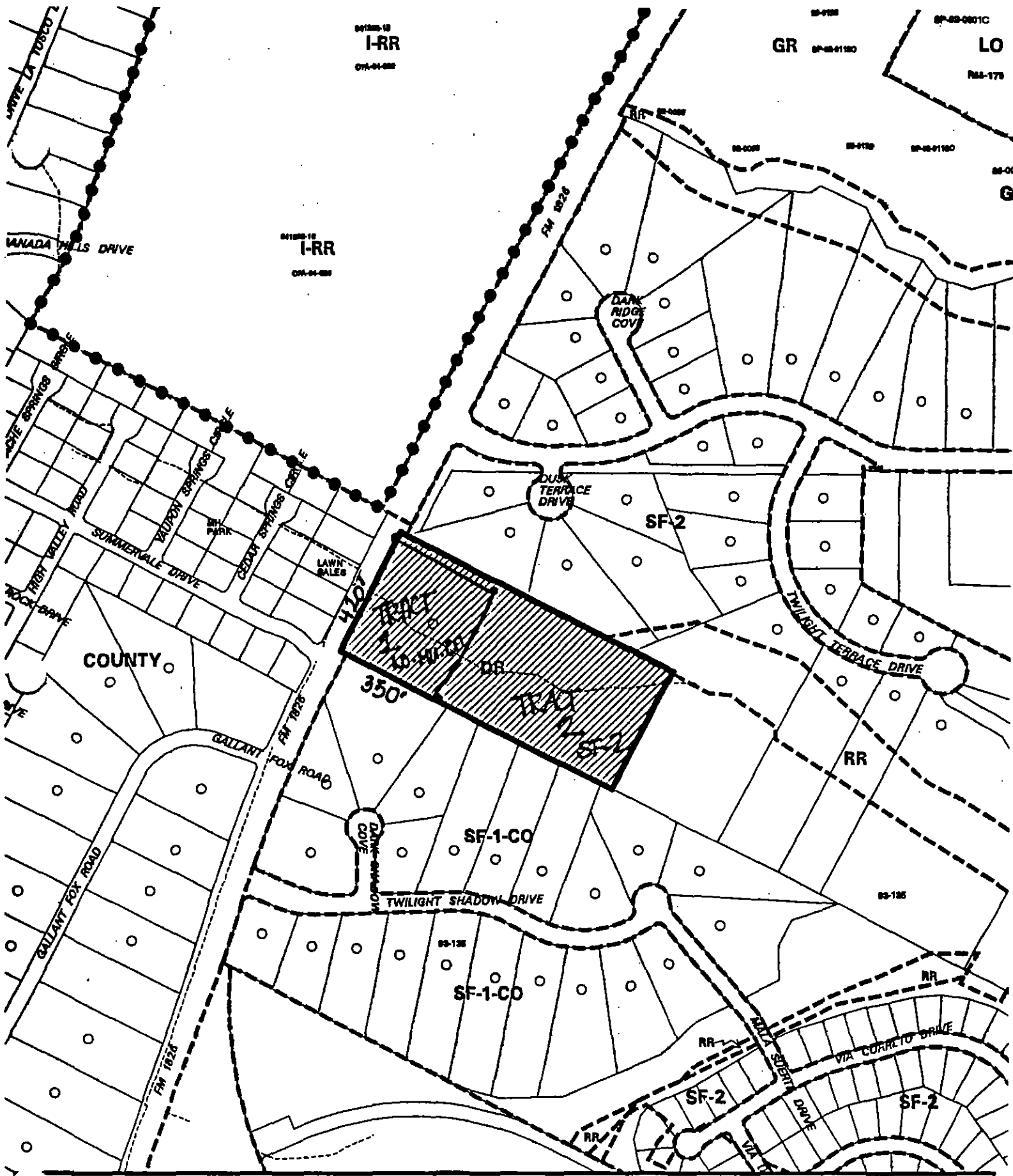
CASE #: C14-06-0010
ADDRESS: 8515 FM 1826 RD
SUBJECT AREA (acres): 10

ZONING EXHIBIT A

DATE: 06-05
INTLS: 6M

CITY GRID
REFERENCE
NUMBER
B18





 1" = 400'	SUBJECT TRACT 	ZONING Exhibit B	CITY GRID REFERENCE NUMBER B16
	PENDING CASE 		
	ZONING BOUNDARY 		
	CASE MGR: W.WALSH		
CASE #: C14-06-0010 ADDRESS: 8515 FM 1826 RD SUBJECT AREA (acres): 10		DATE: 06-03 INTLS: SM	

STAFF RECOMMENDATION

The Staff's recommendation is to grant limited office – mixed use – conditional overlay (LO-MU-CO) combining district zoning for Tract 1; and SF-2-CO for Tract 2.

On Tract 1, the Conditional Overlay: 1) prohibits medical offices exceeding 5,000 square feet of gross floor area, 2) limits building and structure height to a maximum of 35 feet and two stories; 3) establishes a 50 foot building setback along the north and south property lines; 4) allows for professional office use and medical offices less than 5,000 square feet of gross floor area use; 5) limits the number of driveway access points onto FM 1826 to two; 6) requires that all lighting be hooded and shielded; and 7) limits signage on the property to one freestanding sign which may not exceed 24 square feet and 6 feet in height above grade, and must be constructed on a berm.

On Tracts 1 and 2, the Conditional Overlay: 1) limits the number of daily trips to 2,000 and the number of residential units to 10.

BASIS FOR RECOMMENDATION

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

Limited office (LO) zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

The Staff supports the Applicant's request based on the following considerations of the property: 1) office use is appropriate for an arterial roadway, is in close proximity to a hospital, and FM 1826 is scheduled for expansion to a five-lane roadway; 2) a development assessment shows that a minor tributary forms near the common boundary line between Tracts 1 and 2 and drains east - therefore, the developable area of Tract 2 is quite limited; 3) the Conditional Overlay provides for enhanced compatibility with the adjacent single family residences to the north and south.

EXISTING CONDITIONS

Site Characteristics

The site consists of one single family residence on a ten acre parcel. The property slopes towards the east.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 25%, which is based on the more restrictive watershed regulations described below.

Environmental

This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which in this area is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. *This tract lies in the Contributing Zone.*

According to flood plain maps, there is no flood plain within the project location.

The site is partially 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.

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. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 200 feet of right-of-way for FM 1826. Dedication of additional right-of-way will be required during the subdivision or site plan process. [LDC, Sec. 25-6-51 and 25-6-55]

The trip generation under the requested zoning is estimated to be 17,597 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).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and adjustments. 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 design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

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

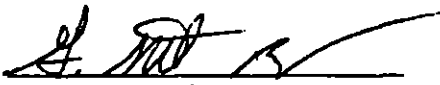

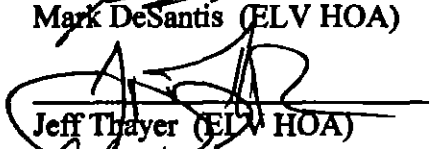
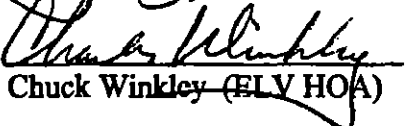
- All structures, parking areas and driveways shall maintain a setback of 25 feet from the north and south property lines adjacent to an SF-5 or more restrictive use or district. [Section 25-2-1067].
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking mechanical equipment, storage, and refuse collection

Estates of Loma Vista HOA

Rezoning of the 10 Acre Tract Located at 8515 FM 1826 in Austin, Texas

The Estates of Loma Vista HOA supports G. Scott Beard's application for re-zoning the 10 Acre Tract Located at 8515 FM 1826 from DR to LO-MU-CO. In recognition of the support from The Estates of Loma Vista HOA, G. Scott Beard agrees to the following Conditional Overlays for this property:

1. A 50' building setback is established along the north and south property lines.
2. All new structures must be single-story and limited to no more than 35 feet in height.
3. Designated for professional office use including medical services. Day care centers, retail or other high-traffic businesses are not permitted.
4. A limit of two driveway cuts onto FM 1826.
5. All new business lighting shall be hooded and shielded.
6. Signage on the property is limited to one freestanding sign. The sign area may not exceed 24 square feet and 6 feet in height above grade. Any freestanding sign must be constructed on a berm.
7. Any portion of the property not used for LO development shall be designated SF-2.

Agreed:		<u>3/21/06</u>
	G. Scott Beard (Owner)	Date
Agreed:		<u>3/22/06</u>
	Mark DeSantis (ELV HOA)	Date
Agreed:		<u>3/21/06</u>
	Jeff Thayer (ELV HOA)	Date
Agreed:		<u>3/21/06</u>
	Chuck Winkley (ELV HOA)	Date

Rezoning of the 10 Acre Tract Located at 8515 FM 1826 in Austin, Texas

Purpose

The purpose of this document is to obtain an agreement in principle with the owner/developer to proceed with the preparation of legally binding Restrictive Covenants for the above referenced property. Said Restrictive Covenants will enable the Estates of Loma Vista Homeowners' Association to support the owner's current rezoning request (Case No.: C14-06-0010).

Agreed Principles

1. The requested rezoning will be from **DR** to **LO-MU-CO**. The conditional overlay will specify that the **MU** designation will only be used for **SF-2** development.
2. Restrictions shall be attached to the property via Restrictive Covenants. The Restrictive Covenants will explicitly state that they are being executed and filed by the developer for the benefit of the current and future owners of the property, as well as for the benefit of the property owners in the Estates of Loma Vista subdivision and the Estates of Loma Vista Homeowners' Association. In consideration of the restrictions benefiting the HOA, the HOA will support the zoning change. Because the Restrictive Covenants benefit the HOA, the Restrictive Covenants would state that some high percentage of the HOA (say 2/3 or 3/4) would have to vote in favor of any changes to the Restrictive Covenants or the zoning after this is put in place.
3. The Restrictive Covenants can be placed on the property in one of two ways.
 - 3.1 The owner/developer can place the agreed to Restrictive Covenants on file prior to the zoning case being heard. If the zoning change doesn't go through, the HOA will then agree to vacate the Restrictive Covenants.
 - 3.2 Alternately, the Restrictive Covenants could be negotiated and signed prior to the zoning case being heard. They could then be held in escrow until the zoning change was approved. Upon zoning change approval, the Restrictive Covenants would be recorded automatically.

The property owner agrees to the following Restrictive Covenants:


1. All exterior construction must be of 100% masonry (Specifically stone and or stucco. No brick or hardy board product of any kind may be used.)
2. Fencing shall be provided by the developer between any commercial tract, or tracts, and adjoining single-family properties. Said fencing must be constructed of stone, masonry, wrought iron or any combination of the three, and be at least 6 feet in height.
3. All exterior HVAC systems must be hidden or screened to minimize noise and visual impact.
4. All parking lot overhead lights must be turned off by 8:30 pm, 365 days a year.


5. Exterior lights on buildings must be either down lighting or sconces. No upward aiming lights may be used whatsoever on the property.
6. Any freestanding signs must meet City of Austin guidelines and cannot exceed 6 feet in height. No internally lit signs shall be allowed. Any sign lighting that can be observed from adjoining single-family properties shall be turned off during non business hours.
7. The lot shall not be built-up or constructed on in any way that alters the drainage patterns or increases runoff onto adjoining subdivision property.
8. All garbage and trash areas shall be strictly controlled to prevent trash dispersal, and shall be screened from sight with materials that match the exterior of the building(s). Trash removal shall not occur between the hours of 8:30 pm and 8:00 am.

Disclaimers

1. This document and the terms contained herein are not intended to create a binding agreement between the parties, but rather is intended to serve as the basis for negotiating formal Restrictive Covenants for the benefit of both parties. Such Restrictive Covenants may contain terms that are different, as well as terms not yet identified. Therefore, neither party may rely on this document being binding in any way.
2. While the Estates of Loma Vista HOA will support the zoning change once acceptable Restrictive Covenants are in place, the HOA can't control individuals owning property in the subdivision and have no liability or responsibility if any individuals oppose the zoning changes in front of the City.

Agreed:


G. Scott Beard (Owner)


Date

I select option 3.2 of Item 3 under Agreed Principles. I agree to pay for the recording and escrow fees to attach the Restrictive Covenants to the property.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0010

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

March 28, 2006 Planning Commission

Your Name (please print) Stephanie Sorrels

Your Address (as) affected by this application 7301 Twilight Shadow Dr

Your Address (as) affected by this application SSA

Signature

Date

3/22/06

Comments: I am in favor of the City Council's decision as stated

by the City Council's decision as stated

SSA

☒ I am in favor
☐ I object

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

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Case Number: C14-06-0010

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

March 28, 2006 Planning Commission

Jeff Thayer
Your Name (please print)

8401 Dusk Terrace Cove, Austin 78737

Your address(es) affected by this application

[Signature]
Signature

3/28/06
Date

Comments: I am in favor of this

Zoning change provided that the structure height for office is limited to 35 feet and ONE story, the number of residential units is limited to ONE and that ALL offices are prohibited from exceeding 5000 square feet of gross floor area. I am concerned about 2000 trips per day until 1826 is widened, which could be five years or more

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

U. Debby Clarke resident of Estates
Item 15 of Loma Vista

I support the rezoning of Tract 1
as LO-CO, not mixed use. I support
the limitation of the LO-CO zoning
to a 1-story building not two story.

My property is one of the largest
adjoining Tract 1 which we have
agreed with the applicant to be
LO-CO and a one-story building. I
also support Tract 2 being zoned
as SF-2.

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 8515 F.M. 1826 ROAD FROM DEVELOPMENT
3 RESERVE (DR) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY
4 (LO-CO) COMBINING DISTRICT FOR TRACT ONE AND SINGLE FAMILY
5 RESIDENCE STANDARD LOT-CONDITIONAL OVERLAY (SF-2-CO)
6 COMBINING DISTRICT FOR TRACT TWO.

7
8 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

9
10 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
11 change the base district on the property described in Zoning Case No. C14-06-0010, on file
12 at the Neighborhood Planning and Zoning Department, as follows:

13
14 Tract One: From development reserve (DR) district to limited office-conditional
15 overlay (LO-CO) combining district.

16
17 A 3.17 acre tract of land, more or less, out of the Jesse Williams Survey No. 62,
18 Travis County, the tract of land being more particularly described by metes and
19 bounds in Exhibit "A" incorporated into this ordinance, and

20
21 Tract Two: From development reserve (DR) district to single family residence
22 standard lot-conditional overlay (SF-2-CO) combining district.

23
24 A 6.84 acre tract of land, more or less, out of the Jesse Williams Survey No. 62,
25 Travis County, the tract of land being more particularly described by metes and
26 bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

27
28 locally known as 8515 F.M. 1826 Road, in the City of Austin, Travis County, Texas, and
29 generally identified in the map attached as Exhibit "C".

30
31 PART 2. The Property within the boundaries of the conditional overlay combining district
32 established by this ordinance is subject to the following conditions:

- 33
34 1. A site plan or building permit for the Property may not be approved, released, or
35 issued, if the completed development or uses of the Property, considered cumulatively
36 with all existing or previously authorized development and uses, generate traffic that
exceeds 2,000 trips per day.

- 1
2. A maximum of two driveway approaches for vehicular access from the Property to F.M. 1826 is permitted.
- 3
- 4
- 5 3. The maximum number of residential units on Tract Two is one dwelling unit.
- 6
- 7 4. The following applies to Tract One.
- 8
- 9 A. The maximum height for a building or structure is 35 feet from ground level.
- 10
- 11 B. A building or structure may not exceed one story.
- 12
- 13 C. A 50-foot wide building setback shall be established along the north and south property lines.
- 14
- 15
- 16 D. Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent properties.
- 17
- 18
- 19 E. One freestanding sign constructed on a berm is permitted on the Property. The maximum sign area is 24 square feet and may not exceed six feet above grade.
- 20
- 21
- 22 F. The following uses are prohibited uses:
- 23
- 24 Administrative and business offices
- 25 Art gallery
- 26 Art workshop
- 27 Bed and breakfast residential (Group 1)
- 28 Bed and breakfast residential (Group 2)
- 29 Club or lodge
- 30 College and university facilities
- 31 Communication service facilities
- 32 Communications services
- 33 Community events
- 34 Community recreation (private)
- 35 Community recreation (public)
- 36 Congregate living
- 37 Convalescent services
- 38 Counseling services
- 39 Cultural services
- Day care services (commercial)

Day care services (general)
Day care services (limited)
Family home
Group home, Class I (general)
Group home, Class I (limited)
Group home, Class II
Hospital services (limited)
Private primary educational facilities
Private secondary educational facilities
Public primary educational facilities
Public secondary educational facilities
Residential treatment
Safety services
Software development
Special use historic
Urban farm

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

PART 3. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

_____, 2006

§
§
§

Will Wynn
Mayor

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

C14-06-0010
TRACT 1

EXHIBIT "A"
LEGAL DESCRIPTION

FIELD NOTES DESCRIBING 3.17 ACRES OF LAND, OUT OF THE JESSE WILLIAMS SURVEY NUMBER 62, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN GREGORY S. BEARD AND SOSSITY BEARD 10.00 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2003097824, OFFICIAL PUBLIC RECORDS, SAID COUNTY, SAID 3.17 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod set in the easterly right-of-way line of F M 1826, at the southwest corner of said 10.00 acre tract, for the southwest corner hereof, from which an iron pipe found the northwest corner Shadowridge Crossing, Section 11, a subdivision recorded in Document Number 200000134, Official Public Records, said county, bears South 60 degrees 58 minutes 58 seconds East, 20.00 feet;

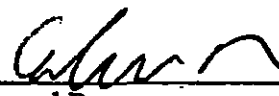
THENCE along said right-of-way line and the westerly line of said 10.00 acre tract, North 25 degrees 42 minutes 26 seconds East, 14.42 feet to a 60D nail found and North 29 degrees 09 minutes 30 seconds East, 371.50 feet to an iron rod set in said line, for the northwest corner hereof;

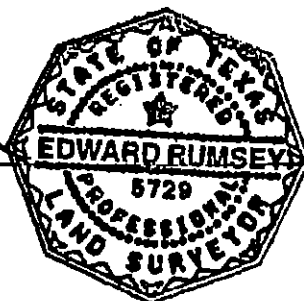
THENCE South 60 degrees 46 minutes 00 seconds East, through said 10.00 acre tract, 358.65 feet to an iron rod set, for the northeast corner hereof;

THENCE South 29 degrees 09 minutes 30 seconds West, continuing through said 10.00 acre tract, 384.55 feet to an iron rod set in the northerly line of said Shadowridge Crossing Section 11, in the southerly line of said 10.00 acre tract, for the southeast corner hereof;

THENCE along the northerly line of said Shadowridge Crossing Section 11 and the southerly line of said 10.00 acre tract, North 60 degrees 58 minutes 58 seconds West, 357.78 feet to the POINT OF BEGINNING and containing 3.17 acres of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.


Edward Rumsey
TX R.P.L.S #5729
Job # RM1826-2-2



5-23-06
Date

EXHIBIT "B"
LEGAL DESCRIPTION

FIELD NOTES DESCRIBING 6.83 ACRES OF LAND, OUT OF THE JESSE WILLIAMS SURVEY NUMBER 62, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT CERTAIN GREGORY S. BEARD AND SOSSITY BEARD 10.00 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2003097824, OFFICIAL PUBLIC RECORDS, SAID COUNTY, SAID 6.83 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found in the easterly right-of-way line of F M 1826, at the southwest corner of said 10.00 acre tract, for the southwest corner hereof, from which an iron pipe found the northwest corner Shadowridge Crossing, Section 11, a subdivision recorded in Document Number 200000134, Official Public Records, said county, bears South 60 degrees 58 minutes 58 seconds East, 20.00 feet;

THENCE along said right-of-way line and the westerly line of said 10.00 acre tract, North 25 degrees 42 minutes 26 seconds East, 14.42 feet to a 60D nail found and North 29 degrees 09 minutes 30 seconds East, 421.50 feet to an iron pipe in said line, at the northwest corner of said 10.00 acre tract, for the POINT OF BEGINNING AND the northwest corner hereof;

THENCE South 60 degrees 46 minutes 00 seconds East, along the northerly line of said 10.00 acre tract, 20.00 feet to an iron rod found at the southwest corner of Shadowridge Crossing Section 12, a subdivision recorded in Document Number 200000133, Official Public Records, said county, in the northerly line of said 10.00 acre tract, for a point in the northerly line hereof;

THENCE North 60 degrees 46 minutes 00 seconds East, continuing along the northerly line of said 10.00 acre tract, along the southerly line of said Shadowridge Crossing Section 12, 980.57 feet to an iron rod found at an angle corner in the southerly line of said Shadowridge Crossing Section 12, at the northeast corner of said 10.00 acre tract, for the northeast corner hereof;


THENCE South 28 degrees 57 minutes 03 seconds West, continuing along the southerly line of said Shadowridge Crossing Section 12 and along the easterly line of said 10.00 acre tract, 435.46 feet to an iron rod found in the northerly line of said Shadowridge Crossing Section 11, at the southeast corner of said 10.00 acre tract, for the southeast corner hereof;

THENCE along the northerly line of said Shadowridge Crossing Section 11 and the southerly line of said 10.00 acre tract, North 60 degrees 37 minutes 48 seconds West, 541.93 feet to an iron rod found and North 60 degrees 58 minutes 58 seconds West, 81.57 feet to an iron rod set in said line, for the southwest corner hereof;

THENCE through said 10.00 acre tract North 29 degrees 09 minutes 30 seconds West, 384.55 feet to an iron rod set and North 60 degrees 46 minutes 00 seconds West, 358.65 feet to an iron rod set in said right-of-way line, in the westerly line of said 10.00 acre tract, for an angle point in the westerly line hereof;

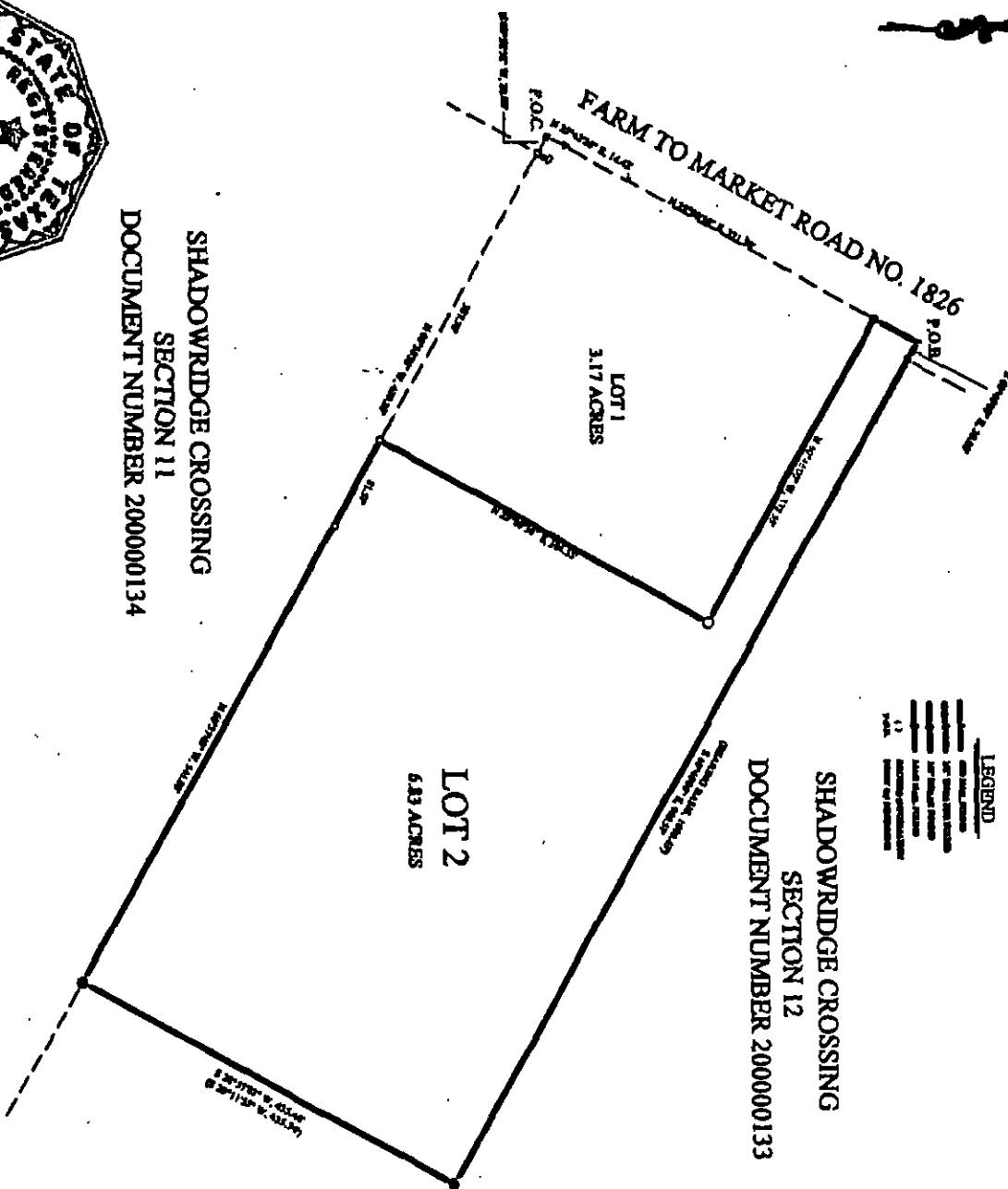
THENCE North 29 degrees 09 minutes 30 seconds East, along said right-of-way line and the westerly line of said 10.00 acre tract, 50.00 feet to the POINT OF BEGINNING and containing 6.83 acres of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.


Edward Rumsey
TX R.P.L.S #5729
Job # RM1826-3-3



5-23-06
Date

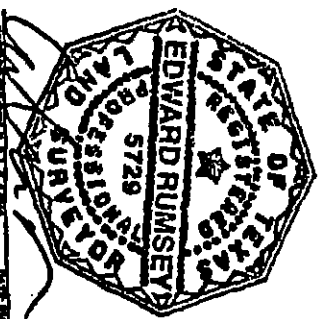


- LEGEND**
- | | |
|-------|---------------------|
| _____ | ON THE ROAD |
| _____ | MR. BERNARD J. FORD |
| _____ | MR. WILLIAM BROWN |
| _____ | MR. RAYMOND |
| _____ | MR. JAMES J. FORD |
| _____ | MR. JAMES J. FORD |

SHADOWRIDGE CROSSING
SECTION 12
DOCUMENT NUMBER 200000133

SHADOWRIDGE CROSSING
SECTION 11
DOCUMENT NUMBER 200000134

SHADOWRIDGE CROSSING
SECTION 12
DOCUMENT NUMBER 200000133



REPORTED BY: E. P. C. 1973 DATE: 10/10/73

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REPORT DATE	MAY 3, 2008	FILED BY	CHEN WJCD	04/12/08
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OLD FILE		INFORM BY	EDWARD WALKER	05/08/08
NEW FILE	04/11/08	CREATED BY	EDWARD BLANKET	04/07/08

8515 FM 1826
AUSTIN, TEXAS 78749

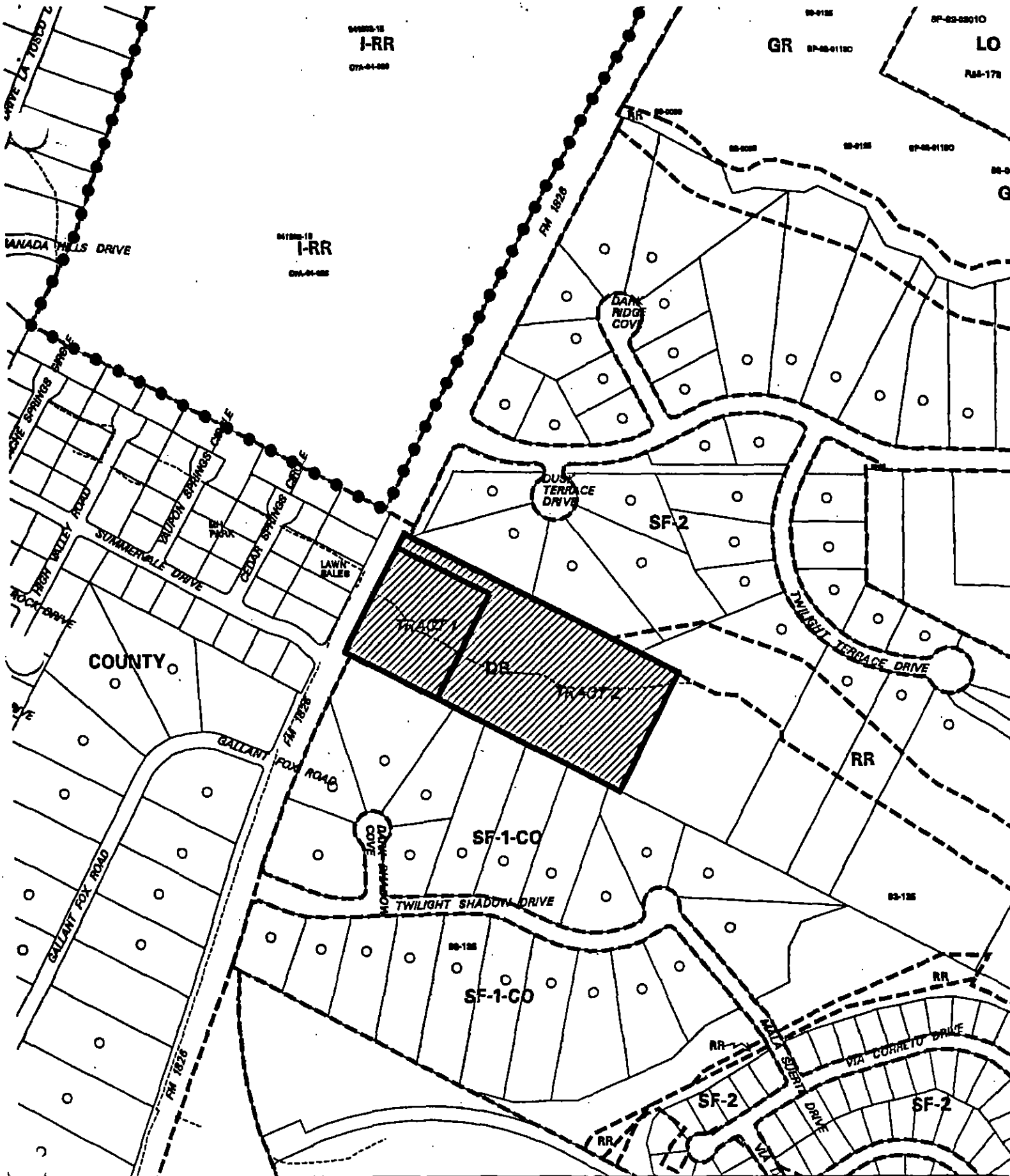
REFERENCE INFORMATION

LEARNING			
OS/ARCH	DATE	COLLECTOR	ANALYST
REMARKS			

[illegible]

LEGAL DISCUSSION

[illegible][illegible]



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

CASE #: C14-06-0010
 ADDRESS: 8515 FM 1826 RD
 SUBJECT AREA (acres): 10

ZONING EXHIBIT C

DATE: 08-05
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 B18