

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0224 – 13642 Research

P.C DATE: April 6, 2010
April 20, 2010

ADDRESS: 13642 Research Boulevard

OWNER/APPLICANT: Cathyville, Ltd. (William Pohl)

AGENT: Thrower Design (Ron Thrower)

ZONING FROM: SF-2, Unzoned **TO:** GO-CO, GR-CO

AREA: 4.766 acres (207,606 sq. ft.)

SUMMARY STAFF RECOMMENDATION: Staff recommends GO-CO (General Office -Conditional Overlay) and GR-CO (General Retail) district zoning with conditions. 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. Staff also recommends that access to Caldwell Drive be prohibited as a condition of zoning. The applicant and neighborhood representatives have further agreed to prohibit certain uses (see below).

ZONING AND PLATTING COMMISSION RECOMMENDATION: 4/20/10: Staff recommendation with additional conditions:

- removal of Counseling Services as a prohibited use
- removal of prohibited access to Caldwell Drive as a condition of zoning
- limit access to 183 frontage and to the existing joint use access to the tract to the immediate South of the subject property

CITY COUNCIL 1st READING: 5/27/10 – The City Council added additional prohibited uses: Tract 1: consumer convenience services, funeral services, hotel, motel, restaurant general and hospital services on Tract 2. Vehicular access to Caldwell was also prohibited.

DEPARTMENT COMMENTS: Staff recommends the proposed prohibited uses under GR and GO zoning as offered by the applicant:

GR Prohibited Uses

Automotive Rentals
Automotive Repair Services
Automotive Sales
Automotive Washing (of any type)
Bail Bond Services
Commercial Off-Street Parking
Communications Services
Drop-Off Recycling Collection Facility
Drive Trough Services
Exterminating Services
Indoor Entertainment
Indoor Sports and Recreation
Outdoor Sports and Recreation

GO Prohibited Uses

Communications Services
Counseling Services
Group Home, Class I (General)
Group Home, Class I (Limited)
Group Home, Class II
Guidance Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Public Primary Educational Facilities
Public Secondary Educational Facilities

Pawn Shop Services
Service Station
Theater
Counseling Services
Group Home, Class I (General)
Group Home, Class I (Limited)
Group Home, Class II
Guidance Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Public Primary Educational Facilities
Public Secondary Educational Facilities
Residential Treatment

ISSUES: The neighborhood representatives have requested an additional list of prohibited uses:

GR Prohibited Uses

Consumer Convenience Services	Day Care Services (General)
Financial Services	Day Care Services (Limited)
Food Preparation	Family Home
Funeral Services	Hospital Services (General)
Hotel-Motel	Hospital Services (Limited)
Off-site Accessory Parking	Residential Treatment
Outdoor Entertainment	Safety Services
Restaurant (General)	Urban Farm
Club or Lodge	
Community Recreation (Private)	
Community Recreation (Public)	
Congregate Living	
Day Care Services (Commercial)	

GO Prohibited Uses

Off-site Accessory Parking	Day Care Services (Commercial)
Restaurant (Limited)	Day Care Services (General)
Club or Lodge	Day Care Services (Limited)
Community Recreation (Private)	Family Home
Community Recreation (Public)	Hospital Services (General)
Congregate Living	Hospital Services (Limited)
Convalescent Services	Residential Treatment
	Safety Services
	Urban Farm

The neighborhood has also requested the following site development standards:

- restrict the property to a minimum building setback of 50ft from TxDOT right-of-way on US 183 as required under Williamson County regulations.
- maximum building height of 35 feet

Staff does not recommend the additional site development standards as requested by the neighborhood.

The neighborhood has also requested the applicant to construct an 8 ft. solid fence along the property lines adjoining the residential properties, and to limit the hours of operation in any business on the property to 7:00 AM and 10:00 PM. Staff has advised the parties to explore a private restrictive covenant to govern these issues.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Auto repair/Retail
<i>North</i>	SF-2/LO	Single Family/Office
<i>South</i>	SF-2/GR-CO	Single Family/Retail/Undeveloped
<i>East</i>	SF-2	Single Family
<i>West</i>	GR-CO/CS	Retail/Office/Hotel/Restaurant

NEIGHBORHOOD PLAN: N/A**TIA:** Waived**WATERSHED:** Lake Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

Ash Creek Homes, Inc.

Acres West Homeowners Association

Homebuilders Association of Greater Austin

Bull Creek Foundation

Community Arboretum Park Master Condominium Association

Anderson Mill Neighborhood Association

Long Canyon Homeowners Association

2222 Coalition of Neighborhoods Association

Austin Parks Foundation

Long Canyon Phase II & I Homeowners Association;

River Place Residential Community Association

CASE HISTORIES

NUMBER	REQUEST	COMMISSION	COUNCIL
C14-2005-0043	SF-2 to GR	6/7/05: APVD STAFF ALT REC OF GR-CO W/CONDS (9-0)	7/28/05: APVD GR- CO (7-0); ALL 3 RDGS

BASIS FOR RECOMMENDATION***1. Zoning should allow for reasonable use of the property.***

The recommended zoning will locate retail zoning along a major transit corridor and serve the adjacent residential community.

2. Zoning changes should promote a balance of intensities and densities.

The recommended zoning will promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

EXISTING CONDITIONS

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed 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%.

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.

Numerous trees will likely be impacted with this rezoning case. Please be aware that an approved rezoning status does not eliminate the requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rim rock, 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.

Water and Wastewater

If 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 extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

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.

Transportation:

Additional right-of-way may be required at the time of site plan or subdivision application.

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]

If the requested zoning is granted, it is recommended that access to Caldwell Drive be prohibited as a condition of zoning because of mostly single-family development along Caldwell Drive.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
US 183	400'	Varies	Freeway	No	No	No
Caldwell Drive	57'	21'	Local	No	No	No

Site Plan:

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the west and east property line, the following standards apply:

- No structure may be built within 25 feet of the property line zoned or used SF-5 or more restrictive.
 - 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.
- Additional design regulations will be enforced at the time a site plan is submitted.

CITY COUNCIL DATE: May 27, 2010
June 24, 2010

ACTION: 1st reading

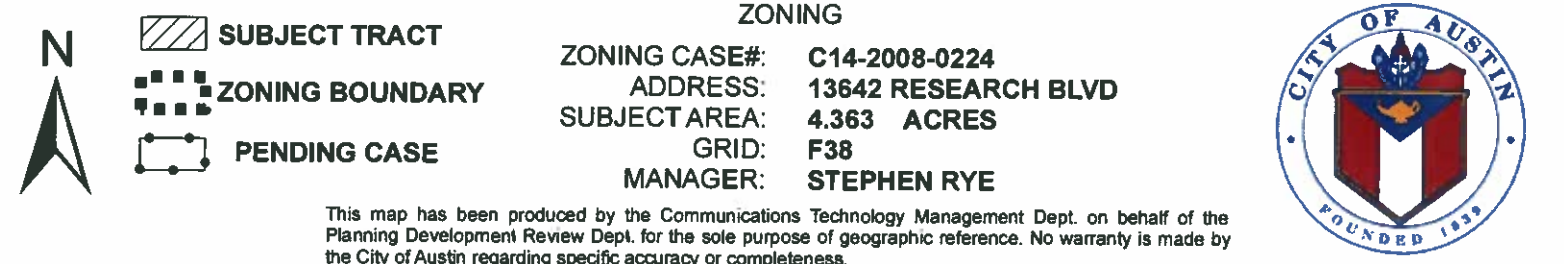
ORDINANCE READINGS: 1st 5/27/10

2nd 6/24/10 3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604
stephen.rye@ci.austin.tx.us



DATE: April 12, 2010

TO: Stephen Rye, Planning and Development Review Department

FROM: Cindy Barron

RE: Cathyville Zoning
C14-2008-0224

Stephen,

Below is the list of **prohibited** uses we have proposed to Ron. In addition to his offering of prohibited uses shown in black, we have added prohibited uses shown in red. Consideration was given to uses that would limit hours of operation, prohibit the sale of alcohol, minimize traffic impact on each of the three neighborhoods, and minimize noise and air pollution to adjoining residential properties.

GR

Automotive Rentals	Hospital Services (Limited)
Automotive Repair Services	Private Primary Educational Facilities
Automotive Sales	Private Secondary Educational Facilities
Automotive Washing (of any type)	Public Primary Educational Facilities
Bail Bond Services	Public Secondary Educational Facilities
Commercial Off-Street Parking	Religious Assembly
Communications Services	Residential Treatment
Consumer Convenience Services	Safety Services
Drop-Off Recycling Collection Facility	Custom Manufacturing
Exterminating Services	Urban Farm
Financial Services	
Food Preparation	
Funeral Services	
Hotel-Motel	
Indoor Entertainment	
Indoor Sports and Recreation	
Off-site Accessory Parking	
Outdoor Entertainment	
Outdoor Sports and Recreation	
Pawn Shop Services	
Restaurant (General)	
Service Station	
Theater	
Club or Lodge	
Community Recreation (Private)	
Community Recreation (Public)	
Congregate Living	
Counseling Services	
Day Care Services (Commercial)	
Day Care Services (General)	
Day Care Services (Limited)	
Family Home	
Group Home, Class I (General)	
Group Home, Class I (Limited)	
Group Home, Class II	
Guidance Services	
Hospital Services (General)	

GO

Communications Services

Off-site Accessory Parking

Restaurant (Limited)

Club or Lodge

Community Recreation (Private)

Community Recreation (Public)

Congregate Living

Convalescent Services

Counseling Services

Day Care Services (Commercial)

Day Care Services (General)

Day Care Services (Limited)

Family Home

Group Home, Class I (General)

Group Home, Class I (Limited)

Group Home, Class II

Guidance Services

Hospital Services (General)

Hospital Services (Limited)

Private Primary Educational Facilities

Private Secondary Educational Facilities

Public Primary Educational Facilities

Public Secondary Educational Facilities

Religious Assembly

Residential Treatment

Safety Services

Urban Farm

In addition, we are requesting the following as conditions to be included in the zoning:

- Traffic generated by cumulative uses shall not exceed 2,000 trips per day.
- Drive-in services are prohibited as an accessory use to a commercial use.
- Access to Caldwell Drive is prohibited.
- An 8ft. permanent, solid fence is required to be constructed and maintained along property lines adjoining residential properties.
- Minimum building setback of 25ft. from residential properties.
- Minimum building setback of 50ft. from TxDOT ROW.
- Maximum building height of 35ft.
- Any permitted use will be limited to operational hours between 7:00 AM and 10:00 PM daily.

Have you been provided metes and bounds for the zoning district boundaries?

Vegetative screening behind the back building is still open for discussion. The Cottages at Lake Creek HOA would like to see a 25ft. vegetative, landscaped buffer be required at the back property line.

Material used for fencing is also open for discussion. Our preference, as you are quite aware, is for architecturally-complimentary, dual-faced, maintenance-free masonry. We will continue to work with Ron on this.

As you review the prohibited uses, keep in mind...we did accommodate Ron's request for medical, retail and restaurant uses. Also, the maximum building height of 35ft. would allow the 46ft. height he requested for sign display above the canopy of the trees that could be seen from US 183. It is our understanding that a parapet or false building front for signage is a design feature that falls under Subchapter E, requires earning points, and can extend up to 50% higher than the height of the building from grade to roof.

Give me a call if you have any questions or comments.

Thanks,

Cindy Barron

ACRES WEST HOMEOWNERS ASSOCIATION

258-2142

May 27, 2010

Mayor Leffingwell and City Council Members,

We respectfully request Council to review and consider the following conditions for inclusion in the zoning ordinance for this case:

- 1) Additional prohibited uses under GR for Tract 1: Consumer Convenience Services, Funeral Services, Hotel-Motel, Restaurant (General), and Day Care Services (all types).
- 2) Additional prohibited uses under GO for Tract 2: Day Care Services (all types), Hospital Services (General & Limited).
- 3) 25 ft. building setback from all residential properties on both tracts.
- 4) 35 ft. building height limitation on both tracts.
- 5) 8 ft. solid fence/wall on north property line that abuts 12 residential lots in Woodland Village.
- 6) Minimum 15 ft. natural vegetative buffer along west property line that abuts the Cottages property.
- 7) Limit hours of operation from 7:00am to 10:00pm for all permitted uses on both tracts.
- 8) 50 ft. building setback from US 183 frontage.

Thank you for your time and consideration.

Cindy Barron
13602 Caldwell Drive
258-2142
ACRES WEST

Thrower Design

4608-A South Lamar Boulevard
Austin, Texas 78745
(512) 476-4456 • Fax (512) 476-4454

MEMORANDUM

DATE: April 13, 2010
TO: Cindy Barron
FROM: Ron Thrower
RE: Cathyville Rezoning

Cindy,

Thanks for your memo dated April 8, 2010. I've gone through the list that you are proposing and have the following comments:

When Acres West and myself worked through the list of prohibitive uses for the abutting "Broz" property, there was an agreed upon list of 34 prohibitive uses. Your list expands the list of prohibitive uses to 47 for the proposed front "GR" portion of the rezoning. I believe this is excessive, especially considering that the "Broz" property is closer to the neighborhood and a part of the Acres West subdivision. I can not agree to your expanded list and federal law will not allow for the prohibition of Religious Assembly.

Your expanded list of prohibited uses for the proposed rear "GO" portion of the rezoning adds in uses that are compatible with land use of the area. It's important that we look at land use from many perspectives and the expanded list of prohibitive uses can and do function in harmony with similarly situated properties. I can not agree to your expanded list and federal law will not allow for the prohibition of Religious Assembly.

Traffic generation – We are exploring the possibility of a restriction to be added as a Conditional Overlay to limit the amount of vehicle trips per day to 2,000 trips unless a Traffic Impact Analysis is provided in conjunction with a new site plan or change of use.

Drive-in services – We agree that drive-thru services as an accessory use should be prohibited on the property.

Caldwell Drive - The rezoning area does not have frontage on Caldwell Drive, nor will Caldwell Drive ever be extended so as to provide frontage to the rezoning area. There is an intervening

L A N D P L A N N E R S

property between the rezoning area and Caldwell drive. While my client is purchasing that intervening property it is residentially zoned and residentially deed restricted. We can not have a commercial driveway across the residential lot. Therefore, we can not agree to prohibit access to Caldwell Drive.

Eight foot fence – We can not agree to an 8' solid fence along the property lines adjoining residential properties. There is a huge amount of 6' privacy fences in the area that were adequate during the time the use of the rezoning area was an auto repair facility. Compatibility standards require screening between commercial and residential property coupled with a setback. The existing fencing and new 6' fencing where none may exist plus the existing vegetation within the setback area is double the amount required by code for a large portion of the perimeter of the property that abuts existing residential properties.

Twenty-five foot setback - The Compatibility standards require the 25' setback mentioned. Except that improvements can be placed within the setback where existing improvements are located today, provided that there is not any increase in non-compliance. In particular the area along the southern property line there are 2 vacant residential lots, one of which is to be purchased by my client. The existing buildings abutting those two lots are within the 25' setback. While we are not proposing any building improvements in that area and only have pavement in that area I do not want to preclude the option of adding in any maintenance sheds or the like which are typically shoved to the sides of properties just like residential homes have their sheds. There is not any other improvements within the 25' compatibility setback that has any impact on any existing single-family homes. I can not agree to this condition.

US 183 setback - I can not agree to the limitation of a building setback of 50' along US 183.

Maximum height of 35' – I can not agree to this as the compatibility standards should be the sole condition to govern the height on all commercial properties. I understand the Commercial Design Standards height limits, but can not agree with placing this height limit on the property. Design of buildings has become way too limited in Austin. Regulating design is a major issue for which Austin will suffer.

Hours of operation – We are looking into this matter and get back with you.

Metes and Bounds – Attached are the field notes you requested.

Should you have any questions, please contact me at my office.

Ron Thrower

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: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Oct. 20, 2009, Zoning & Platting Commission

Nov. 19, 2009, City Council

Atheine Morse

Name (please print)

3601 CALDWELL DRIVE AUSTIN 78750-2204

Address(es) affected by this application

Atheine Morse

October 13, 2009

Signature

Date

Time Telephone: (512) 258-2455

Comments: My objections are:

Safety: There are 96 homes w/ one ingress/egress, which is Caldwell Drive. Major # of people are retirees or widowed persons. Availability of emergency vehicles? Access would be greatly hindered w/ any added businesses w/ access to Caldwell Dr. The use for these entrance must be on Hwy 183.

Aesthetics: This neighborhood has been here for over 38 years & we have kept it clean & new. Excess use this form to comment, it may be returned to: business (other than office) will destroy this. There are many other issues to be considered. But safety should not must be the.

City of Austin

Planning & Development Review Department

Stephen Rye

Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Oct. 20, 2009, Zoning & Platting Commission

Nov. 19, 2009, City Council

BLECKER L MORSE, JR

Your Name (please print)

13601 CALDWELL DR AUSTIN TX 78758

Your address(es) affected by this application

B L Morse

Signature

Date

Daytime Telephone: 258-2455

Comments: (1) Plot map is wrong - doesn't show true outline of home - (2) Doesn't show true outline of street - (3) There are no homes in subdivision that have one in lot and don't list ABCS zoning by the city on a statement is not compatible with residential - (5) The passage of this would automatically devalue the property value of our home -

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

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

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

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

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

www.ci.austin.tx.us/development

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Case Number: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Oct. 20, 2009, Zoning & Platting Commission

Nov. 19, 2009, City Council

HARRIS GORDON

Your Name (please print)

13604 Calumet Drive, Unit 50

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: *512-335-1837*

Comments:

☐ I am in favor
☒ I object

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

City of Austin

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Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Oct. 20, 2009, Zoning & Platting Commission

Nov. 19, 2009, City Council

Joe & Sandra Coffey
Your Name (please print)

13609 CALDWELL DR, AUSTIN TX,

Your address(es) affected by this application

Joe M Coffey
Signature

Date

10-10-09

Daytime Telephone: _____

Comments: Needs entry ONE CURB CUT

Needs Privacy Fence

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

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Case Number: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Apr. 6, 2010, Zoning & Platting Commission
Apr. 29, 2010, City Council

Laurie Stegemüller

Your Name (please print)

13604 CALDWELL DR #41, AUSTIN TX 78750

Your address(es) affected by this application

Laurie Stegemüller

Signature

Date

Daytime Telephone: 512-680-3884

Comments:

I AM NOT AGAINST THE ZONING CHANGE BUT I AM AGAINST ANY DEVELOPMENT PLAN THAT HAS AN ENTRANCE OR EXIT LOCATED ON CALDWELL DR.

ANY ENTRANCE TO THE BUSINESS SHOULD BE ON THE RESEARCH BLVD

FRONTAGE ROAD. AN ENTRANCE ON CALDWELL WILL AFFECT THE RESIDENT'S QUALITY OF LIFE

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

WHO LIVE ON CALDWELL.

PLEASE, PLEASE DON'T ALLOW IT!!!

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Case Number: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Oct. 20, 2009, Zoning & Platting Commission
Nov. 19, 2009, City Council

LETTICE DITCH

Your Name (please print)

☐ I am in favor
☒ I object

13515 Caldwell Ave Austin TX 78750

Your address(es) affected by this application

Lettie D. Ditch 10-13-09

Signature

Date

Daytime Telephone: 858 1476

Comments: will be a distraction

to our peaceful life and

lower our property values

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Oct. 20, 2009, Zoning & Platting Commission
Nov. 19, 2009, City Council

BLAECCKEL MORSE, JR

Your Name (please print)

☐ I am in favor
☒ I object

13601 CALDWELL DR Austin TX 78750

Your address(es) affected by this application

Blas Morse 10-13-09

Signature

Date

Daytime Telephone: 258-2455

Comments: (1) Plat map is wrong - doesn't show

true outline of home - (2) Doesn't show

true outline of street - (3) There are no

measurements shown that have and

are in left and right - (4) CS zoning

by the city and statement is not

comparable with the identical -

(5) The passage of this would

automatically devalue the property

value of our home -

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

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: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Oct. 20, 2009, Zoning & Platting Commission
Nov. 19, 2009, City Council

EREL L. DITTRICH
Your Name (please print)

☐ I am in favor
☒ I object

13515 CROWE DR Austin TX 78750
Your address(es) affected by this application

Fred Pittman

Signature

10-13-09
Date

Daytime Telephone: 258 1476

Comments: Not compatible to
Neighborhood.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Stephen Rye
P. O. Box 1088
Austin, TX 78767-8810

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: C14-2008-0224

Contact: Stephen Rye, 512-974-7604

Public Hearing: Oct. 20, 2009, Zoning & Platting Commission
Nov. 19, 2009, City Council

Catherine Morse
Your Name (please print)

☐ I am in favor
☒ I object

13601 CALDWELL DRIVE Austin 78758-220
Your address(es) affected by this application

Catherine Morse

Signature

October 13, 2009
Date

Daytime Telephone: (512) 258-2455

Comments: My objections are:

1. Safety: There are 96 homes w/ one ingress
egress, which is Caldwell Drive. Majority of
people are retirees or widowed persons. Availability
of emergency vehicles' access would be greatly
hindered w/ any added businesses w/ access to
Caldwell Dr. The use for their entrance must
all be on Hwy 183.

2. Aesthetics: This neighborhood has been here for
over 38 years & we have kept it clean & neat. Excess
If you use this form to comment, it may be returned to: business (other
City of Austin
Planning & Development Review Department
Stephen Rye
P. O. Box 1088
Austin, TX 78767-8810

than office) will
destroy this.

There are many other
issues to be considered
but safety should not
must be #1.

3DS
THREE DIMENSIONAL SERVICES
SHIPPING ADDRESS:
10703 Sierra Oaks
Austin, Texas 78759

3DS, Inc.
Land Surveyors
G.P.S. Services
Subdivisions • Topographic
Construction • Commercial • Boundaries

MAILING ADDRESS:
P.O. Box 202816
Austin, Texas 78720
(512) 919-4140
Fax (512) 919-4142
www.3DSinc.com

Exhibit A

METES AND BOUNDS DESCRIPTION

1.813 ACRES OF LAND SITUATED IN THE WILLIAM FRAMPTON SURVEY, ABSTRACT No. 230 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THE 4.363 ACRE REMAINDER OF A 16.053 ACRE TRACT OF LAND CONVEYED TO CATHYVILLE, LTD., BY INSTRUMENT OF RECORD DATED FEBRUARY 23, 1982, RECORDED IN VOLUME 870, PAGE 1 ON MARCH 17, 1982 IN THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAVE & EXCEPT THAT CERTAIN 0.504 ACRE PORTION THEREOF CONVEYED TO THE STATE OF TEXAS BY INSTRUMENT OF RECORD DATED AUGUST 15, 1991, RECORDED IN VOLUME 2088, PAGE 304, ON DECEMBER 19, 1991 IN THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 4.363 ACRE TRACT BEING ALSO DESCRIBED AS THE "RESIDUAL" TRACT ON THE WOODLANDS AT LAKE CREEK, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, DATED NOVEMBER 21, 2005, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET BB SLIDES 96-98, ON DECEMBER 16, 2005 IN THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 1.813 ACRES BEING MORE PARTICULARLY DESCRIBED AS METES AND BOUNDS AS FOLLOWS;

BEGINNING at an iron rod found at the most northern corner of the said 4.363 acre tract, point being on the western right-of-way of Highway 183, point being the most southeast corner of that certain Lot 1, Block B, The Woods of Anderson Mill, a subdivision in Williamson County, Texas, recorded in Cabinet C, Slide 133, in the Official Public Records of Williamson County, Texas, point being the **POINT-OF-BEGINNING** and most northern corner of the herein described tract of land;

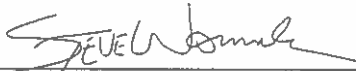
Thence S11°46'12"E following the said western right-of-way of Highway 183 for a distance of 387.94 feet to an iron rod found for the most eastern corner of the said 4.363 acres, point being the northern corner of Lot 25, Block A, Acres West, a subdivision in Williamson County, Texas, recorded in cabinet B slide 45, OPRWC, for the southeast corner of the herein described tract;

Thence S78°17'46"W following the common property line of the said Acres West Subdivision for a distance of 29.75 feet to an iron pipe found, for an interior ell corner of the herein described tract;

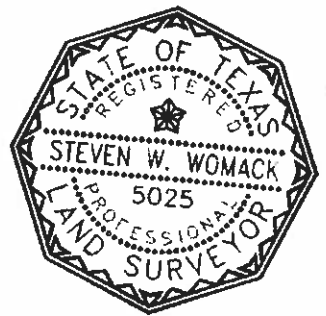
Thence S34°53'00"W continuing with the said common property line of the said Acres West Subdivision for a distance of 259.24 feet to a point on the northeast line of Lot 21, Block A of the said Acres West Subdivision, for the southwest corner of the herein described tract;

Thence N11°46'12"W traversing across the referenced "residual" tract a distance of 360.03 feet to a point on the southeast line of Lot 4, Block B of the said Woods of Anderson Mill Subdivision, for the northwest corner of the herein described tract;

Thence N34°54'44"E continuing with the said common property line of the said Woods of Anderson Mill Subdivision for a distance of 300.00 feet to the **POINT OF BEGINNING** containing 1.813 acres of land, more or less.


Steven W. Womack
Registered Professional Surveyor
No. 5025, State of Texas

06-16-2010
Date



3DS
THREEDIMENSIONAL SERVICES
SHIPPING ADDRESS:
10703 Sierra Oaks
Austin, Texas 78759

3DS, Inc.
Land Surveyors
G.P.S. Services
Subdivisions • Topographic
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MAILING ADDRESS:
P.O. Box 202816
Austin, Texas 78720
(512) 919-4140
Fax (512) 919-4142
www.3DSinc.com

Exhibit B

METES AND BOUNDS DESCRIPTION

2.550 ACRES OF LAND SITUATED IN THE WILLIAM FRAMPTON SURVEY, ABSTRACT No. 230 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THE 4.363 ACRE REMAINDER OF A 16.053 ACRE TRACT OF LAND CONVEYED TO CATHYVILLE, LTD., BY INSTRUMENT OF RECORD DATED FEBRUARY 23, 1982, RECORDED IN VOLUME 870, PAGE 1 ON MARCH 17, 1982 IN THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAVE & EXCEPT THAT CERTAIN 0.504 ACRE PORTION THEREOF CONVEYED TO THE STATE OF TEXAS BY INSTRUMENT OF RECORD DATED AUGUST 15, 1991, RECORDED IN VOLUME 2088. PAGE 304, ON DECEMBER 19, 1991 IN THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 4.363 ACRE TRACT BEING ALSO DESCRIBED AS THE "RESIDUAL" TRACT ON THE WOODLANDS AT LAKE CREEK, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, DATED NOVEMBER 21, 2005, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET BB SLIDES 96-98, ON DECEMBER 16, 2005 IN THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 2.550 ACRES BEING MORE PARTICULARLY DESCRIBED AS METES AND BOUNDS AS FOLLOWS;

BEGINNING at a calculated point on a rock fence column at the northeast corner of Lot 1, Woodlands at Lakecreek, a subdivision in Williamson County, Texas, recorded in Cabinet BB, Slides 96-98, in the Official Public Records of Williamson County, Texas, point being also the southwest corner of the above referenced 4.363 acre tract and the **POINT-OF-BEGINNING** and southwest corner of the herein described tract of land;

Thence N55°07'49"W following the common property line of the said Woodlands of Lakecreek Subdivision for a distance of 262.19 feet to an iron rod found on the southeast line of Lot 13, Block B, The Woods of Anderson Mill, a subdivision in Williamson County, Texas, recorded in Cabinet C, Slide 133, in the Official Public Records of Williamson County, Texas, for the northwest corner of the herein described tract;

Thence N34°51'51"E following the common property line of the said Woods of Anderson Mill Subdivision for a distance of 337.31 feet to an iron pipe found on the north line of the herein described tract;

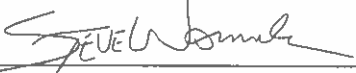
Thence N34°54'44"E continuing with the common property line of the said Woods of

Anderson Mill Subdivision for a distance of 210.26 feet to a calculated point on the southeast line of Lot 4, Block B of the said Woods of Anderson Mill Subdivision, for the northeast corner of the herein described tract;

Thence S11°46'12"E traversing across the referenced "residual" tract a distance of 360.03 feet to a point on the northeast line of Lot 21, Block A of the said Acres West Subdivision, for the southeast corner of the herein described tract;

Thence S34°53'00"W following the common property line of the said Acres West Subdivision for a distance of 56.46 feet to an iron rod found at the northeast corner of Lot 20, Block A of the said Acres West Subdivision, for a point on the south line of the herein described tract;

Thence S34°47'44"W continuing with the common property line of the said Acres West Subdivision for a distance of 243.92 feet to the **POINT OF BEGINNING** containing 2.550 acres of land, more or less.



Steven W. Womack
Registered Professional Surveyor
No. 5025, State of Texas

06-16-2010
Date

