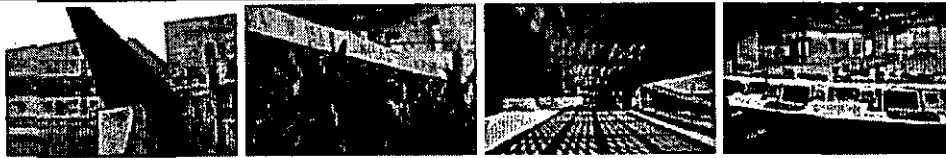


A U S T I N C I T Y C O U N C I L
AGENDA

Thursday, August 31, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 59**

Subject: C14-06-0104 - Olympic Heights West - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the East terminus of Yandall Drive (also known as the 2400 Block of Frate Barker Road) (Slaughter Creek Watershed-Barton Springs Zone; Bear Creek Watershed) from interim-rural residence (I-RR) district zoning to single-family residence-standard lot (SF-2) district zoning for Tract 1; and single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 2. Staff Recommendation: To grant single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tracts 1 and 2. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning for Tract 1; and single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 2. Applicant: Truman F. Martin and Joyce A. Martin. Agent: Jackson Walker, L.L.P. (Jim Nias). City Staff: Wendy Walsh, 974-7719.

Additional Backup Material

(click to open)

- ☐ [Staff Report](#)
- ☐ [Ordinance](#)

For More Information: Wendy Walsh, 974-7719.

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0104

Z.P.C. DATE: June 20, 2006
July 18, 2006

ADDRESS: East terminus of Yandall Drive (also known as the 2400 Block of Frate Barker Road)

OWNER: Truman F. Martin and
Joyce A. Martin

AGENT: Jackson Walker L.L.P.
(Jim Nias)

ZONING FROM: I-RR **TO:** SF-4A **AREA:** 26.870 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant single family residence small lot – conditional overlay (SF-4A-CO) combining district zoning. The Conditional Overlay limits the number of vehicle trips to less than 2,000 per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

June 20, 2006: *1ST MOTION: APPROVE SF-4A-CO DISTRICT ZONING WITH THE CO TO REQUIRE A 100' UNDISTURBED BUFFER ALONG THE NORTH AND WEST PROPERTY LINES; REQUIRE THE PLANTING OF NATIVE, CLASS I TREES; MINIMUM 3-INCH CALIPER, SPACED 40' ON CENTER ALONG THE NORTH AND WEST PROPERTY LINES; AND 1,500 TRIPS PER DAY. [K. JACKSON, B. BAKER 2ND] (3-4) (MOTION FAILED)*

2ND MOTION: CONTINUE THE PUBLIC HEARING TO 7/18/06; STAFF TO EVALUATE SF-3 DISTRICT ZONING WITH A CO TO PROHIBIT DUPLEX USES. [M. HAWTHORNE, T. RABAGO 2ND] (7-0) S. HALE, J. GOHIL – ABSENT

July 18, 2006: *APPROVED SF-2-CO FOR TRACT 1 (14.5 ACRES); SF-4A-CO FOR TRACT 2 (12.5 ACRES). ON TRACT 1 - THE CO ESTABLISHES A MINIMUM 150' BUILDING SETBACK ALONG THE NORTH PROPERTY LINE; A 100' BUILDING SETBACK ALONG THE WEST PROPERTY LINE WITH A 25' UNDISTURBED VEGETATIVE BUFFER ADJACENT TO A SINGLE-FAMILY RESIDENTIAL USE; A 120' BUILDING SETBACK ALONG THE SOUTHEAST PROPERTY LINE AND A 1,500 DAILY TRIP LIMIT ACROSS BOTH TRACTS 1 AND 2. [M. HAWTHORNE, T. RABAGO 2ND] (6-0) B. BAKER, J. MARTINEZ, J. GOHIL – ABSENT*

ISSUES:

The Villages of Shady Hollow Homeowners Association has submitted a resolution opposing the extension of Yandall Drive through the rezoning area. Please refer to correspondence attached at the very back of the packet.

The Applicant's agent has met with representatives of the surrounding neighborhoods twice since the June 20th ZAP meeting.

SF-3 district zoning for the purpose of building single family residences would increase the minimum lot size, lot width and setbacks and reduce the allowable building coverage, impervious cover and density (please refer to table below). The maximum height is 35 feet for both SF-4A and SF-3 zonings. Applying a 1,500 vehicle trip limit would result in a maximum of 157 single family residences under both SF-4A and SF-3 zonings. The Applicant's proposed 82 single family residences would result in 783 vehicle trips per day.

	SF-4A ZONING	SF-3 ZONING
Minimum lot size	3,600 square feet	5,750 square feet
Minimum lot width	40 feet	50 feet
Minimum setbacks	15 feet – front 10 feet – street side 3 ½ feet – interior side 5 feet – rear yard	25 feet – front 15 feet – street side 5 feet – interior side 10 feet – rear yard
Maximum building coverage	55%	40%
Maximum impervious cover	65%	45%
Maximum dwelling units per acre	12.4 units per acre	7 units per acre

DEPARTMENT COMMENTS:

The subject property is undeveloped, zoned interim – rural residence (I-RR, upon its annexation into the City limits) and is accessed by way of Yandall Drive along the northwest property line (serving the Southland Oaks subdivision, zoned SF-1), Charles Daniels Drive along the southeast property line and another connector street along the northwest property line (both serving the Olympic Heights subdivision, zoned I-SF-4A). Another section of Southland Oaks is adjacent to the southwest (predominantly SF-2) and the remainder of the Owner's property is to the south (I-RR). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant requests single family residence small lot (SF-4A) district zoning in order to develop an additional section of Olympic Heights. As shown in the conceptual plan provided as Exhibit B, 82 single family residential lots are proposed along with street connections to the Southland Oaks and Olympic Heights subdivisions. Staff is recommending SF-4A zoning as it is compatible use and zoning with the surrounding residential subdivisions. Furthermore, the street connections will allow access to Brodie Lane (further west) and Manchaca Road (further east) without having to access these streets by way of Frate Barker Road.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	SF-1; RR	Single family residences within the Southland Oaks Section 5 subdivision; Pond
<i>South</i>	County	Undeveloped
<i>East</i>	I-SF-4A	Single family residences within the Hillcrest Phase 2 and the Olympic Heights Section 2 subdivisions
<i>West</i>	SF-1; RR; SF-2; SF-4A	Single family residences within the Southland Oaks Section 4 subdivision; Stormwater facility; AISD Elementary School

AREA STUDY: N/A**TIA:** Is not required

WATERSHED: Slaughter Creek – Barton Springs Zone; Bear Creek **DESIRED DEVELOPMENT ZONE:** No – within Slaughter Creek watershed; Yes – within the Bear Creek watershed

CAPITOL VIEW CORRIDOR: No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

217 – Tanglewood Forest Neighborhood Association
 384 – Save Barton Creek Association 385 – Barton Springs Coalition
 428 – Barton Springs / Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 943 – Save Our Springs Alliance 959 – Villages Neighborhood Association
 962 – The Villages of Shady Hollow HOA

SCHOOLS:

Baranoff Elementary School Bailey Middle School Bowie High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0064 – Stanfield Estates	I-RR to NO	To Grant SF-2	Approved SF-2 (8-29-02).
C14-00-2073 – Pickard Tract, et al.	Unzoned to SF-2; SF-3; MF-2	Expired	Not Applicable

RELATED CASES:

The property was annexed into the City limits on December 26, 2001.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Yandall Drive	60 feet	40 feet	Collector	No	No	Yes
Charles Daniels Drive	50 feet	Not yet completed	Local	Not Applicable	Not Applicable	Not Applicable

CITY COUNCIL DATE: August 31, 2006**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us**PHONE:** 974-7719

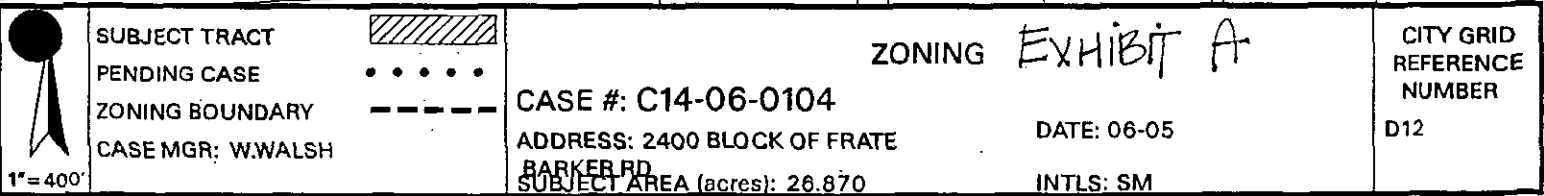
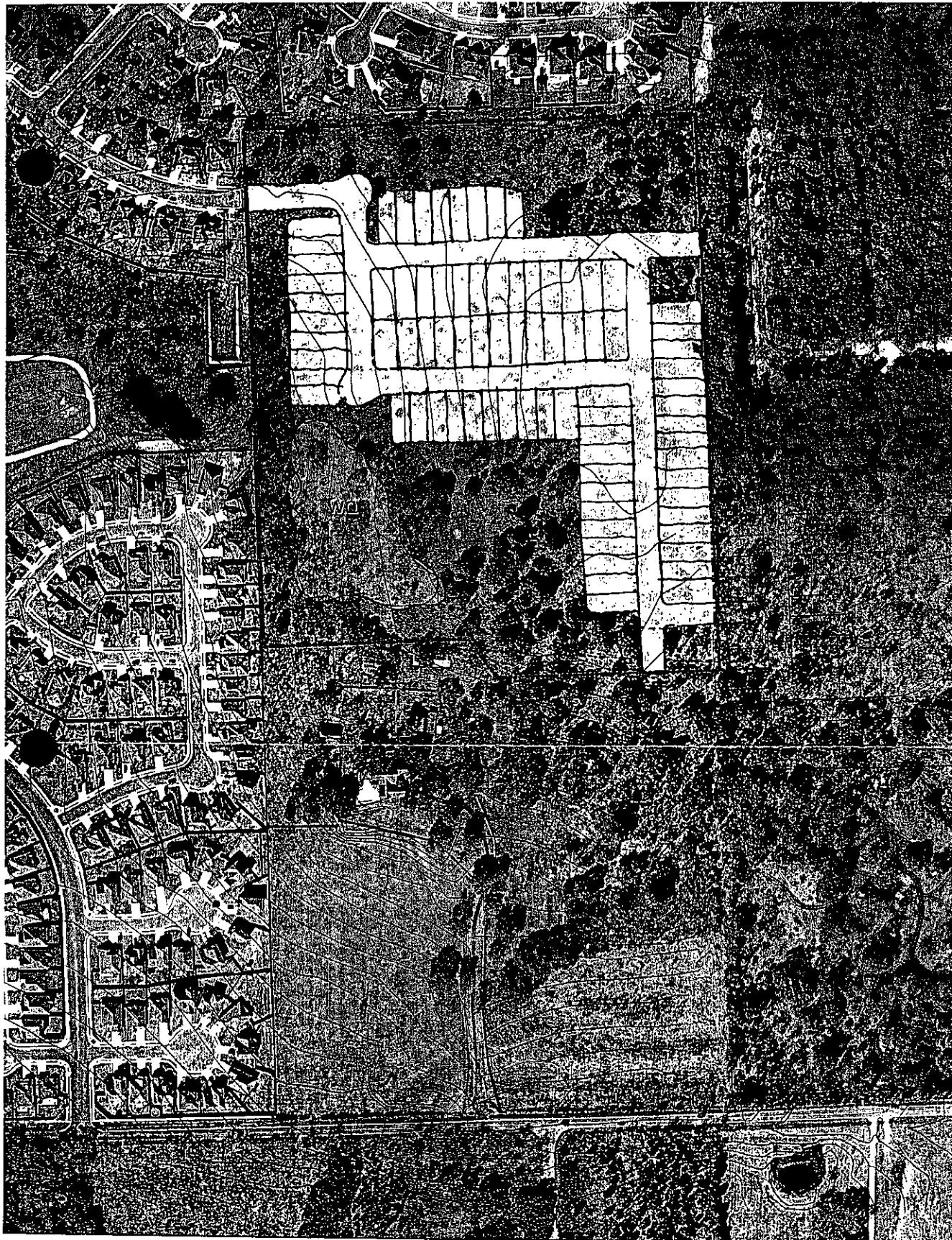




EXHIBIT A-1



DRAFT - SUBJECT TO CHANGE



Scale 1" = 200'
August 30, 2005



Olympic Heights Addition Conceptual Plan

Impervious Cover Calculations

26.87 Acres of Net Site Area x 25% allowable
impervious cover = 6.72 Ac. max impervious cover

Length of streets 2870 LF. x 30' assumed width =
1.98 Acres impervious cover

82 (40' x 110') Lots x 2500 SF. assumed impervious
cover (COA) = 4.71 impervious cover

1.98 Ac. + 4.71 Ac. = 6.62 Ac. impervious cover
6.62 Ac. is LESS than 6.72 Ac. max impervious cover allowed

EXHIBIT B
APPLICANT'S
CONCEPTUAL
PLAN

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant single family residence small lot – conditional overlay (SF-4A-CO) combining district zoning. The Conditional Overlay limits the number of vehicle trips to less than 2,000 per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The single family residence small lot (SF-4A) district is intended as an area for moderate density single-family residential use, with a minimum lot size of 3,600 square feet. In appropriate locations, small lot single-family use is permitted under standards that maintain single-family neighborhood characteristics.

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

Staff is recommending SF-4A zoning as it is compatible use and zoning with the surrounding residential subdivisions. Furthermore, the street connections will allow access to Brodie Lane (further west) and Manchaca Road (further east) without having to access these streets by way of Frate Barker Road.

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped and there appear to be no significant topographical constraints on the site.

Impervious Cover

Within the Slaughter Creek watershed, the maximum impervious cover allowed by the SF-4A district is limited to 25 percent, based on the more restrictive watershed regulations described below. Within the Bear Creek watershed, the maximum impervious cover allowed by the SF-4A zoning district would be 55%, also based on the more restrictive watershed regulations.

Environmental

PLEASE NOTE THAT THE PROPOSED ZONING CASE IS LOCATED IN TWO WATERSHEDS ACCORDING TO THE CITY'S GIS MAP. THE NORTHEAST AREA OF THE SITE IS LOCATED IN THE SLAUGHTER CREEK WATERSHED, WHICH IS CLASSIFIED AS BARTON SPRINGS ZONE. THE REMAINDER OF THE SITE IS LOCATED IN THE BEAR CREEK WATERSHED, WHICH IS CLASSIFIED AS

SUBURBAN. FURTHER INFORMATION CAN BE SUBMITTED TO CONFIRM THE WATERSHED BOUNDARIES.

FOR THE AREA LOCATED IN THE BARTON SPRINGS ZONE, THE FOLLOWING COMMENTS APPLY:

This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which 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 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. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

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 regulations.

Transportation

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

The trip generation under the requested zoning is estimated to be 3,409 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 and each lot with City water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, system upgrades, and offsite main extension. Also, 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 and applicable City fees.

Compatibility Standards

The requested zoning does not trigger the application of compatibility standards.

Date June 18, 2006

To: Zoning and Platting Commission
C/O Wendy Walsh
City of Austin

From: Mark Rollins – Adjacent Homeowner
2640 Yandall Drive
Austin, Texas 78748

Subject: Case C14-06-0104 Olympic Heights West

Dear Zoning and Platting Commission,

Per the letter that I received from your office concerning the above case of rezoning the adjacent parcel of land from RR to SF-4A, I would like to propose a compromise based on the following statements:

I understand that the adjacent land will be developed and that Yandall Drive will be extended into the new development. I believe this is a normal process of living next to undeveloped land. However, the landowner and builder are requesting rezoning for the smallest lot size available of SF-4A next to an existing community of SF-1 and SF-2 lots known as the Villages of Shady Hollow. The builder is currently building homes less than two blocks away called Shady Hollow at Bauerle with SF-2 lot sizes. The builder has stated he will not connect the subdivision Olympic Heights (SF-4A) to Shady Hollow at Bauerle (SF-2) because it will reduce the property values of his more expensive subdivision. However, this same builder has no problem connecting Olympic Heights to our existing Villages of Shady Hollow subdivision.

Connecting Yandall Drive will add the potential for 800 homes with an estimated 300 homes actually using Yandall Drive through the existing neighborhood of Shady Hollow to reach Brodie Lane. Part of this estimation is based on the expected redistricting of the school district to allow access for Olympic Height's children to attend Barinoff Elementary School.

Compromise 1: If the builder must have SF-4A lot sizes, then the landowner Dr. Martin should agree to sell his front parcel of land to allow access to the property from Frate Barker Road and not connect the two communities together using Yandall Drive.

Compromise 2: If the builder and landowner can compromise on SF-2 lot sizes to develop houses of similar value, connect the two communities together using Yandall Drive.

Sincerely,
Mark Rollins

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.

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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:

www.ci.austin.tx.us/development

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: C14-06-0104

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

June 20, 2006 Zoning and Platting Commission

DIANE WILLIAMS

Your Name (please print)

2517 Niemann Drive Austin 78748

Your address(es) affected by this application

Diane Williams

Signature

Date

Comments: The smaller lot size promotes much cheaper homes which devalue our property. Adding the larger amount of homes by making smaller lots increases our traffic on Brodie Lane substantially. The Travis Co. Commissioners' court is already considering closing Brodie Lane at 16th because of tremendous amount of traffic. Thank you.

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



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Case Number: C14-06-0104

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

June 20, 2006 Zoning and Platting Commission

MARK ROLLINS

Your Name (please print)

2640 YANDALL DR. AUSTIN, TX

Your address(es) affected by this application

78748

Mark Rollins

Signature

6/13/06

Date



Comments:

1. Rezoning SF-4A next to my house with SF-1 will greatly reduce my property value. Recommend SF-2 similar to our neighborhood.

2. Opening Yandall Dr. to Olympic Heights will connect 800+ homes that will use our street to get to Bradie Lane. (SAFETY ISSUE FOR OUR CHILDREN)

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

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Case Number: C14-06-0104

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

June 20, 2006 Zoning and Platting Commission

Ken & Mona Hale

Your Name (please print)

2608 Niemann Dr.

Your address(es) affected by this application

Ken & Mona Hale 6/15/06

Signature

Date

Comments: We are not in favor of the zoning change for case # C14-06-0104. The change in zoning would add to several problems that already exist. The area schools are over crowded, our roads can not handle the additional vehicles & the aquifer would suffer.

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



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Case Number: C14-06-0104

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

June 20, 2006 Zoning and Platting Commission



Pamela Webb

Your Name (please print)

11602 Bruce Jenner Lane

Your address(es) affected by this application

[Signature]

Signature

6/15/06

Date

Comments:

Please Please Please

don't let them turn the land
into tiny jobs for millions of
hours. Please!!

1 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

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Case Number: C14-06-0104

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

June 20, 2006 Zoning and Platting Commission

Jeff Shinn

Your Name (please print)

2601 Dupree Circle

Your address(es) affected by this application

6/14/06

Signature

Date

Comments: The proposed builder, DR Horton

HAS NOT TWICE WITH OUR HOA. THEIR REPRESENTATIVES WERE VERY RECEPTIVE TO OUR CONCERNS AND PROPOSED A DEVELOPMENT WITH ABOUT 150 FEET OF GREEN BELT BEHIND OUR HOUSE. MY MAIN CONCERN (AS WELL AS MY NEIGHBORS) IS THE EXTENSION OF YARWALL ROAD. THIS EXTENSION LINKS SE 1/2 HOMES INTO A SF4 NEIGHBORHOOD AND INCREASES TRAFFIC ONTO BRIDGE THRU OUR NEIGHBORHOOD. IT WOULD BE PROUD TO NOT EXTEND YARWALL, KEEP THE NEIGHBORHOODS SEPARATE, AND NOT INCREASE TRAFFIC NEAR OUR SCHOOL. DARA NOFF,



PUBLIC HEARING INFORMATION

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Case Number: C14-06-0104

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

June 20, 2006 Zoning and Platting Commission

Adam Thorarley
Your Name (please print)

11620 Bruce Jensen Ln Austin, TX 78748

Your address(es) affected by this application

Adam Thorarley
Signature

6-17-2006
Date

Comments:

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



Item: Zoning Item 18: C14-06-0104

As a homeowner within the Villages of Shady Hollow:

1. I am not in favor of the staff recommendation of SF-4A-CO for the proposed Olympic Heights subdivision; and
2. I am not in favor of the Yandall Drive extension from the proposed subdivision into the Villages of Shady Hollow.

Name	Signature	Address
ANTHONY MARGALINDO	[Signature]	3117 YANDALL DR AUSTIN TX
MOLLY HUNT	[Signature]	3100 Yandall Dr. Austin TX
LISA WHITNEY	[Signature]	3013 Yandall Dr. Austin TX
WAYNE HEARN	[Signature]	2910 YANDALL DR. Austin TX
Mark Fairchild	[Signature]	2825 Yandall Dr. Austin TX 78748
Cindy Amezcua Fairchild	[Signature]	2825 Yandall Dr. Austin TX 78748
Julie Buchaya	[Signature]	2821 Yandall Dr. Austin 78748
LEO PICKOFF	[Signature]	2811 YANDALL DR
Leah Salinas	[Signature]	11806 Sarducci Ln -
MICHAEL FERRIS	[Signature]	11801 SARDUCCI LN.
Joe Gonzalez	[Signature]	2705 Yandall Dr Austin 78748
GENE KASE	[Signature]	2659 YANDALL DR AUSTIN 78748
SHANE RODRIGUEZ	[Signature]	2647 YANDALL DR 78748
Barbara Young	[Signature]	2605 Dupree Cr 78748
JULIE SHERMAN	[Signature]	2646 Yandall Dr. 78748
JARRETT SHERMAN	[Signature]	same as above
Viviana Young	[Signature]	2605 Dupree Cr 78748
Don Kobdich	[Signature]	2706 Yandall Dr 78748
Joe Stewart	[Signature]	2722 Yandall Dr 78748
Cherie Stewart	[Signature]	2722 Yandall Drive 78748
Melanie Pina	[Signature]	11713 Sarducci Lane 78748
LIVAN VICKERY	[Signature]	11709 Sarducci Lane
Bahija D. Nasser	[Signature]	11701 Sarducci Lane
Larry Gawlik	[Signature]	11611 Sarducci Ln
Jennifer Bustos-Casey	[Signature]	11607 Sarducci Ln. 78748
ALAN DIAZ	[Signature]	11613 ARBOR DOWNS Rd
Mary Joy Guzman	[Signature]	11620 Arbor Downs 78748
Sharon Sweet	[Signature]	11624 Arbor Down 78748
Charles E. Sweet	[Signature]	11624 Arbor Downs 78748
Andrew McGrath	[Signature]	11625 Arbor Downs Rd 78748
Sachi S.	[Signature]	11629 Arbor Downs rd 78748
Eric Wills	[Signature]	11712 Arbor Downs Rd 78748
James E. Ward	[Signature]	2938 Windcliff Way 78748
Cindy Myers	[Signature]	2930 Windcliff Way 78748

Item: Zoning Item 18: C14-06-0104

As a homeowner within the Villages of Shady Hollow:

1. I am not in favor of the staff recommendation of SF-4A-CO for the proposed Olympic Heights subdivision; and
2. I am not in favor of the Yandall Drive extension from the proposed subdivision into the Villages of Shady Hollow.

Name	Signature	Address
Burgess Bellar	Burgess Bellar	11804 Garbrough Dr.
Sarah E. Bunn	Sarah E. Bunn	2918 Windcliff Way
Gert Keiper	Gert Keiper	2915 Windcliff Way
Barbara Weisberg	Barbara Weisberg	2931 Windcliff Way
Allen Tarpson	Allen Tarpson	2931 Windcliff Way
ANDREW ROSSMAN	Andrew Rossman	2923 Windcliff Way
Nancy Kimmel	Nancy Kimmel	2939 Windcliff Way
Kod Kimmel	Kod Kimmel	2939 Windcliff Way
MAZIAN REYNER	Mazian Reyner	11800 Arbor Downs Rd.
Bill Cameron	Bill Cameron	11806 Arbor Downs Rd.
Stephanie Loh	Stephanie Loh	3001 Yandall
Sean Weaver	Sean Weaver	3001 Yandall
Ellen Gutierrez	Ellen Gutierrez	3001 Yandall
Kelly Seiter	Kelly Seiter	3005 Yandall Dr.
Greg Seiter	Greg Seiter	3005 Yandall Dr.
Charles Foreman	Charles Foreman	12015 Tarpbrough Dr.
SCOTT WALKER	Scott Walker	7174 Montwood Trl.
Josely Pinks	Josely Pinks	3113 Yandall Dr.
Paula Trusdale	Paula Trusdale	3004 Sussex Gardens Ln.
PAUL TRUSDALE	Paul Trusdale	3004 SUSSEX GARDENS LN
Jane Jaime Silva	Jane Jaime Silva	3008 Sussex Gardens Ln.
John Hunter	John Hunter	3017 Sussex Gardens Ln.
CHRIS LYNCH	Chris Lynch	3013 SUSSEX GARDENS LN.
David Temple	David Temple	3012 Sussex Gardens Ln.
Wendy Temple	Wendy Temple	3012 Sussex Gardens Ln.
Tyler Steinborger	Tyler Steinborger	3009 Sussex Gardens Ln.
Jim Gausling	Jim Gausling	3016 SUSSEX GARDENS LN
MAREN GRAVES	Maren Graves	8916 ALSATIA RD.
Jackie Smith	Jackie Smith	3005 Sussex Gardens Ln.
Adelmir S. Garcia	Adelmir S. Garcia	2932 Warwick Way
VICTOR M. GARCIA	Victor M. Garcia	2932 WARWICK Way
JERRY GIFFORDS	Jerry Giffords	2961 Sussex Garden Ln.
ROBERT M. QUAR	Robert M. Quar	2953 SUSSEX GARDENS LN
Maren McQuade	Maren McQuade	2953 SUSSEX Gardens Ln

As a homeowner within the Villages of Shady Hollow:

Walsh, Wendy

From: Nias, Jim [jnias@jw.com]
Sent: Friday, July 14, 2006 9:37 AM
To: bbaker@austintexas.org; chammond1@austin.rr.com; jay@jaygohilrealty.com; info@swiconsulting.com; apsinc@bga.com; kbjackson@pbsj.com; josephmartinez@yahoo.com; pinnelli@flash.net; trabago@austin.rr.com
Cc: Walsh, Wendy; Dale Thornton; Garrett S Martin; Sean Compton; Katherine Avalos; Brent Jones; Taylor, Tim
Subject: Zoning case C14-06-0104; Olympic Heights West
Attachments: 06-07-13 land_use_plan.pdf; 06-07-13 new_schemes.pdf; 06-07-12 Water Quality Pond Area.pdf

Honorable Commissioners: I represent the applicant in the above referenced zoning case which will re-appear on your agenda of July 18, 2006. The case was first heard last month, but no decision was made and the matter was continued to the July 18 agenda, with the public hearing being left open.

We have met with neighborhood representatives twice since last month. We believe we have addressed most of their concerns and hope that our revised proposals will also be acceptable to the Commission.

These are the main issues:

(1) **ZONING CLASSIFICATION.** The original rezoning application requested SF4-A (single family residence district small lot) for the entire approximately 27 acre site. That zoning classification was requested because Olympic Heights West is envisioned as the continuation of the existing Olympic Heights subdivision which is directly adjacent to the east of this property, and which is an SF4 subdivision. Both areas have the same developer (D.R. Horton, America's Builder) and it is intended that they comprise a unified neighborhood with a common homeowners' association and common amenities. Even though approval of this rezoning was recommended by the City staff, some people in the neighborhood, as well as some members of the Commission, expressed concern about the seemingly abrupt change between the predominately SF-2 and SF-1 zoning classifications in the neighborhoods to the north and west of the subject property and an SF4-A classification for this tract.

Our current zoning proposal, which is reflected in the first of the attachments to this email, hopefully addresses those concerns by providing an appropriate transition into the SF4 area. We are proposing that approximately 12.5 acres of this 27 acre tract be zoned SF-2. As you can see, the SF4 portion of the subject tract would be enveloped on three sides by SF2 zoning, with the fourth side abutting the SF4 zoning in the existing Olympic Heights. The lots along the most northerly and westerly perimeter of our proposed lot layout fall within the SF2 zoning area and have of course been increased in size to SF2 dimensions.

(2) **YANDALL DRIVE---TO EXTEND OR NOT TO EXTEND.** A number of people in the adjacent neighborhoods would prefer that Yandall Drive not be extended through to connect to the existing portion of Yandall Drive in the subdivision to our west. Some others in the vicinity feel differently about it. Staff recommends the extension, as would ordinarily be required by Code during the subdivision process. The Commission was obviously split on the issue, judging by the comments from the dais at last month's hearing.

The second attachment to this email contains two (2) options, being "Option A" which shows Yandall Drive being extended to create the connection and "Option B" which shows it ending in a cul-de-sac on our tract. The lot layout is the same in either option. We expect this to be the main subject of comment by area residents at the upcoming hearing. As we said at last month's hearing, the applicant will live with it either way, so we defer to the Commission on whether to recommend a conditional overlay prohibiting the extension of Yandall Drive.

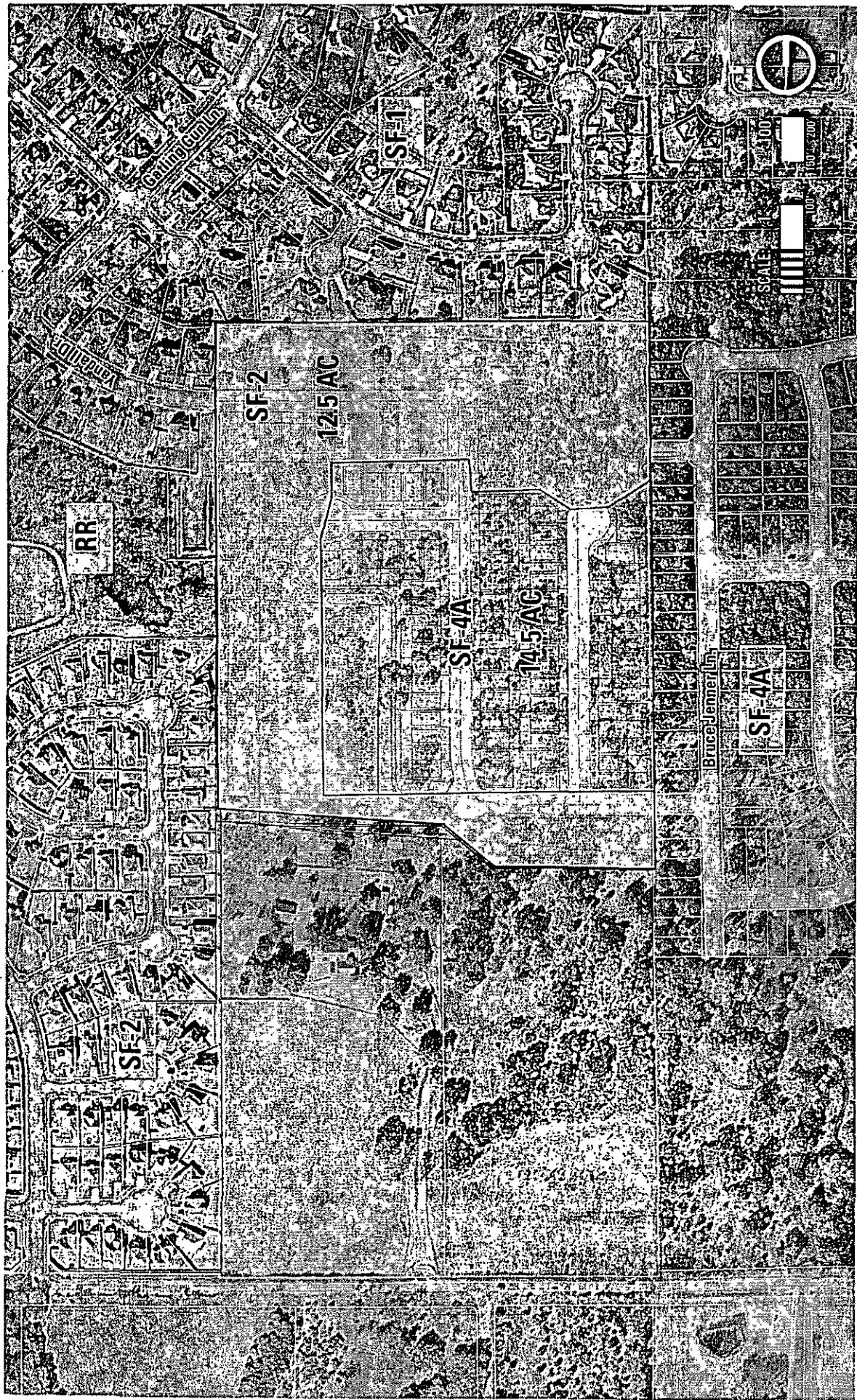
(3) **BUFFERS.** As the second attachment to this email shows, our proposed lot layout leaves substantial distances between our lots and those in the subdivisions to the north and west. Our lots directly abut only the lots in the existing Olympic Heights to the east, which as mentioned above is our sister development. The land is also

heavily vegetated and contains many large trees, which we are doing our best to preserve. This is an aspect of the development which everyone seems to like and which is made possible by concentrating the smaller SF4 lots in the center of the tract. There will need to be a water quality pond area which is somewhat closer to some of the lots in the subdivision which is adjacent to our western boundary. As the third attachment to this email reflects, however, the existing vegetation and trees along that boundary provide a visual buffer from the water quality area. Moreover, the existence of the water quality pond area itself means that there are several hundred feet of distance between any lots in our subdivision and the back yards of those neighbors.

I would be glad to address any questions which you may have, either at the hearing next Tuesday or beforehand.

Jim Nias
Jackson Walker LLP
100 Congress Ave., Suite 1100
Austin, TX 78701
512-236-2350

7/14/2006



LAND USE MASTER PLAN

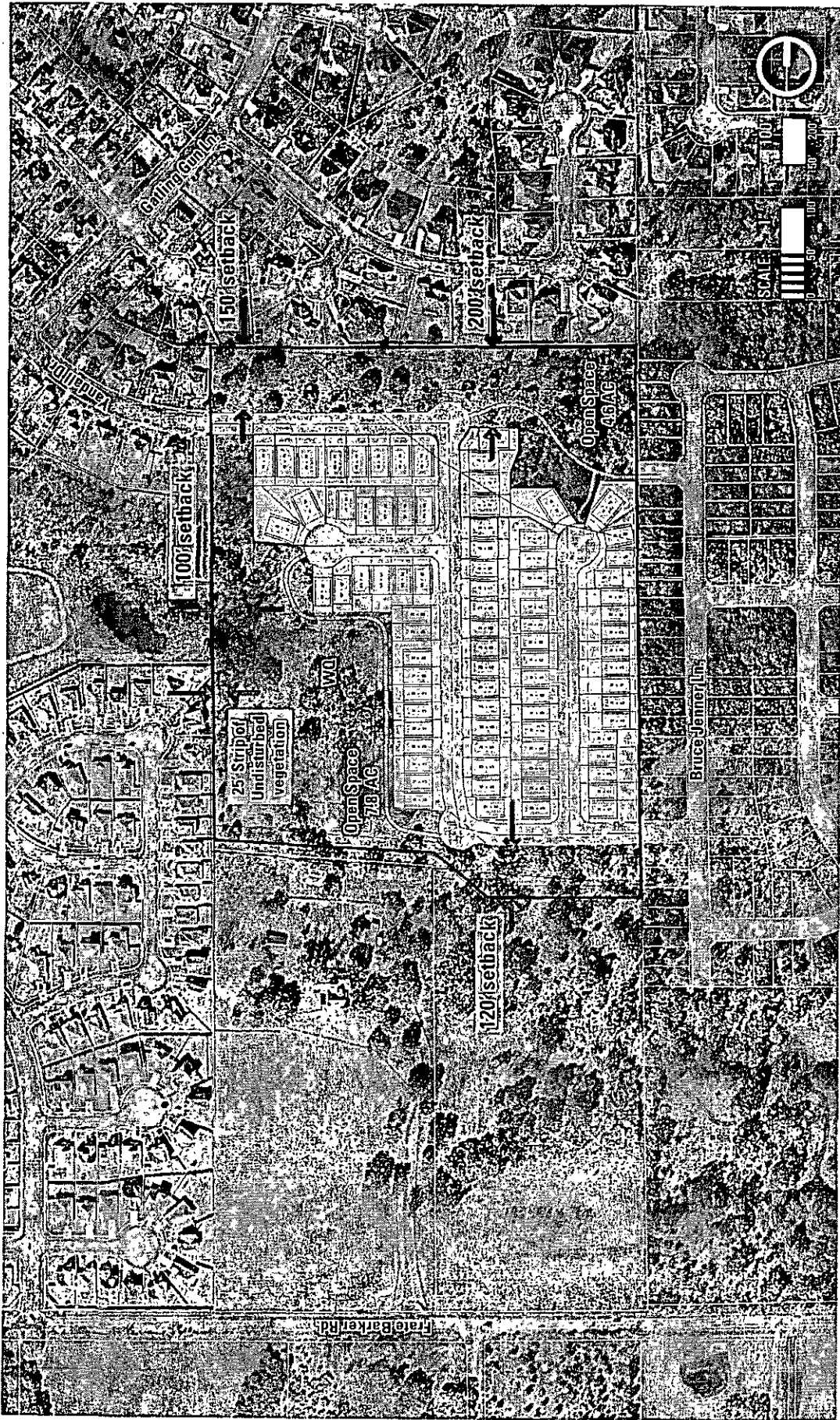
DR HORTON

OLYMPIC HEIGHTS

07.12.06

T.B.G.

PARTIAL



OPTION A

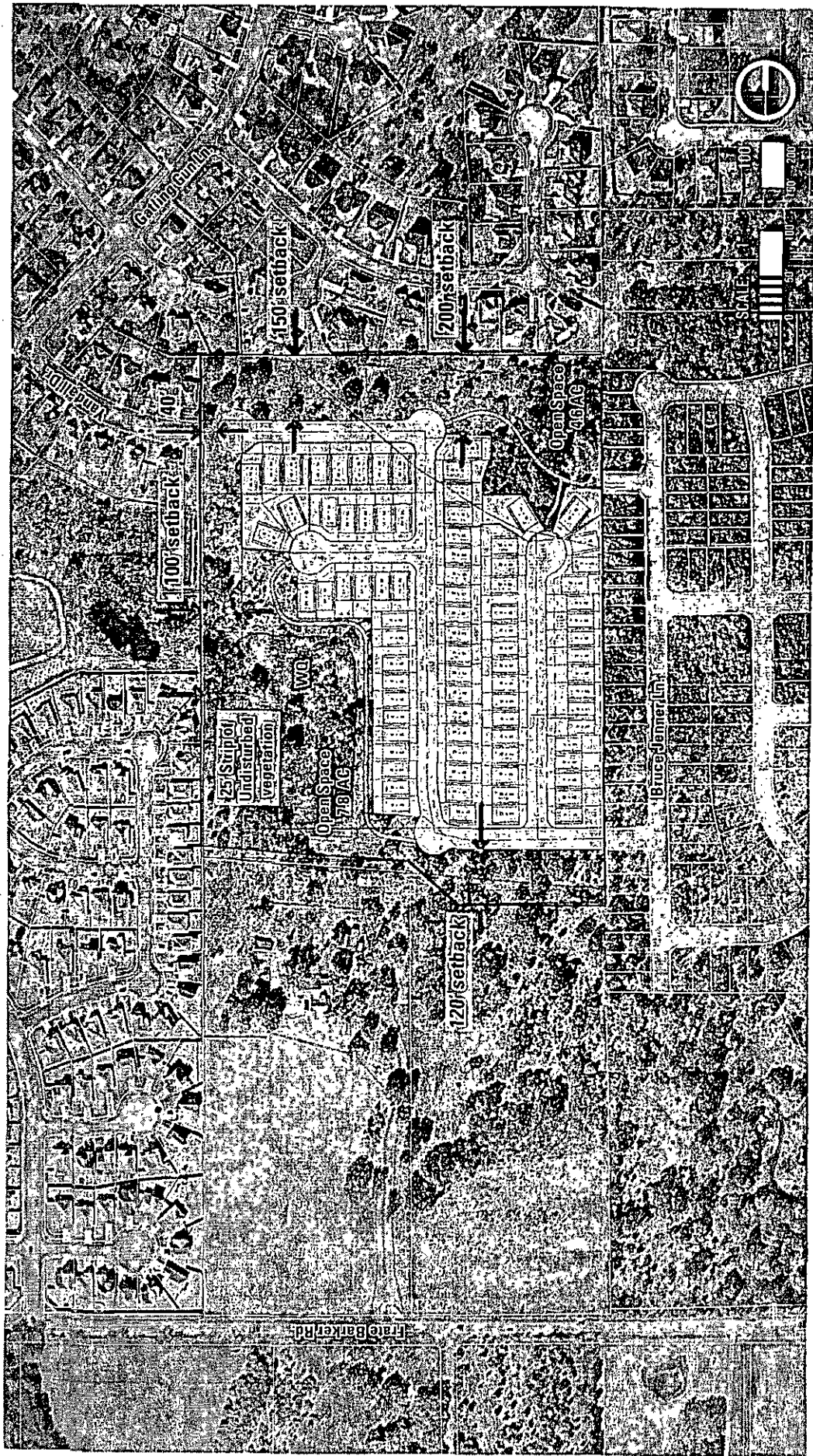
DR HORTON

OLYMPIC HEIGHTS

07.13.06

T.B.G.

FASTREED



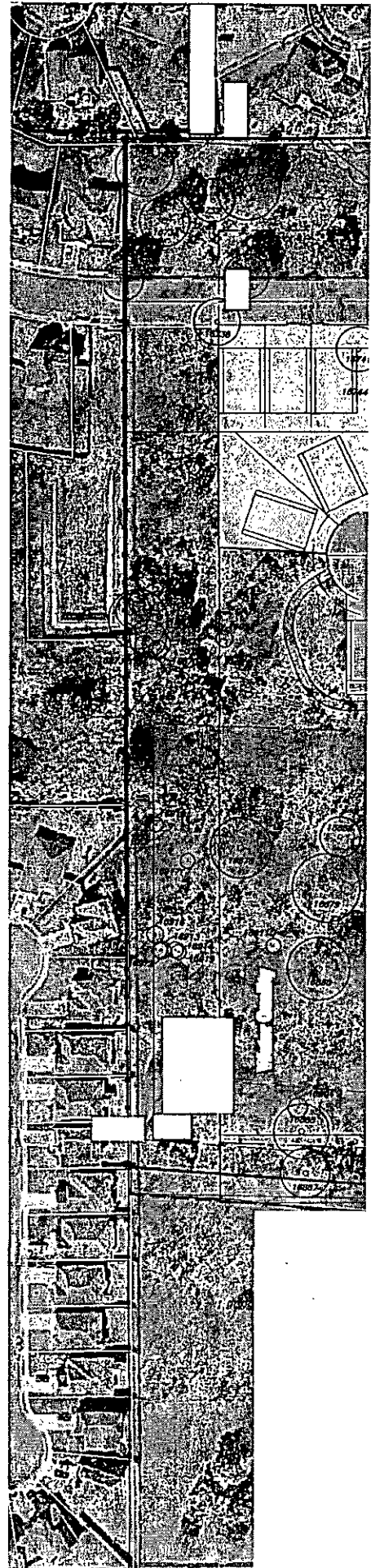
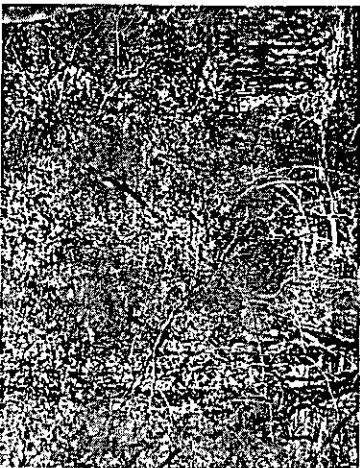
OPTION B

DR. HORTON

OLYMPIC HEIGHTS

07/13/06

TB G



Villages of Shady Hollow
Homeowners Association
Resolution No. 2

WHEREAS, the Villages of Shady Hollow Homeowners Association (HOA) is a community of 600 homes representing approximately 1,200 constituents within southern Travis County, Texas, and

WHEREAS, the Villages of Shady Hollow HOA is a community within the city limits of Austin, Texas, and

WHEREAS, the Villages of Shady Hollow HOA Board of Directors convened at a Monthly Meeting on June 27, 2006 at 6:30 pm, and

WHEREAS, the Villages of Shady Hollow HOA Board conducted an electronic poll to weigh public opinion in the neighborhood on the extension of Yandall Drive to the proposed DR Horton development, Olympic Heights, resulted in a clear majority of homeowners voting to keep Yandall Drive closed, and

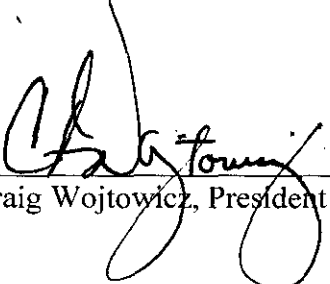
WHEREAS, Yandall Drive intersects Gatling Gun near Baranoff Elementary School, and

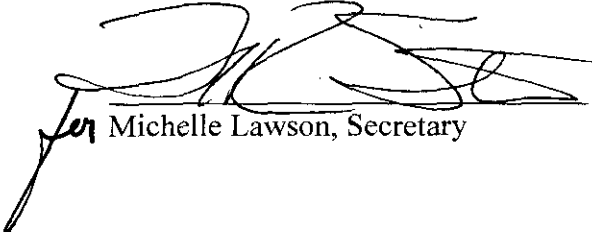
WHEREAS, Yandall Drive could become a major thoroughfare to access Brodie Lane, and increase traffic and congestion near the Elementary School, therefore be it

RESOLVED, that the Villages of Shady Hollow HOA oppose any opening or connectivity of Yandall Drive to the new development, and, furthermore be it

RESOLVED, that an official copy of this resolution be prepared for the Neighborhood Planning and Zoning Committee as an expression of public opinion.

I certify that this Resolution No. 2 was adopted by the Board of Directors of the Villages of Shady Hollow HOA on July 17, 2006


Craig Wojtowicz, President


Michelle Lawson, Secretary

- 10. Rezoning:** **C14-06-0029 - 620 North**
Location: 15400 - 15402 North FM 620, Lake Creek Watershed
Owner/Applicant: Ali Bahrami
Postponements: Continued on 4/18/06 (ZAP); Postponed on 6/6/06 (applicant)
Request: I-RR; DR to CS
Staff Rec.: **Recommendation of LR-CO**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning Department

POSTPONED TO 08/15/06 (APPLICANT)

[M.HAWTHORNE, C.HAMMOND 2ND] (6-0) B.BAKER, J.MARTINEZ, J.GOHIL - ABSENT

- 11. Rezoning:** **C14-06-0076 - Stonegate Pharmacy**
Location: 2501 West William Cannon Drive, Williamson Creek Watershed
Owner/Applicant: A-K-C 48 William Cannon, L.P. (John Cummings)
Agent: Brown McCarroll, L.L.P. (Nikelle S. Meade)
Postponements: Postponed on 5/16/06 (applicant); Postponed on 6/6/06 (applicant)
Request: LO-CO to LR-CO
Staff Rec.: **Recommended**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning Department

POSTPONED TO 09/19/06 (STAFF)

[M.HAWTHORNE, C.HAMMOND 2ND] (6-0)

- 12. Zoning:** **C14-06-0104 - Olympic Heights West**
Location: East terminus of Yandall Drive (2400 Block of Frate Barker Road), Slaughter Creek - Barton Springs Zone; Bear Creek Watershed
Owner/Applicant: Truman F. Martin and Joyce A. Martin
Agent: Jackson Walker LLP (Jim Nias)
Postponements: Continued on 6/20/06 (ZAP) Public hearing remained open.
Request: I-RR to SF-4A
Staff Rec.: **Recommendation of SF-4A-CO**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning Department

APPROVED SF-2-CO FOR TRACT 1 (14.5 ACRES); SF-4A-CO FOR TRACT 2 (12.5 ACRES). ON TRACT 1 - THE CO ESTABLISHES A MINIMUM 150' BUILDING SETBACK ALONG THE NORTH PROPERTY LINE; A 100' BUILDING SETBACK ALONG THE WEST PROPERTY LINE WITH A 25' UNDISTURBED VEGETATIVE BUFFER ADJACENT TO A SINGLE-FAMILY RESIDENTIAL USE; A 120' BUILDING SETBACK ALONG THE SOUTHEAST PROPERTY LINE AND A 1,500 DAILY TRIP LIMIT ACROSS BOTH TRACTS 1 AND 2.

[M.HAWTHORNE, T.RABAGO 2ND] (6-0) B.BAKER, J.MARTINEZ, J.GOHIL - ABSENT

SUMMARYJune 20, 2006 (Postponement)

Wendy Walsh, Staff, gave presentation to the commission

Mr. Nias, Applicant, gave his presentation to the commission.

FAVOR

No Speakers.

OPPOSITION

Joseph Duarte – I have a petition signed by some of my neighbors that are most affected. We would ask for a variance to not extend access on Yandall into the existing development, due to traffic concerns. The developer is working with us to try to meet our needs as far as buffer zones and lot locations.

Commissioner Baker – How will children or traffic get out of here if they don't extend Yandall?

Mr. Duarte, resident – They have existing access via the two routes on the east that go to Manchaca and Frate Barker.

Commissioner Baker – Give the petition to Staff, thank you.

Mike Meyers, resident – We have been working with the developer and discussing issues that concern the neighbors. The big concern is traffic flow; we prefer SF-2 or SF-1 housing, but we understand the SF-4 housing.

REBUTTAL

Mr. Nias – As to a different classification as in SF-2 or SF-1, I think the trade-off is the buffers. What we're trying to do is concentrate the lots towards the existing Olympic Heights and leave areas open that can serve as buffers, rather than having bigger lots, which back up to the existing people to the west and the north; that was the whole idea. We're trying to integrate this with the existing Olympic Heights. We think the Staff recommendation is excellent and would ask you to adopt that recommendation. I'll leave the Yandall access issue in your hands.

Commissioner Baker – Will SF-3 zoning work for you?

Mr. Nias – SF-3 will permit duplexes.

Commissioner Baker – We'll prohibit duplexes.

There was discussion regarding the lot sizes and buffers.

Commissioner Rabago expressed concern regarding the traffic access going to the school.

Commissioner Jackson and Hawthorne moved to close the public hearing.

Commissioner Baker – There may be a valid petition before this gets to Council, it could be valid as far as numbers, but not technically.

Commissioner Jackson – I'll make a motion to approve SF-4A-CO district zoning with the CO to require a 100' undisturbed buffer along the north and west property lines. Require the planting of native, class I trees; minimum 3-inch caliper, spaced 40' on center along the north west property lines; and 1,500 trips per day.

Commissioner Baker – Second

Motion failed with a vote of (3-4).

Commissioner Hawthorne – I'll make another motion to continue the public hearing to 7/18/06; Staff to evaluate SF-3 district zoning with a CO to prohibit duplex uses.

Commissioner Rabago – Second.

Motion carried. (7-0)

July 18, 2006 (Action)

Wendy Walsh, Staff, gave Staff presentation for this case.

Commissioner Hammond – Is there a valid petition?

Ms. Walsh – There is a petition, however, because it is interim zoned property right now; it is only a statement of opposition; but it does not constitute a valid petition because this property is only zoned for interim purposes.

Jim Nias, representing the Applicant – The Owners want to sell the back 27 acres of their 50-acre tract for development. The developer will be D.R. Horton, which is the same developer of the existing Olympic Heights subdivision directly to the east, that's why this one is called Olympic Heights West. After working with the neighborhood group, I think we have a plan that they support. We are proposing to zone about 14 ½ acres of the 27-acres to SF-2, which provides a much better transition between the neighborhoods to the north and west, while leaving the remaining acreage for SF-4 adjacent to the existing Olympic Heights subdivision. This is about 3 units to the acre; we hope to keep the impervious cover under 40%. There is two options, A & B; and the neighborhood seems to support option B. [Mr. Nias showed both options on the screen]

Commissioner Rabago asked for clarification on the cul-de-sacs.

Mr. Nias – The neighborhood would prefer that Yandall Drive not be extended through to the adjoining subdivision; they prefer that it is cul-de-sac on our property so that there's no access between them.

Commissioner Jackson – But this is a zoning, not a preliminary plat, so street connections are a preliminary plat issue.

FAVOR

Craig Wojtowez, President of the Villages of Shady Hollow Homeowner's Association – Stated that they have worked with the applicant and speaks in favor of the project. Mr. Wojtowez stated that he supports the cul-de-sac and doesn't want access to go through. He supports Plan B.

Commissioner Hammond – What would be the route that school children would take to get to school?

Mr. Wojtowez – The entrance to the school is on Gaitlin Gun; but the children that are in Olympic Heights, go to Menchaca Elementary.

Commissioner Hawthorne – Does Yandall Drive and Gaitlin Gun have sidewalks on it?

Mr. Wojtowez – Yes it does.

Joseph Duarte, resident – Spoke in favor of the project. I urge the Commission to pass the zoning with a conditional overlay that Yandall not be extended into the Olympic Heights neighborhood.

Commissioner Jackson – I'm not sure that we can do that; can we hear from Staff, can we set that as a conditional overlay?

Ms. Walsh – Yes, we can prohibit access to Yandall as a conditional overlay or not address it at this time and leave it to be a variance at subdivision.

Mr. Wojtowez – I'd like to point out that the crosswalks are limited to Yandall; that's a safety issue for the children walking to school.

Commissioner Hammond – Is Yandall a minor arterial or major?

Ms. Walsh – The right-of-way for Yandall is 60-feet and it is a residential collector street.

OPPOSITION

No Speakers.

Commissioner Hawthorne and Pinnelli moved to close the public hearing.

Commissioner Hawthorne – I'll make a motion to approved SF-2-CO for Tract 1 (14.5 acres); sf-4a-co for tract 2 (12.5 acres). On Tract 1 - the co establishes a minimum 150' building setback along the north property line; a 100' building setback along the west property line with a 25' undisturbed vegetative buffer adjacent to a single-family residential use; a 120' building setback along the southeast property line and a 1,500 daily trip limit across both Tracts 1 and 2.

Commissioner Rabago – Second.

Commissioner Hawthorne – I am open to the vehicle access restriction, I feel that that is a subdivision issue and prefer that it's taken up in the preliminary, but I'm open to amending the motion if any of you feel strongly about it.

Commissioner Rabago – I think the access can wait until the preliminary comes before us.

Commissioner Pinnelli – I don't want to make a decision about the access, but if those children going to the elementary school, it seems to me that that needs to be open, rather than to send the children to Yandall Drive to come around to send those children to school on the east side of the development. In my opinion both of those accesses need to be open.

Motion carried. (6-0)

13. Zoning: **C14-06-0101 – Ravenscroft**
Location: 11401 - 11499 Block of Manchaca Road, Slaughter Creek Watershed
Owner/Applicant: Huston - Tillotson University (Terry S. Smith)
Agent: Bury & Partners (Melissa Matthiesen)
Request: I-RR to SF-6
Staff Rec.: **Recommendation of SF-6-CO with conditions**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning & Zoning Department

POSTPONED TO 08/15/06 (APPLICANT)
[M.HAWTHORNE, C.HAMMOND 2ND] (6-0) B.BAKER, J.GOHIL, J.MARTINEZ – ABSENT

14. Zoning: **C14-06-0102 - Ravenscroft**
Location: 11301 - 11351 Block of Manchaca Road, Slaughter Creek Watershed
Owner/Applicant: Huston - Tillotson University (Terry S. Smith)
Agent: Bury & Partners (Melissa Matthiesen)
Request: I-RR to SF-6
Staff Rec.: **Recommendation of SF-6-CO with conditions**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning & Zoning Department

POSTPONED TO 08/15/06 (APPLICANT)
[M.HAWTHORNE, C.HAMMOND 2ND] (6-0) B.BAKER, J.GOHIL, J.MARTINEZ – ABSENT

ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT THE EAST TERMINUS OF YANDALL DRIVE AKA
3 THE 2400 BLOCK OF FRATE BARKER ROAD AND CHANGING THE ZONING
4 MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO SINGLE
5 FAMILY RESIDENCE STANDARD LOT-CONDITIONAL OVERLAY (SF-2-CO)
6 COMBINING DISTRICT FOR TRACT ONE AND SINGLE FAMILY RESIDENCE
7 SMALL LOT-CONDITIONAL OVERLAY (SF-4A-CO) COMBINING DISTRICT
8 FOR TRACT TWO.

9
10 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

11
12 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
13 change the base districts on the property (the Property) described in Zoning Case No.
14 C14-06-0104, on file at the Neighborhood Planning and Zoning Department, as follows:

15
16 Tract One: From interim rural residence (I-RR) district to single family residence
17 standard lot-conditional overlay (SF-2-CO) combining district.

18
19 A 14.58 acre tract of land, more or less, out of Tract 2 of the Jacob Bauerle
20 Subdivision, Travis County, the tract of land being more particularly described by
21 metes and bounds in Exhibit "A" incorporated into this ordinance; and
22

23 Tract Two: From interim rural residence (I-RR) district to single family residence
24 small lot-conditional overlay (SF-4A-CO) combining district.
25

26 A 12.29 acre tract of land, more or less, out of Tract 2 of the Jacob Bauerle
27 Subdivision, Travis County, the tract of land being more particularly described by
28 metes and bounds in Exhibit "B" incorporated into this ordinance,
29

30 locally known as the property located at the east terminus of Yandall Drive, also known as
31 the 2400 block of Frate Barker Road, in the City of Austin, Travis County, Texas, and
32 generally identified in the map attached as Exhibit "C".
33
34
35
36

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

- 4 1. A site plan or building permit for the Property may not be approved, released, or
5 issued, if the completed development or uses of the Property, considered cumulatively
6 with all existing or previously authorized development and uses, generate traffic that
7 exceeds 1,500 trips per day.
- 8
- 9 2. The following building setbacks and vegetative buffer shall be established on Tract
10 One:
- 11
- 12 a) A 150-foot wide setback along the north property line for a distance of 700 feet
13 from the west property line, then increasing to 200 feet wide for the remaining
14 distance to the east property line.
- 15
- 16 b) A 100-foot wide setback along the west property line. Within this setback a 25-
17 foot wide undisturbed vegetative buffer shall be provided and maintained along
18 the west property line where it lies adjacent to single family residential
19 properties to the west. Improvements permitted within the vegetative buffer
20 zone are limited to drainage, underground utility improvements or those
21 improvements that may be otherwise required by the City of Austin or
22 specifically authorized in this ordinance.
- 23
- 24 c) A 120-foot wide setback beginning at the southeast corner of the south property
25 line continuing westward for a distance of 366 feet.
- 26
- 27 d) A building may not be constructed within the building setbacks established
28 under Section 2.
- 29

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

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

PASSED AND APPROVED

_____, 2006 §
 §
 §

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____

David Allan Smith
City Attorney

Shirley A. Gentry
City Clerk

DRAFT

14.58 Acres

EXHIBIT A

C14-06-0104

TRACT 1

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS, BEING A PART OF TRACT No. 2, JACOB BAUERLE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 74, PAGE 77 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at an iron pipe found at the Southeast Corner of Lot 35, Block K, Southland Oaks Section 5, according to the plat thereof recorded in Volume 101, Pages 285, 286 and 287 of the Plat Records of Travis County, Texas, in the West Line of that 33.744 Acre Tract of Land conveyed to Continental Homes of Texas, L.P. by deed recorded in Document No. 2000124161 of the Official Public Records of Travis County, Texas, the same being the Northeast Corner of said Tract No. 2;

THENCE along the East Line of said Tract No. 2, the same being the West Line of the said 33.744 Acre Tract the following three courses:

1. S.02°48'47"E. a distance of 63.49 feet to a 1/2" iron rod found;
2. S.02°48'47"E. a distance of 159.41 feet to a 1/2" iron rod found;
3. S.02°41'23"E. a distance of 141.90 feet;

THENCE crossing said Tract 2 the following 15 courses:

1. S.55°09'04"W. a distance of 115.56 feet;
2. S.86°33'01"W. a distance of 85.36 feet;
3. N.62°03'02"W. a distance of 82.56 feet;
4. S.87°17'37"W. a distance of 45.91 feet;
5. S.02°42'23"E. a distance of 5.08 feet;
6. S.87°17'37"W. a distance of 110.00 feet;
7. N.02°42'23"W. a distance of 76.64 feet;
8. S.87°17'37"W. a distance of 50.04 feet;
9. S.87°46'51"W. a distance of 259.89 feet;
10. S.01°52'25"E. a distance of 85.02 feet;
11. S.14°31'29"W. a distance of 95.04 feet;
12. S.02°13'09"E. a distance of 108.95 feet;
13. S.01°59'32"E. a distance of 477.91 feet;
14. N.88°00'28"E. a distance of 456.23 feet;
15. N.87°19'51"E. a distance of 299.83 feet to the East Line of Tract 2 and the West Line of the plat of Olympic Heights Section 2, according to the plat thereof recorded in Document No. 200200216 of the Official Public Records of Travis County, Texas;

THENCE S.02°39'07"E., along the East Line of Tract 2 and the West Line of Olympic Heights Section 2, at a distance of 44.76 feet pass a 1/2" iron rod found at the Northwest Corner of Lot 1, Block S, Olympic Heights Section 2, in all a total distance of 171.77 feet;

14.58 Acres

THENCE crossing said Tract No. 2 the following three courses:

1. S.87°40'39"W. a distance of 366.15 feet to a ½" iron rod with RJ Surveying cap set;
2. N.51°43'07"W. a distance of 153.95 feet to a ½" iron rod with RJ Surveying cap set;
3. N.87°53'49"W. a distance of 511.86 feet to a ½" iron rod with RJ Surveying cap set in the West Line of said Tract No. 2 and in the East Line of Lot 75, Block H, Southland Oaks Section 4, Phase B, according to the plat thereof recorded in Volume 97, Pages 99, 100, 101 and 102 of the Plat Records of Travis County, Texas;

THENCE N.02°13'09"W., along the West Line of said Tract No. 2, at a distance of 388.03 feet pass the Northeast Corner of Lot 70, Block H, Southland Oaks Section 4, Phase B, and at a distance of 565.13 feet pass the Southeast Corner of Lot 28, Block H, Southland Oaks Section 4, Phase G, according to the plat thereof recorded in Volume 101, Pages 282, 283 and 284 of the Plat Records of Travis County, Texas, in all a total distance of 1112.06 feet to an iron pipe found at the Northwest Corner of said Tract No.2, the same being the Northeast Corner of Lot 57, Block K of the said plat of Southland Oaks Section 4, Phase G ;

THENCE N.87°40'39"E., along the North Line of said Tract No. 2, the same being the South Line of Lot 50 and Lot 49, Block K of the said Plat of Southland Oaks Section 4, Phase G, at a distance of 92.54 feet pass the Southeast Corner of said Lot 49 and continue along the South Line of the said plat of Southland Oaks Section 5, in all a total distance of 983.07 feet to the said Point of Beginning.

Containing 14.58 acres, more or less.

John K. Weigand Aug. 9, 2006

J. Kenneth Weigand
Registered Professional Land Surveyor No. 4391
State of Texas

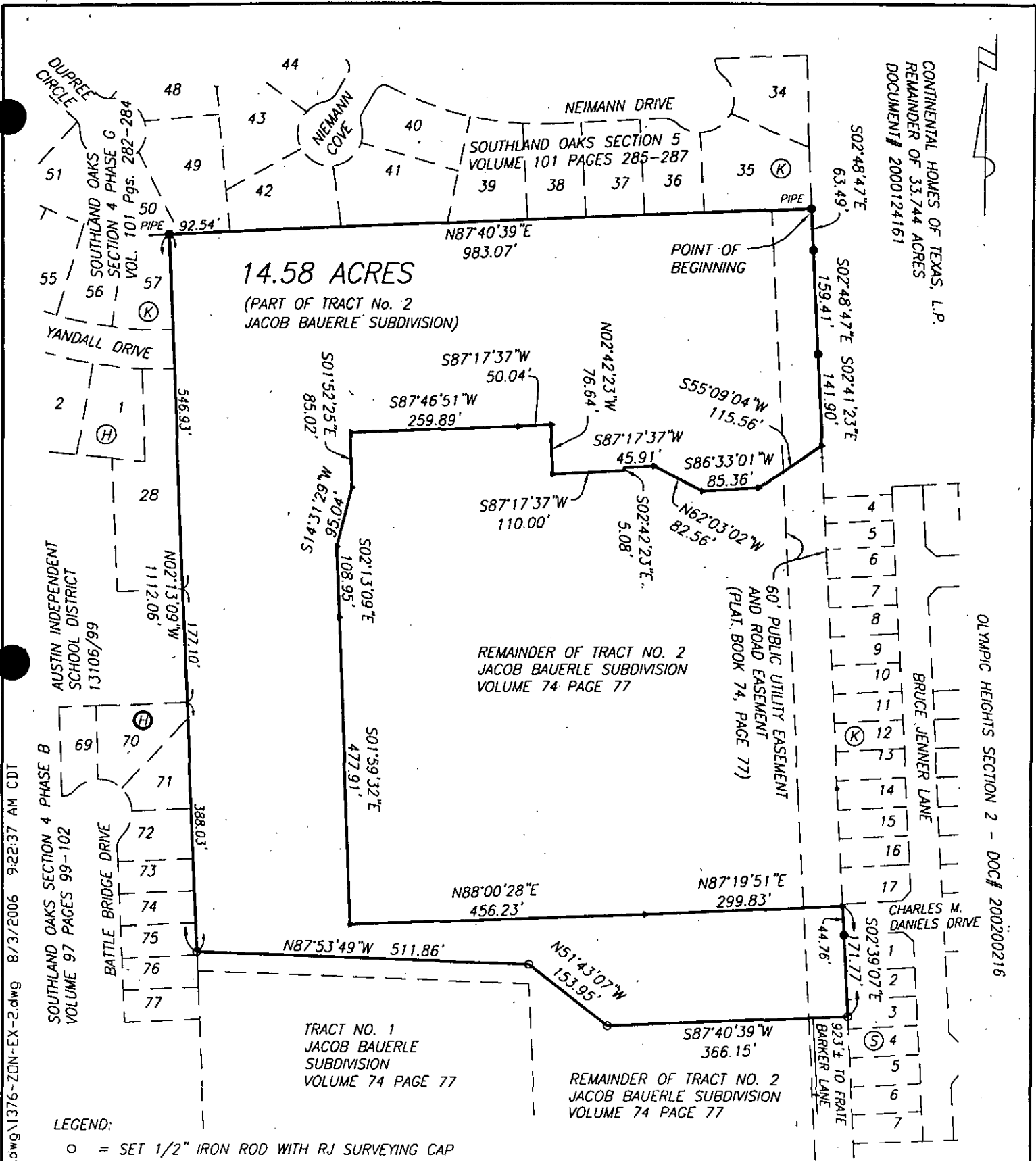
RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

CONTINENTAL HOMES OF TEXAS, L.P.
REMAINDER OF 33.744 ACRES
DOCUMENT# 2000124161

OLYMPIC HEIGHTS SECTION 2 - DOC# 200200216



SKETCH TO ACCOMPANY DESCRIPTION
(SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

DATE: JULY 27, 2006

SCALE: 1" = 200'

RJ SURVEYING, INC.

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793

651-05C1D10W1N3S 767662-2-X3-NDZ-9761\Gmp\96 8/27/2006 9:22:37 AM CDT

12.29 Acres

EXHIBIT B

C14-06-0104
TRACT 2

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS, BEING A PART OF TRACT No. 2, JACOB BAUERLE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 74, PAGE 77 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at an iron pipe found at the Southeast Corner of Lot 35, Block K, Southland Oaks Section 5, according to the plat thereof recorded in Volume 101, Pages 285, 286 and 287 of the Plat Records of Travis County, Texas, in the West Line of that 33.744 Acre Tract of Land conveyed to Continental Homes of Texas, L.P. by deed recorded in Document No. 2000124161 of the Official Public Records of Travis County, Texas, the same being the Northeast Corner of said Tract No. 2;

THENCE along the East Line of said Tract No. 2, the same being the West Line of the said 33.744 Acre Tract the following three courses:

1. S.02°48'47"E. a distance of 63.49 feet to a ½" iron rod found;
2. S.02°48'47"E. a distance of 159.41 feet to a ½" iron rod found;
3. S.02°41'23"E. a distance of 141.90 feet to the Point of Beginning;

THENCE continue along the East Line of Tract 2 and the West Line of the 33.744 Acre Tract the following two courses:

1. S.02°41'23"E. a distance of 18.16 feet;
2. S.02°39'43"E., at a distance of 62.81 feet pass a ½" iron rod found at the Northwest Corner of Lot 4, Block K, Olympic Heights Section 2, according to the plat thereof recorded in Document No. 200200216 of the Official Public Records of Travis County, Texas, in all a total distance of 162.52 feet to a pipe found;

THENCE continue along the East Line of said Tract No. 2 and the West Line of the said plat of Olympic Heights the following two courses:

1. S.02°42'23"E. a distance of 352.31 feet to a ½" iron rod found;
2. S.02°39'07"E. a distance of 182.22 feet;

THENCE crossing said Tract 2 the following 15 courses:

1. S.87°19'51"W. a distance of 299.83 feet;
2. S.88°00'28"W. a distance of 456.23 feet;
3. N.01°59'32"W. a distance of 477.91 feet;
4. N.02°13'09"W. a distance of 108.95 feet;
5. N.14°31'29"E. a distance of 95.04 feet;
6. N.01°52'25"W. a distance of 85.02 feet;

12.29 Acres

7. N.87°46'51"E. a distance of 259.89 feet;
8. N.87°17'37"E. a distance of 50.04 feet;
9. S.02°42'23"E. a distance of 76.64 feet;
10. N.87°17'37"E. a distance of 110.00 feet;
11. N.02°42'23"W. a distance of 5.08 feet;
12. N.87°17'37"E. a distance of 45.91 feet;
13. S.62°03'02"E. a distance of 82.56 feet;
14. N.86°33'01"E. a distance of 85.36 feet;
15. N.55°09'04"E. a distance of 115.56 feet to the said Point of Beginning.

Containing 12.29 acres, more or less.

John K. Weigand Aug. 3, 2000

John Kenneth Weigand
Registered Professional Land Surveyor No. 4391
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



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OLYMPIC HEIGHTS SECTION 2
DOC# 200200216

DOC# 200200216

BRUCE JENNER LANE

5 M.
DR

S02.48'47"E

49.

502.48'47

502°41'23"E
141.90'

POINT OF
-BEGINNING

—S02°41'23"E
18.16'

502°39'43"E
167°52'

PIPE

S02°42'23"E
1 352.31'

(K)

502.33 01
182.22'

CH
DA
C

11

TTT

1

1096'± TO FRATE
BARKER-LANE

11

11

POINT OF
COMMENCEMENT

NEIMANN DRIVE

SOUTHLAND OAKS SECTION 5
VOLUME 101 PAGES 285-287

REMAINDER OF TRACT NO. 2
JACOB BAUERLE SUBDIVISION
VOLUME 74 PAGE 77

12.29 ACRES

(PART OF TRACT No. 2
JACOB BAUERLE SUBDIVISION)

60' PUBLIC UTILITY EASEMENT
AND ROAD EASEMENT
(PLAT BOOK 74, PAGE 77)

TRACT NO. 1
JACOB BAUERLE
SUBDIVISION
VOLUME 74 PAGE 77

REMAINDER OF TRACT NO. 2
JACOB BAUERLE SUBDIVISION
VOLUME 74 PAGE 77

SKETCH TO ACCOMPANY DESCRIPTION

(SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

DATE: JULY 27, 2006

SCALE: 1" = 200'

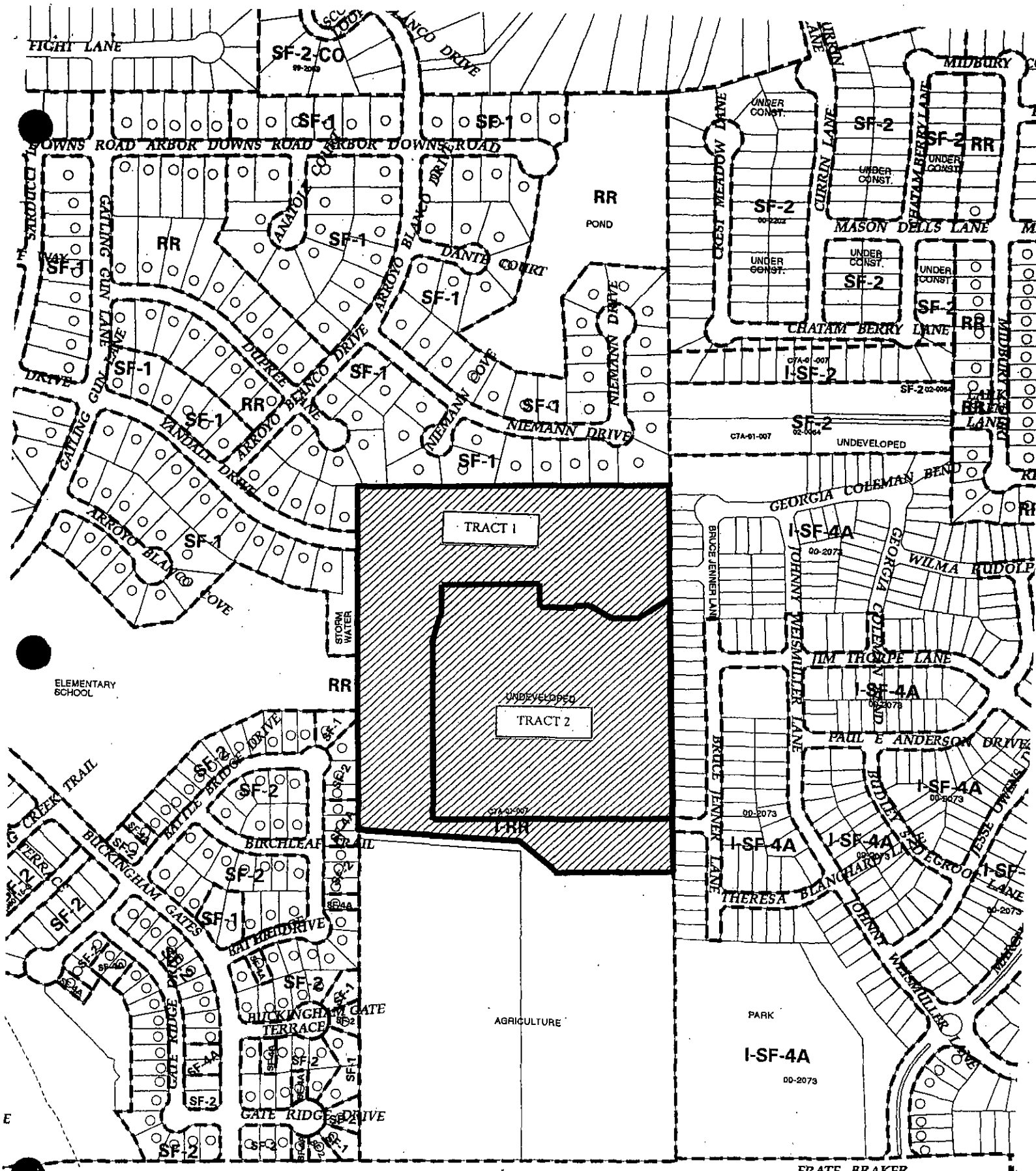
RJ SURVEYING, INC.

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793

LEGEND:

- = FOUND 1/2" IRON ROD
(UNLESS NOTED OTHERWISE)

S:\LAND\1350-1390\76\dwg\1376-ZON-EX-1.dwg 8/3/2006 9:21:56 AM CDT



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: W.WALSH

CASE #: C14-06-0104

ADDRESS: 2400 BLOCK OF FRATE

SUBJECT AREA (acres): 26.870

ZONING EXHIBIT C

DATE: 06-08

INTLS: SM

CITY GRID
REFERENCE
NUMBER

D12

"= 400'