

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



Thursday, October 05, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 50

Subject: C14-06-0134 - Lake Line Austin Development, Ltd.; Lakeline Commons - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as North F.M. 620 Road and Ridgeline Boulevard (Lake Creek Watershed) from commercial highway (CH) district zoning; general commercial services (CS) district zoning; community commercial services-conditional overlay (GR-CO) combining district zoning; and limited office-conditional overlay (LO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Applicant: PSI (Ralph Reed). Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Sherri Sirwaitis, 974-3057.

Additional Backup Material

(click to open)

Staff Report

For More Information: Sherri Sirwaitis, 974-3057.

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0134

Z.A.P. DATE: July 18, 2006

August 15, 2006

September 5, 2006

ADDRESS: North F.M. 620 Road and Ridgeline Boulevard

OWNER/APPLICANT: PSI (Ralph Reed)

AGENT: Shaw Hamilton Consultants (Shaw Hamilton)

ZONING FROM: CH, CS, GR-CO, LO-CO **TO:** GR-MU **AREA:** 56.040 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant GR-MU-CO, Community Commercial-Mixed Use District, zoning for Tract 1 and LO-CO, Limited Office-Conditional Overlay District, zoning for Tract 2. The proposed conditional overlay will require that the applicant apply City of Austin Compatibility Standards along the western property line, adjacent to the existing single-family residential neighborhood located in the County.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

7/18/06: Postponed to August 15, 2006 by the applicant (6-0, B. Baker, J. Gohil, J. Martinez-absent); M. Hawthorne-1st, C. Hammond-2nd.

8/15/06: Continued to September 5, 2006 by the Zoning and Platting Commission (8-0, K. Jackson-absent); J. Martinez-1st, S. Hale-2nd.

9/05/06: Approved GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2 with conditions of:

For Tracts 1 & 2 (the following conditions were adopted from the existing ordinance for this tract of land (Ordinance No. 970710-A):

1. Outdoor Sports and Recreation and Outdoor Entertainment uses are prohibited on the Property;
2. The following uses are prohibited on the Property within an area 300-feet from the easternmost property line of the Shenendoah Section 5 Subdivision:
 - Automotive Repair Services,
 - Automotive Washing (of any type),
 - Restaurant (General),
 - Restaurant (Limited),
 - Theater,
 - Indoor Entertainment,
 - Club or Lodge
3. No building of any kind shall be constructed within an area 100-feet from the easternmost property line of the Shenendoah Section 5 Subdivision;
4. No structure of any kind shall be built to a height greater than 30-feet above ground level within the area beginning 100-feet from the easternmost property line of the Shenendoah Section 5 Subdivision to a depth of 200-feet westerly from the 100-foot point.

5. Beyond the above 200-foot depth, no structure of any kind shall be built to a height greater than 35-feet above ground level.

Added new conditions of:

- No development within the LO-CO tract (Tract 2);
- The applicant shall vegetate/re-vegetate the LO-CO area (Tract 2);
- The applicant will provide an 8-foot stone or masonry fence along the western property line adjacent to the Shenedoah Section 5 Subdivision.

Vote: (7-1, K. Jackson-Nay, J. Shieh-absent); J. Pinnelli-1st, T. Rabago-2nd.

DEPARTMENT COMMENTS:

The property in question is undeveloped and sparsely vegetated. The site is located to the west of Lakeline Mall on Ridgeline Boulevard. The applicant is requesting to rezone this site to GR-MU to develop a mixture of retail and residential uses on the property.

The staff recommends GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay District, zoning for Tract 1 and LO-CO, Limited Office-Conditional Overlay District, zoning for Tract 2. Tract 1 of the property meets the purpose statement of the GR-MU district. The site is located near the intersection of an arterial roadway and a collector street, North F.M. 620 and Ridgeline Boulevard. The staff is recommending the addition of the 'MU' Combining District to the existing zoning because GR-MU-CO zoning will allow for a mixture of residential, office, or commercial development adjacent to existing residential uses to the south and west and commercial uses to the east. In addition, the staff is recommending LO-CO zoning for Tract 2 (a 2.579 acre area) to preserve an existing 50-foot buffer along the property line adjacent to the existing single-family residential neighborhood to west. This 50-foot buffer was instituted as part of the previous zoning case (C14-95-0149) for this property through zoning Ordinance No. 970710-A. Finally, the staff is requiring through a conditional overlay that the applicant apply Compatibility Standards (as spelled out in City of Austin Land Development Code Sections 25-2-1051 through 25-2-1068) along the western property line adjacent to the single-family neighborhood located in the County. These Compatibility Standards will require the applicant to comply with the following conditions along the western property line:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of 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.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CH, GR-CO, LO-CO, CS	Undeveloped Tracts
<i>North</i>	P, CH	Undeveloped Tracts
<i>South</i>	CS, SF-2	Undeveloped Tract, Single-Family Residential
<i>East</i>	CH, GR, GR-CO	Commercial/Retail (Lakeline Mall)
<i>West</i>	County	Single Family Residential

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

485 – Riviera Springs Community Development Association

277 – Shenandoah Neighborhood Association

275 – Volente Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2058	GR to GR-MU	5/23/00: Approved staff rec. of GR-MU by consent (8-0)	6/22/00: Approved GR-MU on all 3 readings (7-0)
C14-95-0149	MF-3 to GR	4/23/96: Approved GR for Tract 1 and LO for Tract 2 (9-0), with the following conditions: prohibit Outdoor Sports and Recreation and Outdoor Entertainment uses; prohibit Automotive Repair Services, Automotive Washing, Restaurant (Limited, General), Theater, Indoor Entertainment, and Club or Lodge uses within an area 300 feet from the western property line; no building shall be constructed within and area 100 feet from the easternmost property line of the Shenandoah Section 5 Subdivision; limit building height to 30 feet within an area 100 feet from the easternmost property line of the Shenandoah Section 5 Subdivision to a depth of 200 feet; beyond the 200 foot	7/11/96: Approved GR-CO (Tract 1) and LO-CO (Tract 2) with conditions (6-1, JD-No); 1 st reading 7/10/97: Approved 2 nd /3 rd readings (7-0)

		depth limit building height to no greater than 35 feet; and on Tract 2 a privacy fence shall be constructed on the westernmost property line adjacent to the Shenendoah Section 5 Subdivision	
C14-95-0146	MF-3 to GR	4/02/96: Approved staff rec. of GR by consent (7-0)	7/11/96: Approved GR (7-0); 1 st reading 6/26/97: Approved GR (7-0); 2 nd /3 rd readings
C14-95-0145	P to GR	4/02/96: Approved staff rec. of GR with public RC requiring Transit Facility (6-0)	7/11/96: Approved GR, subject to restrictive covenant conditions (7-0) 6/26/97: Approved GR, subject to conditions (7-0); 2 nd /3 rd readings
C14-95-0044	DR to GR	10/03/95: Approved CS zoning, as amended with ROW requirement (6-0-1) 10/17/95: Approved CS (5-0)	11/30/95: Approved CS zoning, as amended subject to ROW (6-0); 1 st reading 12/07/95: Approved CS (7-0); 2 nd /3 rd readings
C14-95-0005	CH, SF-2 to GR	2/28/95: Approved GR (7-0)	3/30/95: Approved GR (6-0); 1 st reading 4/27/95: Approved GR (7-0); 2 nd /3 rd readings
C14-94-0115	GO to GR	10/25/94: Approved GR-CO subject to Compatibility Standards-setback provisions set forth in Sec. 13-7-21 of the LDC (7-0)	11/03/94: Approved GR-CO (5-0); 1 st reading 9/07/95: Approved GR-CO (7-0); 2 nd /3 rd readings
C14-94-0114	GO to GR	10/25/94: Approved GR-CO subject to Compatibility Standards-setback provisions set forth in Sec. 13-7-21 of the LDC (7-0)	11/03/94: Approved GR-CO (5-0); 1 st reading 9/07/95: Approved GR-CO (7-0); 2 nd /3 rd readings
C14R-85-178	RR to CS (Tracts 1, 2, 3, & 4); RR to GO (Tracts 5 & 6); RR to GR (Tracts 7, 8, 9, 10, 11, 12, 13, 27, 28); RR to CH (Tracts 15, 24, 25, & 29); RR to P (Tract 16)	8/05/97: Approved restrictive covenant amendment to amend zoning site plan (9-0)	9/04/97: Approved restrictive covenant amendment (5-0)

	& Tract 22); RR to MF-3 (part of Tract 17, Tracts 19 & 26, part of Tract 20); RR to SF-6 (Tract 21);		
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RELATED CASES: C14-95-0149 (previous zoning case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
RM 620 (SH 45)	125'	70'	Arterial	No	No	No
Ridgeline Boulevard	Varies	Varies	Collector	No	No	No

CITY COUNCIL DATE: October 5, 2006

ACTION:

ORDINANCE READINGS: 1st

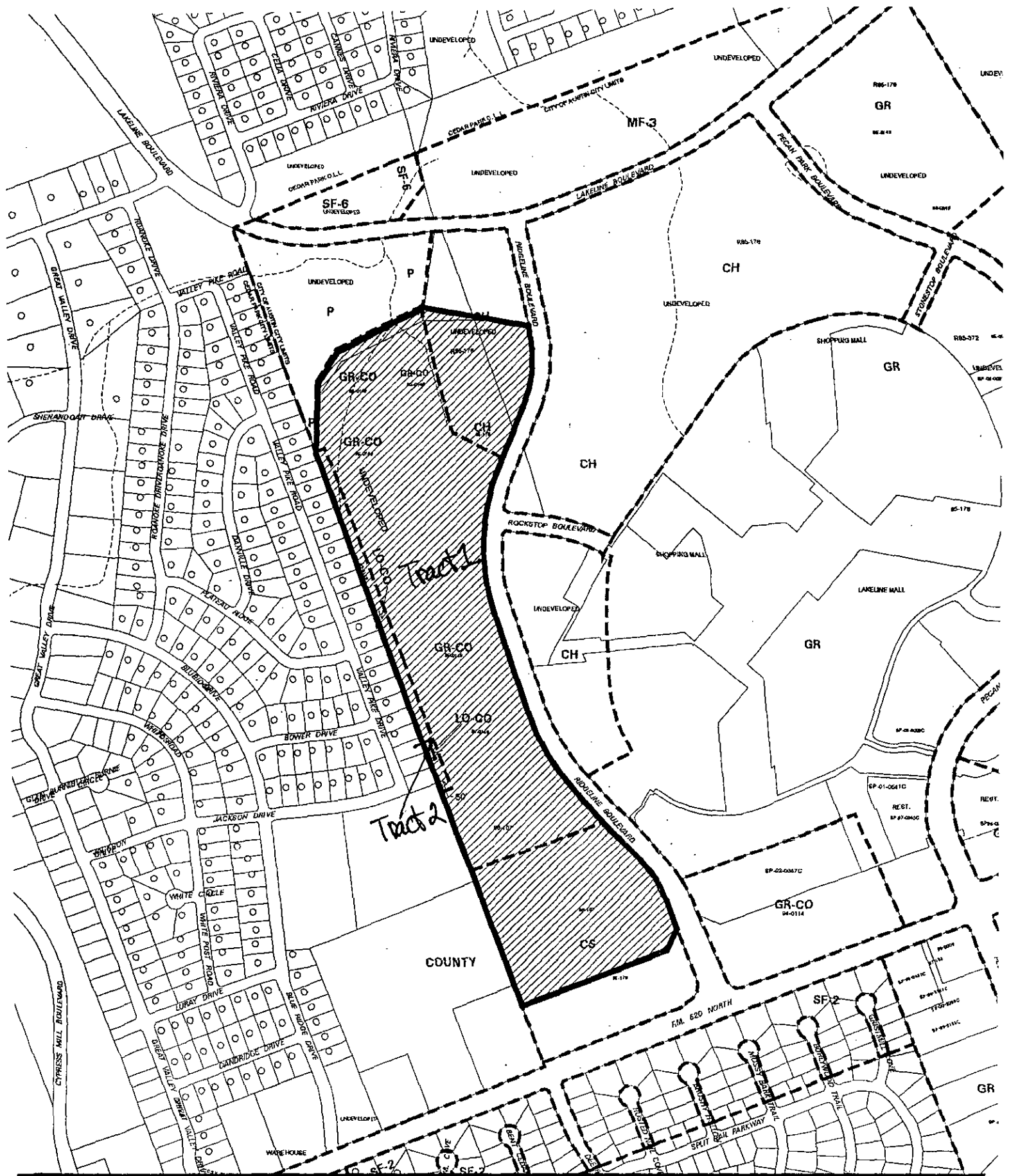
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3rd

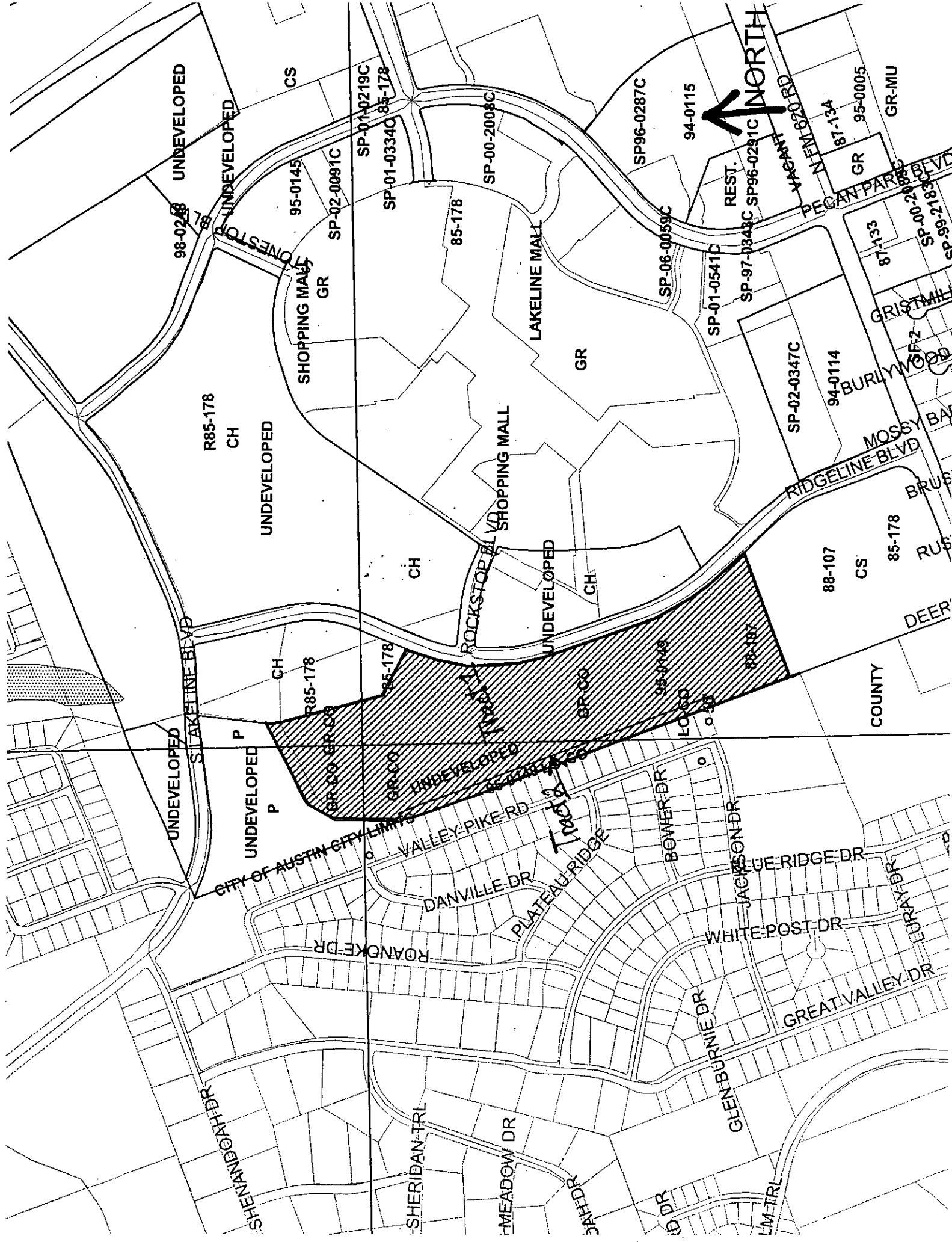
ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us

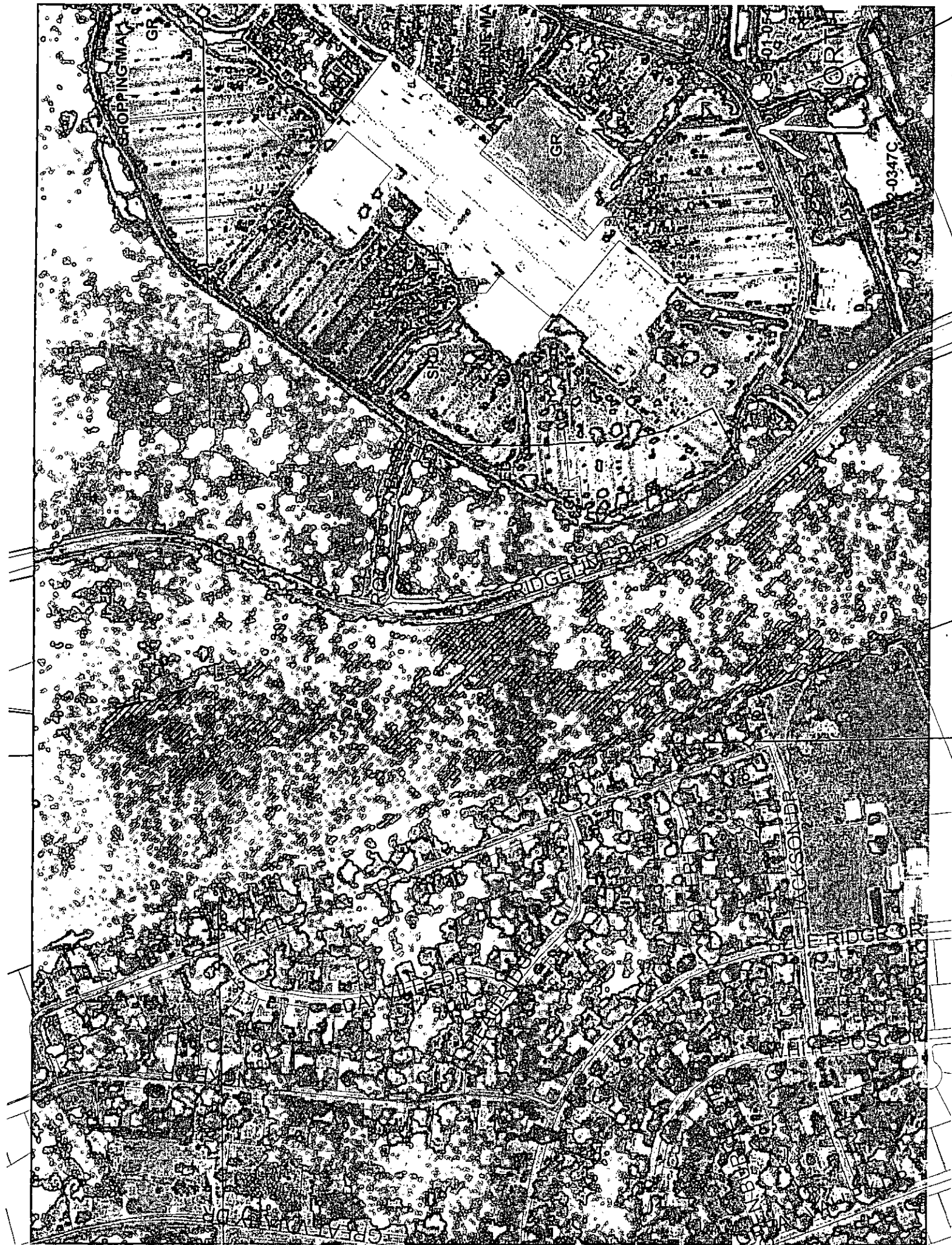


 = 600'	SUBJECT TRACT		CASE #: C14-06-0134 ADDRESS: N FM 620 RD AND N RIDGELINE SUBJECT AREA (acres): 56.040	DATE: 06-06 INTLS: SM	CITY GRID REFERENCE NUMBER F39
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: S. SIRWAITIS				
	ZONING				



CITY OF AUSTIN CITY LIMITS

COUNTY



STAFF RECOMMENDATION

The staff's recommendation is to grant GR-MU-CO, Community Commercial-Mixed Use District, zoning for Tract 1 and LO-CO, Limited Office-Conditional Overlay District, zoning for Tract 2. The proposed conditional overlay will require that the applicant apply City of Austin Compatibility Standards along the western property line, adjacent to the existing single-family residential neighborhood located in the County.

BASIS FOR RECOMMENDATION

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

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

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

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

The proposed zoning would allow for a fair and reasonable use of the property because it will provide the opportunity for the applicant to develop a mixture of residential, office, and commercial development on this site adjacent to existing residential uses to the south and west and commercial uses to the east. The staff's recommendation to apply a 50-foot LO-CO buffer and Compatibility Standards along the western property line will insure a transition from the single-family residential neighborhood located in the County to the proposed GR-MU development to the east.

3. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property in question is located near the intersection of an arterial roadway and a collector street, North F.M. 620 and Ridgeline Boulevard.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently undeveloped and sparsely vegetated.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is located over the North Edward's Aquifer Recharge Zone. It is in the Desired Development Zone. The site lies within both the Buttercup and Lake Creek Watersheds, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code.

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

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located over the North Edward's Aquifer Recharge Zone. It is in the Desired Development Zone. The site lies within both the Buttercup and Lake Creek Watersheds, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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 the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

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

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for RM 620 (SH 45). Dedication and reservation of right-of-way may be required during the subdivision or site plan process. [LDC, Sec. 25-6-51 and 25-6-55)

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

The trip generation under the requested zoning is estimated to be 54,184 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

The traffic impact analysis for this site was waived because this site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
RM 620 (SH 45)	125'	70'	Arterial	No	No	No
Ridgeline Boulevard	Varies	Varies	Collector	No	No	No

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 adjustments, and utility relocation. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

Stormwater Detention

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

Compatibility Standards

The site is subject to compatibility standards. Along the south property line, the following standards apply.

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 4 feet wide is required along the property line. In addition, a fence, a berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

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:

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: C14-06-0134

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

July 18, 2006 Zoning and Platting Commission

LARRY VINEYARD
Your Name (please print)



Your address(es) affected by this application

7-12-06

Date

Signature

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0134

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing: Aug. 15

City of Austin, 2006 Zoning and Platting Commission

☐ I am in favor
☒ I object

Sherri Sirwaitis

Your Name (please print)

3404 Valley Pike Rd, Cedar Park, TX 78613

Your address(es) affected by this application

Sherri Sirwaitis

Signature

8-2-06

Date

Comments: Attached you will find a

written "objection to rezoning letter"

and petitions containing approximately

71 signatures of residents living in

the Sherwood Subdivision.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Rezoning Request by : PSI (Ralph Reed)

Neighborhood Planning & Zoning

Agent: Shaw Hamilton Consultants

Address/Legal: Approximately 56 acres located at North FM 629 at Ridgeline Boulevard

Proposed Zoning Change: From CS, GR-CO, CO, LO-CO, CO
TO: GR-MU, MU

We, representatives of the Shenandoah Subdivision (approximately 400 households located adjacent to the proposed development), object to the rezoning of the above mentioned 56 acre property on the following basis:

1. Environmental Impact – Shenandoah Subdivision has been in existence for approximately 30 years and in that time period has suffered irreparable damage to its ecology, environment and very nature. The perimeters of its area have been totally encompassed by commercial, light industrial and multi-family housing developments. The only remaining untouched and natural area adjacent to Shenandoah is a narrow strip of land directly east of the easternmost property line of Shenandoah (56 acres referenced above). This continual development has sorely stretched Shenandoah's natural state to its limits. Wildlife has been and is being threatened, countless trees and natural terrain has been razed to make way for concrete surfaces and water drainage/overflow has created flooding problems and concerns for the current residents of Shenandoah Subdivision. The air and noise pollution created by the continual construction is immeasurable. Very little quiet time exists in our formerly peaceful suburban neighborhood; large equipment continues to generate noise and dust at all hours of the night.
2. Traffic – According to representatives of Lakeline Mall, an estimated 9 to 10 million visitors patronize the mall on a yearly basis, most of them traveling to the mall by car. Statistics released by CAMPO (Capital Metro Planning Organization) in 2005 show **daily traffic counts** at the following volume:

Street	Limits	Count
US 183	Cypress Creek Rd.-RM620	56,000
US 183	RM620-Anderson Mill Road	57,500
RM620	Lake Creek Parkway-US 183 (N)	17,900
RM620	US183 (N)-Lake Creek Parkway	25,000.

The increased traffic due to development has jeopardized the safety of our children and of the Shenandoah commuters. More and more vehicles continue to use our subdivision roads as a path to circumvent the increasing construction in our area. Continual development has significantly increased the amount of vehicles and traffic in our immediate and general area. Ingress and egress to our homes grows more difficult day by day.

We respectfully submit these objections to the proposed zoning change and ask that they be given serious consideration before any zoning changes are made. In the event that the Commission decides to grant a change in the zoning status, we respectfully request that the land be zoned no greater than "MF-3" (Medium Density). "MF-3" Multifamily was the former zoning level of the above referenced 56 acres.

July 30, 2006

(177 518)

We, the undersigned, living adjacent to or within 300 feet of the property designated Case Number C-14-06-0134 by the City of Austin, object to the over-development of said property and request input into any zoning changes and proposed development.					
#	Name	Address	Own	Signature	email
1	Pedro Alvarez	3101 Valley Pike Rd		<i>Pedro Alvarez</i>	
2	Hermelinda Alvarez	3101 Valley Pike Rd			
3	Herbert Elsik	3103 Valley Pike Rd		<i>Herbert Elsik</i>	
4	Carolyn Elsik	3103 Valley Pike Rd			
5	Iraj Arasteh	3107 Valley Pike Rd	✓	<i>Dr. D. Arasteh</i>	
6	Shahisavandi Zahra	3107 Valley Pike Rd	✓	<i>Zahra Arasteh</i>	
7	James Hooks	3109 Valley Pike Rd	✓	<i>James R. Hooks</i>	
8	Jane Beatty	3201 Valley Pike Rd	✓	<i>Jane Beatty</i>	<i>jbeatty2@Austin.rr.ca</i>
9	Kenneth Savage	3203 Valley Pike Rd			
10	Diane Savage	3203 Valley Pike Rd	✓	<i>John R. Savage</i>	<i>John Savage - Electric Co.</i>

RECEIVED

AUG 04 2006

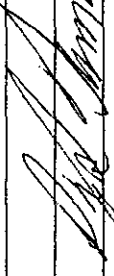

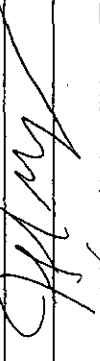


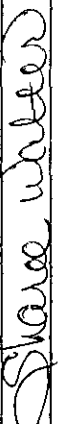


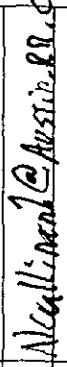
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C-14-06-0134 by the City of Austin, object to the over-development of said property					
and request input into any zoning changes and proposed development.					
#	Name	Address	Own	Signature	email
11	Christopher Byer Karen Byer	3205 Valley Pike Rd	YES	Chris Byer	cbyer@no-biternet.com
12	David Duvall	3206 Valley Pike Rd	YES	Karen Byer	kbyer@austin.or.com
13	Paul Kuhn	3207 Valley Pike Rd			
14	Kenneth Riley	3209 Valley Pike Rd		Sammy Guler	
15	J D Stewart	3211 Valley Pike Rd		J D Stewart	jdstewartpublishing@aol.com
16	Gerry Rapp	3300 Valley Pike Rd	YES	Gerry Rapp	gerryrapp@aol.com
17	Betty Glover	3301 Valley Pike	YES	Betty Glover	
18	Thomas Harris *	3302 Valley Pike Rd			
19	Arturo Arredondo	3303 Valley Pike Rd		Arturo Arredondo	arturo@ix.netcom.com
20	Frances Baglioni	3304 Valley Pike Rd			
21	Uribe Yamile	3304 Valley Pike Rd		Uribe Yamile	angstcoupe@yahoo.com

We, the undersigned, living adjacent to or within 300 feet of the property designated Case Number C-14-06-0134 by the City of Austin, object to the over-development of said property and request input into any zoning changes and proposed development.


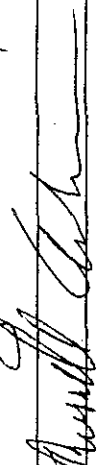

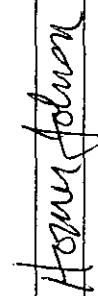
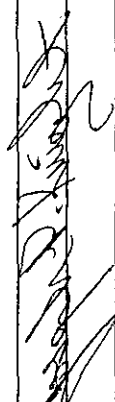

#	Name	Address	Own	Signature	email
22	Robin Starr *	3305 Valley Pike Rd			
23	Deanna Hand ?	3306 Valley Pike Rd			
24	Bobby Gilmore ^{vacant}	3307 Valley Pike Rd			
25	Yolanda Gilmore ^{vacant}	3307 Valley Pike Rd			
26	Kent Mickelson X	3308 Valley Pike Rd			
27	Anna Ples *	3309 Valley Pike Rd			
28	M Bustamante *	3310 Valley Pike Rd			
29	Chris Bustamante *	3310 Valley Pike Rd	✓	Chris Bustamante	Chris36666@yahoo.com
30	Sally Bustamante *	3310 Valley Pike Rd			
31	Kathy Gilley	3311 Valley Pike Rd	✓	Kathy Gilley	KathyGilley@lsijr.com

* not home
 X more info needed

We, the undersigned, living adjacent to or within 300 feet of the property designated Case Number C-14-06-0134 by the City of Austin, object to the over-development of said property and request input into any zoning changes and proposed development.

#	Name	Address	Own	Signature	email
32	Mary Jane Ricks	3400 Valley Pike Rd			
33	Kenneth Stuart	3401 Valley Pike Rd			
34	Douglas Harmon	3402 Valley Pike Rd	✓		
35	Janet Rolls	3402 Valley Pike Rd	✓		
36	Jeffrey Myers	3403 Valley Pike Rd	✓		
37	Kathy Myers	3403 Valley Pike Rd	✓		
38	Jay R Walter	3404 Valley Pike Rd	✓		
39	Sharee Walter	3404 Valley Pike Rd	✓		
40	Larry Jungman	3405 Valley Pike Rd			
41	Leslie Ellis	3406 Valley Pike Rd			
42	Nathan Cullinan	3407 Valley Pike Rd			

We, the undersigned, living adjacent to or within 300 feet of the property designated Case Number C-14-06-0134 by the City of Austin, object to the over-development of said property and request input into any zoning changes and proposed development.

#	Name	Address	Own	Signature	email
43	Henry Redmon	3408 Valley Pike Rd			AF186000@yahoo.com
44	Russell Andersen	3409 Valley Pike Rd	Y		
45	Sileide Andersen	3409 Valley Pike Rd	Y		
46	Homer Johnson	3411 Valley Pike Rd	Y		homecl@stedwards.edu
47	Karin Johnson	3411 Valley Pike Rd			
48	Jerry Price	3413 Valley Pike Rd			
49	Joseph Knight	3501 Valley Pike Rd	X		
50	M A Lemonds	3503 Valley Pike Rd			
51	Patricia Butler	3505 Valley Pike Rd			
52	Eric Myers ^{Paul Granger}	3507 Valley Pike Rd	X		
53	Patricia Myers	3507 Valley Pike Rd			

Name	Address	Own	Signature	email
LARRY KNOX	3420 RONNOKE (John Park)	yes	Larry Knox	LARRYK78613@AUSTIN.TX
Robert Knox	3420 Ronoke Circle	yes	Robert Knox	
WILLARD HALL	3501 RONNOKE, (ETAPARK)	NO	Willard Hall	
Corainger Simpson	3416 Ronoke Dr.	yes	Corainger Simpson	
BRENN HARRIS	3406 RONNOKE	YES	Brenn Harris	
John R. Donaldson	3415 Ronoke	yes	John R. Donaldson	
B. Moskal	3414 Ronoke Dr	yes	B. Moskal	
Terry Allen	1508 Dandridge Dr	yes	Terry Allen	Terry 4290 (A) Juno.C
Luke Townsend	3009 White Post Rd	NO	Luke Townsend	patrick 76@hotmail.com
David Pittard	1519 Big Meadows	yes	David Pittard	dpittard@comcast.net
Patty Mediner	3208 White Post	yes	Patty Mediner	
Sharon Jaathoff	3006 Blue Ridge	yes	Sharon Jaathoff	
Larry Sullivan	3003 " "	yes	Larry Sullivan	Pastor@Shenandoah.com
Chris Buckner	3300 Valley Pike Rd	yes	Chris Buckner	chrisbuckner@yahoo.com

We, the undersigned, living adjacent to or within 300 feet of the property designated Case Number				
C-14-06-0134 by the City of Austin, object to the over-development of said property				
and request input into any zoning changes and proposed development.				
Name	Address	Own	Signature	email
Linda Redmon	3408 Valley Pike	✓	Linda Redmon	
Adam Butler	3505 Valley Pike	✓		
	3502 Valley Pike			
	3504 Valley Pike			
Richard Pisano	3511 Valley Pike	✓	Richard Pisano	Richard.Pisano1@yahoo.com
Laurie Elliott	3418 Roanoke Dr	✓	Laurie Elliott	
Georg Wilkerson	3417 Roanoke Dr	✓	Georg Wilkerson	
ANGIE WILKERSON	✓	✓	Angie Wilkerson	
JD Stewart	3211 Valley Pike	✓	JD Stewart	
Patricia Stewart	" "	✓	Patricia Stewart	
FRANCHE HENRIEN	3006 Blue Ridge Dr	✓	FRANCHE HENRIEN	
Bryan Heinlen	3206 Blue Ridge Dr	✓	Bryan Heinlen	
Adam Dollinger	1710 Bowser Dr	✓	Adam Dollinger	
Shannon Dollinger	1710 Bowser Dr	✓	Shannon Dollinger	
Tom Ridge Jr	3205 Blue Ridge Dr	✓	Tom Ridge Jr	
Rebecca Ridge Jr	3205 Blue Ridge Dr	✓	Rebecca Ridge Jr	
Susan Richey	3511 Roanoke Dr	✓	Susan Richey	Richey5214@yahoo.com
GARY Richey	" "	✓	GARY Richey	
MONIQUE CHANTARA-MONTANA	3508 Roanoke Dr	✓	MONIQUE CHANTARA-MONTANA	512-797-1523
Rungvutthan Chantara-Montana	3508 Roanoke Dr	✓	Rungvutthan Chantara-Montana	512-797-1523
William Chantara	3515 Roanoke	✓	William Chantara	512-258-4975

and request input into any zoning changes and proposed development.

[illegible]

We, the undersigned, living adjacent to or within 300 feet of the property designated Case Number

C-14-06-0134 by the City of Austin, object to the over-development of said property

and request input into any zoning changes and proposed development.

Name _____

Address

OWN

Signature

email

Prohman F. Sec 7

3401 Valley Pike Rd

[Handwritten signature]

To Interested Parties Concerning
the development of the land
behind Valley Pike;

Cindy Carr
1701 Jackson Dr.
Cedar Park, TX 78613

I cannot attend the meeting
tonight, but I support your efforts
to block development. I AM
OPPOSED TO ZONING CHANGES
THAT WOULD ALLOW DEVELOPMENT
OF THIS LAND. I AM A HOMEOWNER
AND WILL SUPPORT THE HOMEOWNER'S
ASSOCIATION TO REPRESENT ME
IN THIS MATTER.

Thank you for your efforts to
make us aware and take action.
That land, "the woods," is one of the
most fundamentally important aspects
of our neighborhood (besides the people
of course!)

Cindy Carr 1701 Jackson Dr



at&t

YAHOO!
MAILWelcome,
shareelynn@sbcgl...
[Sign Out, My Account]Search
the Web

Search

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Calendar

Notepad

[What's New - Mail For
Mobile - Upgrades - Options](#)

Check Mail

Compose

Search Mail

Search th

Folders

[Add - Edit]

Inbox (53)

Draft

Sent

Bulk (1) [Empty]

Trash [Empty]

My Folders

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GE

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Spam

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This message is not flagged. [[Flag Message](#) - [Mark as Unread](#)] [Printable View](#)**Subject:** CASE C14-06-0134**Date:** Tue, 11 Jul 2006 08:34:03 -0500**From:** Mary_Jane_Ricks@Dell.com [Add to Address Book](#) [Add Mobile Alert](#)

SHERRI.SIRWAITIS@CI.AUSTIN.TX.US,
 Mike.Martinez@ci.austin.tx.us, sheryl@sherylcole.com,
 will.wynn@ci.austin.tx.us, dunkerley@ci.austin.tx.us,
 brewster.mccracken@ci.austin.tx.us,
 jennifer.kim@ci.austin.tx.us, lee.leffingwell@ci.austin.tx.us,
 dina.haines@ci.austin.tx.us, richard.arellano@ci.austin.tx.us,
 gloria.aguilera@ci.austin.tx.us, rich.bailey@ci.austin.tx.us,
To: matt.curtis@ci.austin.tx.us, robert.levinski@ci.austin.tx.us,
 grace.corpus@ci.austin.tx.us, toby.futrell@ci.austin.tx.us,
 dina.haines@ci.austin.tx.us, andy.momon@ci.austin.tx.us,
 rachel.may@ci.austin.tx.us, robert.a.garza@ci.austin.tx.us,
 andrew.moore@ci.austin.tx.us,
 beverly.robbs@ci.austin.tx.us,
 kenny.thompson@ci.austin.tx.us,
 andersen23@sbcglobal.net, shareelynn@sbcglobal.net

Mary Jane Ricks- Rodriguez
 Federico Rodriguez

3400 Valley Pike
 Cedar Park, Tx 78613

I am objecting to the zoning changes and overdevelopment of the
 land directly west of Valley Pike Rd.

When the Mall was built this was to remain a greenbelt.

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:

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: C14-06-0134

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

July 18, 2006 Zoning and Platting Commission

Larry R. Schieter

Your Name (please print)

1519 Shenandoah Dr. cedar park TX. 78613

Your address(es) affected by this application

Larry R. Schieter

Signature

Date

Comments: I hate to see our

quiet neighborhood as being a thing of the past.

But I realize all good things come to an end.

I hope our neighborhood and the new development can both get some parks from this building again.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

See sheet #1 -

#2

Case No. C14-06-0134

Rezoning Request by : PSI (Ralph Reed)

Agent: Shaw Hamilton Consultants

Address/Legal: Approximately 56 acres located at North FM 629 at Ridgeline Boulevard

Proposed Zoning Change: From CS, GR-CO, CO, LO-CO, CO
TO: GR-MU, MU

In the event that the above zoning change request is granted by the Austin City Zoning & Platting Commission, the residents of Shenandoah Section 5 Subdivision request the following concessions to any proposed development in the 56 acres adjacent to Shenandoah Section 5:

1. 100 feet of green vegetative buffer between the easternmost boundary of the 50 foot utility easement and the westernmost boundary of new development. Vegetative buffer is to be maintained by the developer.
2. An 8 foot high stone fence to be built on the easternmost boundary of Shenandoah (exact location to be determined by homeowners before construction begins). Fence is to be maintained by developer.
3. No windows of any building shall face toward (westerly) Shenandoah Section 5 Subdivision.
4. No lighting of any kind shall face directly toward Shenandoah. Street and security light to have appropriate shading/directional covers.
5. No new roads to be built into the Shenandoah Subdivision.
6. Drainage, flooding and water overflow concerns will be addressed to ensure no additional problems are created. (Existing 50 foot utility easement which runs adjacent to easternmost boundary is a water run-off/overflow area and floods with heavy rainfall.)
7. Current height restrictions listed in Ordinance No. 970710-A are to remain in place – Part 2, Articles # 4 and 5 – overall maximum building height of 30 to 35 feet.
8. Current property use restrictions listed in Ordinance No. 970710-A are to remain in place – Part 2, Article #1 – no outdoor sports and recreation, outdoor entertainment.
Part 2, Article #2 – no automotive repair or washing (of any type), restaurants, theater, indoor entertainment, club or lodge are prohibited on the Property within an area 300 feet from the Shenandoah Section 5 easternmost boundary.

9. A possible park for the Shenandoah homeowners.

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Case Number: C14-06-0134

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

July 18, 2006 Zoning and Platting Commission

Ken Riley & Amy Beaccone
Your Name (please print)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

3209 Valley Pike rd. Cedar Park, TX 78613
Your address(es) affected by this application

Ken Riley & Amy Beaccone
Signature

7/19/06
Date

Comments:

We do not want the wildlife behind our house - nor our domestic animals disturbed.
We do not want the traffic it will bring behind our home - we have small children & plan to have more. We purchased this house w/ the land behind the house - the greenbelt, being as is - undisturbed - as 1 of our purchase decisions.
Thank you.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

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.

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www.ci-austin.tx.us/development

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Case Number: C14-06-0134

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

July 18, 2006 Zoning and Platting Commission

Sherree Walter

Your Name (please print)

3404 Valley Pike Rd, Cedar Park, TX 78613

Your address(es) affected by this application

Sherree L. Walter

Signature

8-1-06

Date

Comments: Due to the environmental impact of increased traffic, noise and air pollution due to continual construction, increase water run-off and overflow, I object to the zoning change of the above referenced property - please see attached letter.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810



Rezoning Request by : PSI (Ralph Reed)

Agent: Shaw Hamilton Consultants

Address/Legal: Approximately 56 acres located at North FM 629 at Ridgeline Boulevard

Proposed Zoning Change: From CS, GR-CO, CO, LO-CO, CO
TO: GR-MU, MU

We, representatives of the Shenandoah Section 5 Subdivision, object to the rezoning of the above mentioned 56 acre property on the following basis:

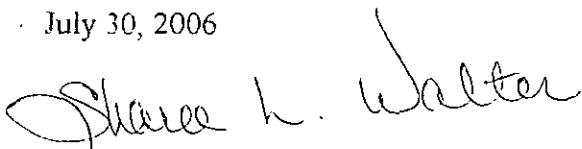
1. Environmental Impact – Shenandoah Section 5 Subdivision has been in existence for approximately 30 years and in that time period has suffered irreparable damage to its ecology, environment and very nature. The perimeters of its area have been totally encompassed by commercial, light industrial, and multi-family housing developments. The only remaining untouched and natural area adjacent to Shenandoah Section 5 is a narrow strip of land directly east of the easternmost property line of Shenandoah (56 acres referenced above). This continual development has sorely stretched Shenandoah's natural state to its limits. Wildlife has been and is being threatened, countless trees and natural terrain has been razed to make way for concrete surfaces and water drainage/overflow has created flooding problems and concerns for the current residents of Shenandoah Section 5. The air and noise pollution created by the continual construction is immeasurable. Very little quiet time exists in our formerly peaceful suburban neighborhood; large equipment continues to generate noise and dust at all hours of the night.
2. Traffic – According to representatives of Lakeline Mall, an estimated 9 to 10 visitors patronize the mall on a yearly basis, most of them traveling to the mall by car. Statistics released by CAMPO (Capital Metro Planning Organization) in 2005 show **daily traffic counts** at the following volume:

Street	Limits	Count
US 183	Cypress Creek Rd.-RM620	56,000
US 183	RM620-Anderson Mill Road	57,500
RM620	Lake Creek Parkway-US 183 (N)	17,900
RM620	US183 (N)-Lake Creek Parkway	25,000.

The increased traffic due to development has jeopardized the safety of our children and of the Shenandoah commuters. More and more vehicles continue to use our subdivision roads as a path to circumvent the increasing construction in our area. Continual development has significantly increased the amount of vehicles and traffic in our immediate and general area. Ingress and egress to our homes grows more difficult day by day.

We respectfully submit these objections to the proposed zoning change and ask that they be given serious consideration before any zoning changes are made. In the event that the Commission decides to grant a change in the zoning status, we respectfully request that the land be zoned no greater than "MF-3" (Medium Density). "MF-3" Multifamily was the former zoning level of the above referenced 56 acres.

July 30, 2006



Sirwaitis, Sherri

From: Walter, Sharee [SWalter@archstonesmith.com]

Sent: Wednesday, July 12, 2006 2:00 PM

To: Sirwaitis, Sherri; , Mike; sheryl@sherylcole.com; Cole, Sheryl; Wynn, Will; Dunkerley, Betty; McCracken, Brewster; "jennifer.kim."@ci.austin.tx.us; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby; Mormon, Andy; May, Rachel; Robert.A.Garza@ci.austin.tx.us; Moore, Andrew; Robbins, Beverly; Thompson, Kenny

Cc: shareelynn@sbcglobal.net

Sherri:

I am a resident who received notice of the proposed zoning change for the above referenced case number (approximately 46 acres of land between Lakeline Mall and Valley Pike Road in the Shenandoah subdivision off RR 620 N). Not only do I object to the rezoning, I object to the development of that particular piece of property. I have lived on Valley Pike Road for only 4 years, but have talked to several residents who have been there 20+ years. Everyone I have talked to says they were assured by developers, real estate agents and city representatives that the area would never be developed and would remain a greenbelt. I have no doubt that the area residents will be unable to stop the development, but strongly feel we should have input as to buffer zones, lighting, allowable types of development, etc.

We have contacted the consultant, Hamilton Shaw, but he has been unable to meet with us as yet. I am requesting a delay on the rezoning hearing until our neighborhood has a chance to meet with Mr. Hamilton.

Have a blessed day!

Sharee L. Walter

Archstone-Smith

11044 Research Blvd, A-300

Austin, TX 78759

Ph: 512-338-7200

Fax: 512-346-8040

7/13/2006

Sirwaitis, Sherri

From: PJRead [PJRead@austin.rr.com]
Sent: Sunday, July 16, 2006 5:06 PM
To: Martinez, Mike [Council Member]; Sirwaitis, Sherri
Cc: PJRead
Subject: case number C14-06-0134

Please note I am against the re zoning and I want to sign the petition against it
Peggy Read

7/18/2006

Sirwaitis, Sherri

From: Mary_Jane_Ricks@Dell.com

Sent: Tuesday, July 11, 2006 8:34 AM

To: Sirwaitis, Sherri; Martinez, Mike [Council Member]; sheryl@sherylcole.com; will.wynn@ci.austin.tx.us; dunkerley@ci.austin.tx.us; McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby; Haines, Dina; andy.momon@ci.austin.tx.us; May, Rachel; robert.a.garza@ci.austin.tx.us; Moore, Andrew; Robbins, Beverly; Thompson, Kenny; andersen23@sbcglobal.net; shareelyne@sbcglobal.net

Subject: CASE C14-06-0134

Mary Jane Ricks- Rodriguez
Federico Rodriguez

3400 Valley Pike
Cedar Park, Tx 78613

I am objecting to the zoning changes and overdevelopment of the land directly west of Valley Pike Rd.

When the Mall was built this was to remain a greenbelt.

Sirwaitis, Sherri

From: Eric Arasteh [arasteh@centtech.com]
Sent: Monday, July 10, 2006 9:51 AM
To: Sirwaitis, Sherri
Subject: case # c14-06-0134

I'm against over-development of the land directly west of Vally Pike Road.

Sirwaitis, Sherri

From: Wilkinson, Steve on behalf of Devweb
Sent: Monday, July 10, 2006 7:05 AM
To: Sirwaitis, Sherri
Subject: FW: devweb - CASE NUMBER: C14-06-0134

Sherri:

This came through the Development Process Web site.

Steve Wilkinson, AICP
Watershed Protection & Development Review Department City of Austin, TX.
512-974-2657
<http://www.ci.austin.tx.us/development/>

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

From: jkmyers97@sbcglobal.net [mailto:jkmyers97@sbcglobal.net]
Sent: Sunday, July 09, 2006 3:18 PM
To: Devweb
Subject: devweb - CASE NUMBER: C14-06-0134

Date/Time Submitted: Sunday, 7/9/06, 1518 hours

From: Jeff Myers

E-mail address: jkmyers97@sbcglobal.net

Subject: CASE NUMBER: C14-06-0134

Comments:

My family and neighbors are greatly concerned with our quality of life and the changing of our isolation from big business invading our back yards.

I live against the area that has been rezoned to allow construction to occur. I was wondering where I can find information on the plans of the development proposals, what steps are available to express my concerns along with my disagreement with this development.

Sirwaitis, Sherri**From:** Lynn Mickan [lynn.mickan@fxfn.com]**Sent:** Thursday, August 10, 2006 12:10 PM**To:** Sirwaitis, Sherri**Cc:** Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will; Dunkerley, Betty; McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby; Haines, Dina; Mormon, Andy; May, Rachel; robert.a.garza@ci.austin.tx.us; Moore, Andrew; Robbins, Beverly; Thompson, Kenny**Subject:** C-14-06-0134

Good Afternoon Sherri and the Austin City Council,

I am contacting you regarding the case number mentioned above. My husband and I recently purchased our first home in the Shenandoah neighborhood that is backed up to the land that is up for rezoning. We are not too familiar with how the process of rezoning of land works however, we would like to express our concern for the potential zoning changes that will directly impact the privacy, charm and possibly, an adverse affect of the value of the homes in our neighborhood. We politely request, that the owner and builder of the currently undeveloped land, the Austin City Council and the case manager, think about what they would do if this situation was reversed and their home and investment was going to be directly affected by the new development. With that being said, we, Aaron & Lynn Mickan, object to the rezoning of the land in this case, unless the following is taken into consideration & put into action with a new rezoning plan:

- * A 100 foot buffer of the existing greenbelt remain between the edge of the property lines of ALL the homes that are on Valley Pike Road including the Shenandoah Baptist Church property and the new development that will eventually be built. The reason for this request is to protect the privacy of the homeowner's and as well preserving some of the vegetation of the greenbelt that currently exists.
- * NO new roads will be built to connect the Shenandoah neighborhood with the new development, which could potentially affect all homes on Valley Pike and Jackson Drive and any of the streets that cross these two streets. This will help prevent any further 'cut through' traffic from entering our neighborhood in which, will preserve our neighborhood and protect our children from potentially being hit by a vehicle that uses our neighborhood to get from Lakeline Blvd to FM 620. This traffic does not appear to have respect for the speed limit of a neighborhood.
- * A 8 foot fence be installed to ensure additional privacy between the new development and all of the properties that are along Valley Pike, including the Shenandoah Baptist Church property. Preferably a fence of stone or brick to ensure the fence will remain up and in good condition for many years to come.

I sincerely thank you for your time in reading this email. Please let me know if there is anything else that I can do, in addition to writing this email and attending the rezoning hearing, to help protect & preserve the privacy and charm of the Shenandoah neighborhood.
Have a wonderful day!

- Aaron and Lynn Mickan
1500 Jackson Drive
Cedar Park, Texas 78613
512-659-1955

8/10/2006

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:

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: C14-06-0134

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

July 18, 2006 Zoning and Platting Commission

KATHLEEN T. BLACKBURN

Your Name (please print)

1619 PLATEAU RIDGE CEDAR PARK TX 78613

Your address(es) affected by this application

Kathleen T. Blackburn 8-3-06

Signature

Date

Comments: See attached list

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810



Case No. C14-06-0134

Rezoning Request by : PSI (Ralph Reed)

Agent: Shaw Hamilton Consultants

Address/Legal: Approximately 56 acres located at North FM 629 at Ridgeline Boulevard

Proposed Zoning Change: From CS, GR-CO, CO, LO-CO, CO
TO: GR-MU, MU

We, representatives of the Shenandoah Section 5 Subdivision, object to the rezoning of the above mentioned 56 acre property on the following basis:

1. Environmental Impact – Shenandoah Section 5 Subdivision has been in existence for approximately 30 years and in that time period has suffered irreparable damage to its ecology, environment and very nature. The perimeters of its area have been totally encompassed by commercial, light industrial, and multi-family housing developments. The only remaining untouched and natural area adjacent to Shenandoah Section 5 is a narrow strip of land directly east of the easternmost property line of Shenandoah (56 acres referenced above). This continual development has sorely stretched Shenandoah's natural state to its limits. Wildlife has been and is being threatened, countless trees and natural terrain has been razed to make way for concrete surfaces and water drainage/overflow has created flooding problems and concerns for the current residents of Shenandoah Section 5. The air and noise pollution created by the continual construction is immeasurable. Very little quiet time exists in our formerly peaceful suburban neighborhood; large equipment continues to generate noise and dust at all hours of the night.
2. Traffic – According to representatives of Lakeline Mall, an estimated 9 to 10 visitors patronize the mall on a yearly basis, most of them traveling to the mall by car. Statistics released by CAMPO (Capital Metro Planning Organization) in 2005 show daily traffic counts at the following volume:

Street	Limits	Count
US 183	Cypress Creek Rd.-RM620	56,000
US 183	RM620-Anderson Mill Road	57,500
RM620	Lake Creek Parkway-US 183 (N)	17,900
RM620	US183 (N)-Lake Creek Parkway	25,000.

The increased traffic due to development has jeopardized the safety of our children and of the Shenandoah commuters. More and more vehicles continue to use our subdivision roads as a path to circumvent the increasing construction in our area. Continual development has significantly increased the amount of vehicles and traffic in our immediate and general area. Ingress and egress to our homes grows more difficult day by day.

We respectfully submit these objections to the proposed zoning change and ask that they be given serious consideration before any zoning changes are made. In the event that the Commission decides to grant a change in the zoning status, we respectfully request that the land be zoned no greater than "MF-3" (Medium Density). "MF-3" Multifamily was the former zoning level of the above referenced 56 acres.

July 30, 2006

Case No. C14-06-0134

Rezoning Request by : PSI (Ralph Reed)

Agent: Shaw Hamilton Consultants

Address/Legal: Approximately 56 acres located at North FM 629 at Ridgeline Boulevard

Proposed Zoning Change: From CS, GR-CO, CO, LO-CO, CO
TO: GR-MU, MU

Initial Request by Shenandoah Neighborhood	Developers Comments	Agreed to Resolution
Maintain 100' vegetative buffer between the easternmost boundary of Shenandoah Subdivision Section 5 and the western most boundary of the subject property.	Agree to maintain a 50' vegetative buffer between the easternmost boundary of Shenandoah Subdivision Section 5 and the western most boundary of the subject property.	Developer will maintain a 50' vegetative buffer between the easternmost boundary of Shenandoah Subdivision Section 5 and the western most boundary of the subject property
Erect an 8' high stone fence along the entire easternmost boundary of the Shenandoah Subdivision.	Agree to construct a fence, not to exceed 8' in height. The fence will be constructed of materials complimentary to the architecture of the 56 acre site. The construction of the fence will coincide with the development of the site.	Developer will construct a fence, not to exceed 8' in height. The fence will be constructed of materials complimentary to the architecture of the 56 acre site. The construction of the fence will coincide with the development of the site.
No windows of any building shall face toward (westerly) Shenandoah Section 5 Subdivision.	Owner cannot agree to this provision	Unresolved
No lighting of any kind shall face directly towards Shenandoah. Street and security lighting to have appropriate shading/directional covers.	Agree to lighting requests	No lighting of any kind shall face directly towards Shenandoah. Street and security lighting to have appropriate shading/directional covers.
No new roads shall be built into Shenandoah Subdivision	We agree	No new roads shall be built into Shenandoah Subdivision

Case No. C14-06-0134

Rezoning Request by : PSI (Ralph Reed)
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Drainage, flooding and water overflow concerns will be addressed to ensure no additional problems are created.	We agree	Drainage, flooding and water overflow concerns will be addressed to ensure no additional problems are created.
Current height restrictions listed in Ordinance No. 970710-A are to remain in place - Part 2, Articles #4 and #5 - overall maximum building height of 30 to 35 feet.	We agree to the first part of the ordinance, Part 2 - #4 that no structure shall be built to a height greater than 30' within 200' of the property line. We are requesting that Part 2 - #5 be modified to allow structures to be built to a height of 45' beyond the 200' line established above.	It is agreed that Part 2 - #4 shall remain, "that no structure shall be built to a height greater than 30' within 200' of the property line." It is also mutually agreed that Part 2 - #5 be modified to allow structures to be built to a height of 45' beyond the 200' line established above.
Current property use restrictions listed in Ordinance No. 970710-A are to remain in place, Part 2 - Article #1, Part 2 - Article #2.	We Agree	Current property use restrictions listed in Ordinance No. 970710-A are to remain in place, Part 2 - Article #1, Part 2 - Article #2.
Construction of a 2 acre 'community-type' park in the development area; to be maintained by developer/owner.	We cannot agree to build a park in the development area; however, we would be willing to pursue an agreement with the City to utilize the parkland dedication fees from this project to improve the parkland owned by the City to the north of this property.	Developer will pursue an agreement with the City to utilize the parkland dedication fees from this project to improve the parkland owned by the City to the north of this property.

Staff's Response to Neighborhood/Applicant Discussions on Conditions for this Case

Case No. C14-06-0134

Rezoning Request by : PSI (Ralph Reed)

Agent: Shaw Hamilton Consultants

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Proposed Zoning Change: From CS, GR-CO, CO, LO-CO, CO

TO: GR-MU, MU

In the event that the above zoning change request is granted by the Austin City Zoning & Platting Commission, the residents of Shenandoah Subdivision (representing approximately 400 households) request the following concessions to any proposed development in the 56 acres adjacent to Shenandoah Subdivision:

1. 50 feet of green vegetative buffer between the easternmost boundary of the 50 foot utility easement of Shenandoah Section 5 and the westernmost boundary of new development. Vegetative buffer is to be maintained by the developer and to be left in its natural state. [This can be placed in a conditional overlay in the zoning ordinance for this case.]
2. An 8 foot high stone fence (unless 8' height not approved by all affected homeowners) to be built on the easternmost boundary of Shenandoah on the property line of existing homeowners. Fence is to be maintained by developer and will coincide with the development of the site. [The fence requirement can be in a public restrictive covenant, however the material (stone) would have to be placed in a private restrictive covenant between the neighborhood and the applicant.]
3. No windows of any building shall face toward (westerly) Shenandoah Section 5 Subdivision except on ground floor of any building in new development. [This provision would have to be in a private restrictive covenant between the neighborhood and the applicant.]
4. No lighting of any kind shall face directly toward Shenandoah Subdivision. Street and security lights to have appropriate shading/directional covers. [The City Compatibility Standards (LDC-Sec. 25-2-1067) already require that exterior lighting be hooded or shielded so that the light source is not directly visible from adjacent properties. Any additional requirements by the neighborhood would have to be placed in a private restrictive covenant with the applicant.]
5. No new roads to be built into the Shenandoah Subdivision. [This is a City subdivision requirement (connectivity) and can not be part of the zoning case. The City could prohibit access to Jackson Drive through a conditional overlay.]
6. Drainage, flooding and water overflow concerns will be addressed to ensure no additional problems are created. (Existing 50 foot utility easement which runs adjacent to easternmost boundary is a water run-off/overflow area and floods with heavy rainfall.) [Drainage for commercial properties are reviewed by the City during the Site Plan process of development. Any additional requirements would have to be placed in a private restrictive covenant between the applicant and neighborhood.]

7. **Current height restrictions listed in Ordinance No. 970710-A can be changed to a maximum building height of 45' provided no windows above the ground floor face in a westerly direction toward Shenandoah Subdivision - Part 2, Articles # 4 and 5.**
[The height limit can be placed in a conditional overlay in the zoning ordinance for this case. However, the City cannot control the location of windows in a building in a zoning case. This would have to be a private agreement between the applicant and the neighborhood.]
8. Current property use restrictions listed in Ordinance No. 970710-A are to remain in place –
Part 2, Article #1 – no outdoor sports and recreation, outdoor entertainment.
Part 2, Article #2 – no automotive repair or washing (of any type), restaurants, theater, indoor entertainment, club or lodge are prohibited on the Property within an area 300-feet from the Shenandoah Section 5 easternmost boundary.
[These items can be placed in a conditional overlay in the zoning ordinance for this case.]
9. Developer will pursue an agreement with City of Austin to utilize parkland dedication fees from this project to improve the parkland owned by the City to the north of this property.
[The city cannot require this at the time of zoning. Parkland dedication fees are assessed during the subdivision/site plan stage of development and reviewed by the City of Austin Parks and Recreation Department for application by area in the City.]
10. All other restrictions listed in Ordinance No. 970710-A are to remain in place. These statements are to become a permanent ordinance and a part of the “zoning envelope” attached to the development of property.
[I do not know what the ‘zoning envelope’ is, but any other requirements from the previous zoning ordinance for this property can be placed in the new ordinance as conditional overlays for this case.]

Sirwaitis, Sherri

From: Sharee Walter [shareelynn@sbcglobal.net]
Sent: Wednesday, August 30, 2006 2:17 PM
To: Sirwaitis, Sherri
Cc: Sileide Andersen; Sileide Andersen
Subject: Case #C-14-06-0134 - Lakeline Commons

Hello Sherri:

I wanted to update you on the status of our negotiations with the developer of Lakeline Commons. At this time, our negotiations are pretty much at a standstill. Mr. Hamilton volunteered to do a "balloon test" to determine how invasive the 45' building height would be to our privacy. Unfortunately, he was unable to complete the test and has subsequently been hospitalized. His associate tried to conduct another "balloon test" but was also unable to complete the test. The associate has also told us that a written agreement will not be available before the September 5 P & Z meeting.

Consequently, we are pretty much at the same place we were at the August P & Z meeting - still asking that no windows face in a westerly direction if the maximum building height is changed to 45'. After closer examination of the "50' vegetative buffer", we have discovered there is actually very little vegetation left in the "buffer" due to the fact that a large portion of this area is a right-of-way for PEC. Large trucks drive through this area behind the existing homes to work on power lines. This has created a crude "roadway" through the 50' designated to be a vegetative buffer.

I would assume the developer will send a representative to the September 5 meeting in the event that Mr. Hamilton is unable to attend, but our position is that we are still in a "postponement status."

Thank you.

Sharee Walter

Have a blessed day!
Sharee Walter
3404 Valley Pike Road
Cedar Park, TX 78613
512-336-0705

8/30/2006