

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 02/10/2005
PAGE: 1 of 1**

SUBJECT: C14-04-0169 - The Vortex - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2206 Maple Avenue (Boggy Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Applicant: Brooks Albert Co., L.L.C. Agent: The Vortex (Bonnie Cullum). City Staff: Tom Bolt, 974-2755.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0169

PC DATE: January 11, 2005

CITY COUNCIL: February 10, 2005

ADDRESS: 2206 Maple Ave.

OWNER/APPLICANT: Brooks Albert Co., L.L.C.

AGENT: The Vortex, Bonnie Cullum

ZONING FROM: CS-MU-CO-NP **TO:** CS-1-MU-CO-NP **AREA:** .45 acres

SUMMARY STAFF RECOMMENDATION:

Staff does not recommended rezoning the subject property from General Commercial Services district-Mixed Use combining district-Conditional Overlay combining district zoning-Neighborhood Plan (CS-MU-CO-NP) to Commercial-Liquor Sales district- Mixed Use combining district-Conditional Overlay combining district zoning-Neighborhood Plan (CS-1-MU-CO-NP)

PLANNING COMMISSION RECOMMENDATION:

TO APPROVE APPLICANT'S REQUEST FOR CS-1-MU-CO-NP ZONING.

VOTE: 8-0 (MH-1st, JR-2nd)

ISSUES:

This property is located within the Upper Boggy Creek Plan area. (See Exhibit A) The subject property has a General Commercial Services zoning district designation at present. No Neighborhood Plan amendment is necessary. While the Theater intends to provide alcohol sales only during performances there is no way through zoning to limit the use to scheduled theater performances. A conditional use permit, site plan approval by the Planning Commission would be required for the sale of alcohol in addition to the required CS-1- MU-CO-NP district designation. Staff cannot support the allowed uses under the CS-1-MU-CO-NP district in this location.

DEPARTMENT COMMENTS:

The property is currently developed as a Live Theater. The subject property is located south of a larger parcel that serves as an unimproved parking lot for the Theater. The theater structures are adjacent to single-family development to the south and west. The CS-1-MU-CO-NP zoning might be appropriate along a major roadway instead of situated on residential streets.

This property is located within the Upper Boggy Creek Plan Area. Ordinance # 021024-19 approving associated zonings within the planning area were passed and approved on August 1, 2002. The Council adopted Future Land Use Map (FLUM) for this property designates this property for mixed use. The boundaries for the Upper Boggy Creek Neighborhood Plan area are IH35 to the west, Airport Ave. (RMMA) to the north and east, and MLK St. and Manor Rd. to the south.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP	Theater
<i>North</i>	CS-MU-CO-NP	Unimproved parking lot, dry cleaner and electrical service
<i>South</i>	SF-3-NP	Single family residences
<i>East</i>	MF-3-NP	Apartments
<i>West</i>	LO-MU-CO-NP	Single family residences

PLAN AREA: Upper Boggy Creek Neighborhood Plan **TIA:** N/A

WATERSHED: Boggy Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- #141 Cherrywood Neighborhood Association
- #143 Blackland Neighborhood Association
- #403 Martin Luther King Jr./Airport Blvd Sector
- #511 Austin Neighborhoods Council
- #603 Mueller Neighborhoods Coalition
- #655 Upper Boggy Creek Neighborhood Planning Team
- #689 Upper Boggy Creek Neighborhood Planning Team
- #700 Keep the Land
- #735 UBC Neighborhood Planning Team Contact
- #937 Taking Action Inc.
- #972 PODER People Organized in Defense of Earth and Her Resources
- #981 Amberly Airport Association

SCHOOLS:

Maplewood Elementary School
Campbell Elementary School
Ganzalo Garza High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-02-0057	NPCD Upper Boggy Creek Neighborhood Plan and associated zoning	Approved 06/12/2002	Approved in entirety 10/24/2002

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
E 22 nd St.	50"	30"	Residential	No	N/A	N/A
Maple St	50'	30'	Residential	Yes	N/A	N/A

Capital Metro bus service is available along Manor Rd.

CITY COUNCIL DATE: February 10, 2005

ACTION:

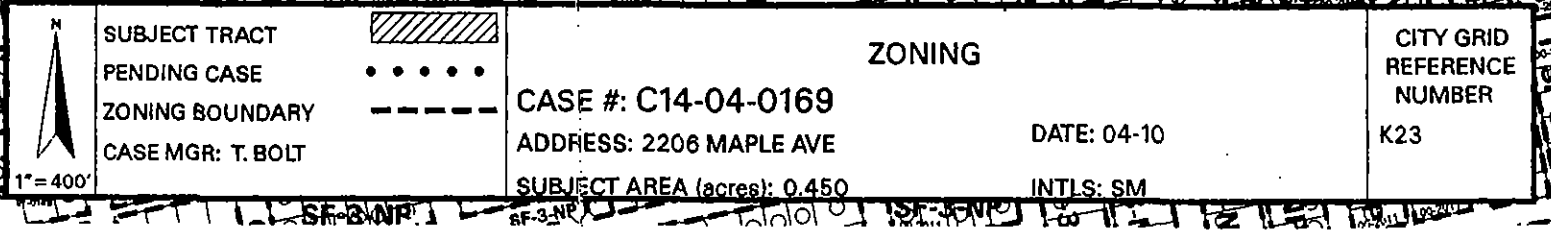
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Thomas Bolt

PHONE: 974-2755

e-mail address: Thomas.bolt@ci.austin.tx.us





C14-04-0169

2206 MAPLE AVE

REQUEST:
FROM CS-MU-CO-NP TO CS-1-NP

OWNER:
BROOKS ALBERT CO. L.L.C.

AGENT:
VORTEX (BONNIE CULLUM)

Zoning
Subdivision
Base
Centerline



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STAFF RECOMMENDATION

Staff does not recommended rezoning the subject property from General Commercial Services district-Mixed Use combining district-Conditional Overlay combining district zoning-Neighborhood Plan (CS-MU-CO-NP) to Commercial-Liquor Sales district- Mixed Use combining district-Conditional Overlay combining district zoning-Neighborhood Plan (CS-1-MU-CO-NP)

BASIS FOR RECOMMENDATION

Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.

Staff would not recommend CS-1 zoning district within a neighborhood when the property has residential use established on three sides.

Zoning changes should promote compatibility with adjacent and nearby uses.

CS-1 districts are normally located adjacent to other businesses along roadways intended for more intense development. The current theater use established prior to the Neighborhood Planning process was the basis for continuation of the CS zoning on this property.

Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

CS-1 zoning is not appropriate when located on residential designated rights-of-way within a neighborhood.

Zoning changes should promote an orderly relationship among land uses.

Adjacent uses are commercial to the north, residential to the east, south and west.

EXISTING CONDITIONS**Site Characteristics**

Site is relatively flat and developed with a live theater and accessory structures along with some hard surface parking and sidewalks.

Impervious Cover

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

Environmental

According to flood plain maps, there is flood plain within the project area.

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.

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

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.

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

Water Quality Control Requirements

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 vs. cumulative is exceeded, and detention for the two-year storm.

Right-of-Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Transportation

The trip generation under the requested zoning is not expected to exceed the existing trips per day under the current zoning classification.

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

Water and Wastewater

The landowner intends to serve the site with City water or wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are necessary for the land use, the landowner, at own expense, will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria. The City must inspect the utility construction.

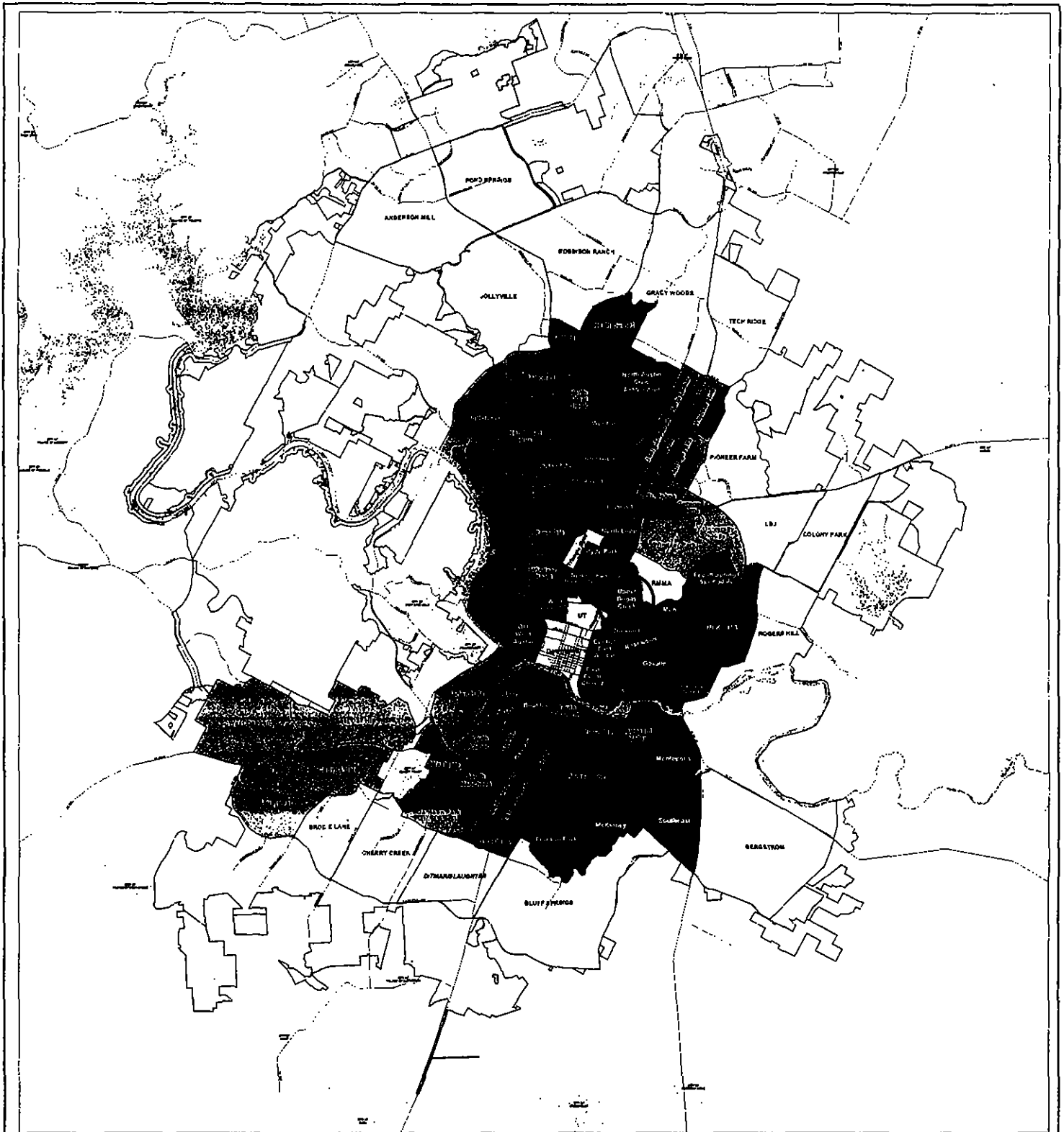
Stormwater Detention

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 west and south the following standards apply:

- No new structure may be built within 25 feet of the west and south property lines.
- No new structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No new structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No new parking or driveways are allowed within 25 feet of the property line.
- Additional design regulations will be enforced if a site plan is submitted.



City of Austin Neighborhood Planning Areas

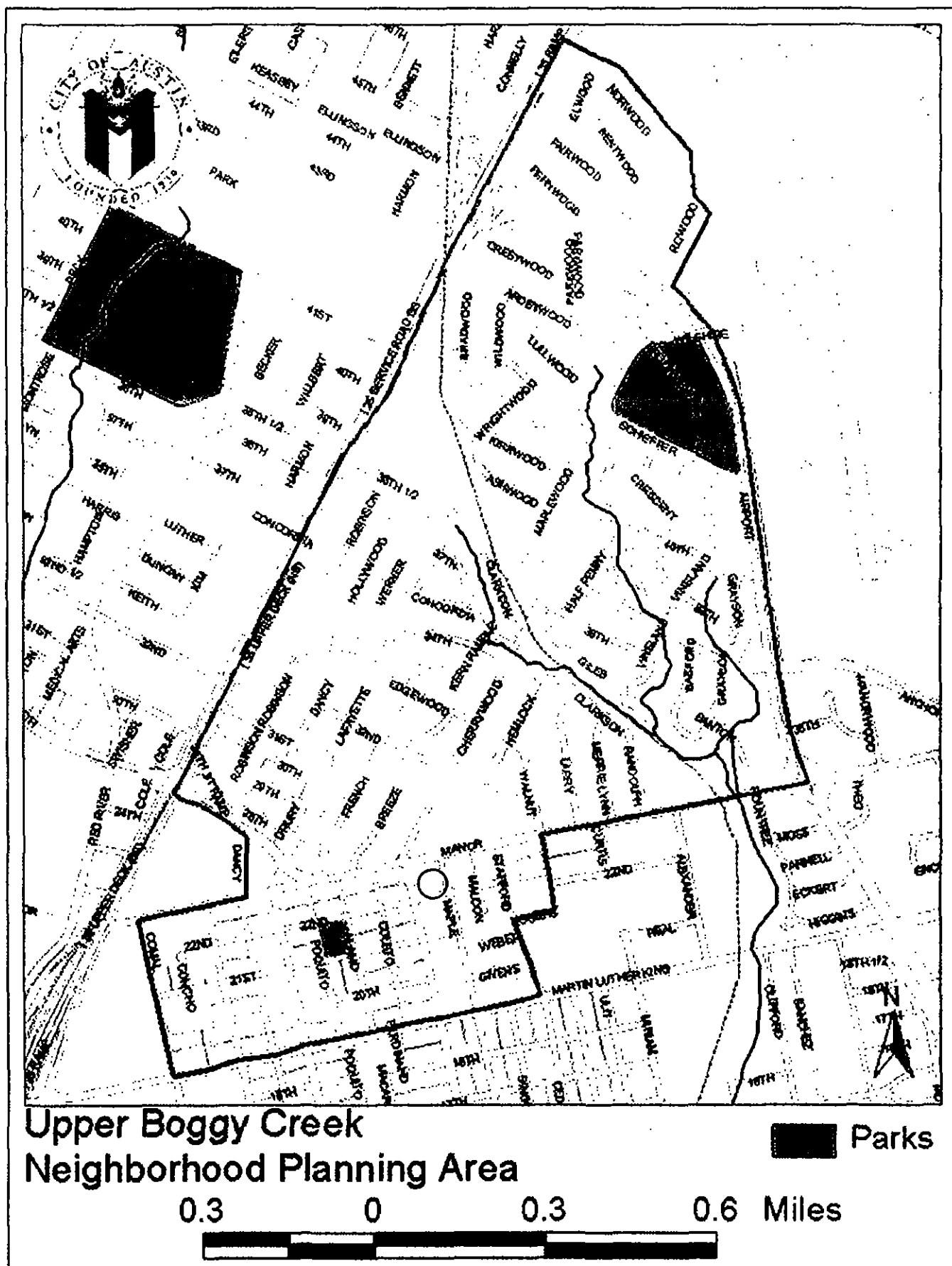
- APPROVED WITH ZONING
- PLAN IN PROGRESS
- 2005-2006 NEIGHBORHOOD PLANNING AREAS
- 2006-2007 NEIGHBORHOOD PLANNING AREAS
- 2007-2008 NEIGHBORHOOD PLANNING AREAS
- NOT CURRENTLY SCHEDULED
- NON-NEIGHBORHOOD PLANNING AREA
- Other Cities

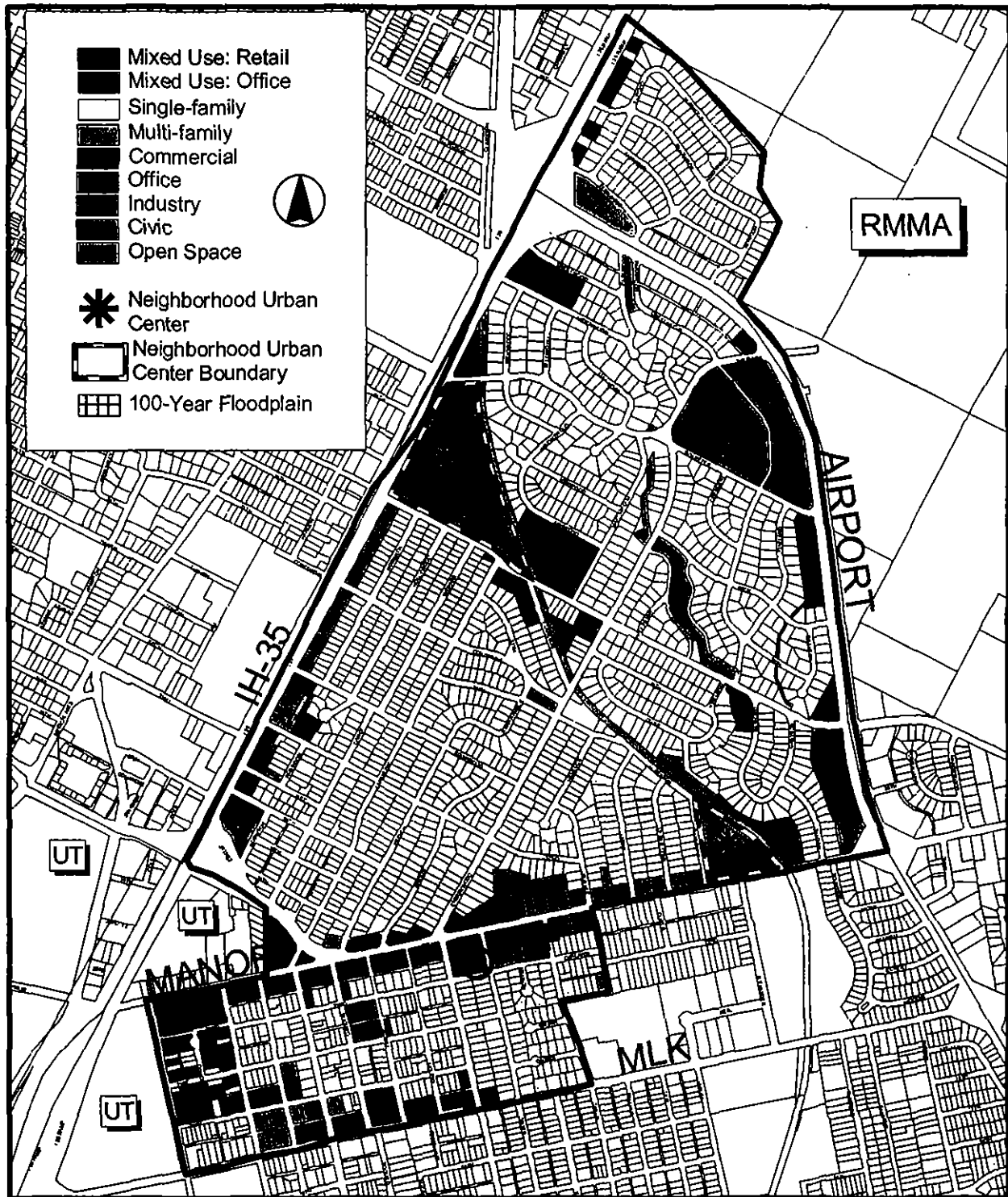


Produced by City of Austin
Neighborhood Planning & Zoning Department
November 19, 2004

This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not intended for any other use. No warranty is made regarding its accuracy or completeness.

Source: neighborhood planning department, city of austin





Upper Boggy Creek Neighborhood Planning Area: Future Land Use Map



NPZD
City of Austin

This map is for informational purposes only. No guarantee can be made as to its accuracy.

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: C14-04-0169
Contact: Thomas Bolt, (512) 974-2755
Public Hearing:
January 11, 2005 Planning Commission

JIM WALKER

Your Name (please print)

3102 BEEZE TERRACE

Your address(es) affected by this application

Jim Walker

Signature

1/4/05

Date

Comments:

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

City of Austin
Neighborhood Planning and Zoning Department
Thomas Bolt
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: C14-04-0169

Contact: Thomas Bolt; (512) 974-2755

Public Hearing:

January 11, 2005 Planning Commission

WILBUR R. DAVIS, JR
(our Name (please print))

2301 MAJOR ROAD

Your address(es) affected by this application

Signature

Date

Comments: THIS IS INAPPROPRIATE FOR

WHAT IS ESSENTIALLY A RESIDENTIAL

NEIGHBORHOOD - THE CHANGE VIOLATES

THE ADOPTED NEIGHBORHOOD PLAN.

THE CURRENT OWNERS WHO OPERATE
A THEATRE ARE NOW RENTING THE
PROPERTY TO OTHERS FOR PARTIES, ETC
WHICH HAS RESULTED IN EXCESSIVELY
Loud MUSIC ALL NIGHT AND PARKING
WITHOUT PERMISSION ON ADJACENT PROPERTY
ALLOWING LIQUOR SALES CAN ONLY
EXACERBATE THIS PROBLEM.

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

City of Austin

Neighborhood Planning and Zoning Department

Thomas Bolt

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

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Case Number: C14-04-0169

Contact: Thomas Bolt, (512) 974-2755

Public Hearing:

January 11, 2005 Planning Commission

John H. Brown
(Your Name (please print))

2203 Chestnut Avenue

Your address(es) affected by this application

Signature

Date

Comments: I object to the rezoning

because I believe the after-hours

activities will be a disturbance

in the neighborhood and alcohol

will bring an unwanted element to

this residential neighborhood. First

history has shown that the activity of

patrons of this establishment are loud

in the early morning hours.

John H. Brown & Melhoma Brown

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

City of Austin

Neighborhood Planning and Zoning Department

Thomas Bolt

P. O. Box 1088

Austin, TX 78767-8810

Vortex Repertory Company
2307 Manor Road
Austin, Texas 78722

November 10, 2004

Upper Boggy Creek Planning Team
Austin, Texas

Dear Neighbors:

As you know, we have for many years operated a theater on our property located at 2307 Manor Road. We are in the process of applying for re-zoning of our property to CS-1 in order to allow us to obtain a beer and wine license.

As a part of and as a condition to the proposed re-zoning, we will record a Restrictive Covenant with a Provisional Rollover, which requires a rollback of the zoning to its current CS status if we cease doing business or if the property is sold.

We seek your approval of the proposed re-zoning. In order to induce your approval, we agree with you as follows:

We agree to notify you if the property is to be sold by contacting the chairperson of the Upper Boggy Creek Planning Team ("UBPCT").


We are committed to limit outside noise at the VORTEX, especially after 10:00 PM. We are committed to continue to work with you, the other neighbors, and the other neighborhood associations to address your concerns about the VORTEX.

We are committed to continue to use the space primarily for theatrical performances.

Based on the foregoing, we would ask you to consider adoption of the resolutions in the form attached. Once these resolutions are adopted and delivered to us, our commitments, as set forth in this letter to you, will become binding and legally enforceable against the VORTEX.

Thank you for your considerations of these matters.

Sincerely,


Bonnie Cullum, Vice President
VORTEX Repertory Company

Resolutions:

CHAIRPERSON'S CERTIFICATE

I, the Chairperson of Upper Boggy Creek Planning Team ("UBCPT"), certify that as of October 19, 2004, the resolutions appearing below were duly and legally passed and adopted by the UBCPT and that such resolutions have not been altered, amended, rescinded, or repealed and are now in full force and effect:

WHEREAS the UBCPT recognizes that the Vortex Repertory Company and the Brooks Albert Co., LLC, the owners of the property located at 2307 Manor Road (collectively, the "VORTEX"), have for many years been good and collegial neighbors the UBCPT and its members; and

WHEREAS the VORTEX has proposed re-zoning of its property to CS-1 in order to allow the VORTEX to obtain a beer and wine license;

WHEREAS, as a part of and as a condition to the proposed re-zoning, the VORTEX will, in coordination with city officials, create and record in the real property records a Restrictive Covenant with a Provisional Rollover, providing, among other things, that in the event that the theatre ceases doing business or Brooks Albert Co. sells the property, the zoning shall be rolled back to its current CS status; and

WHEREAS the VORTEX has agreed to notify the chairperson of the UBCPT if the property is to be sold; and

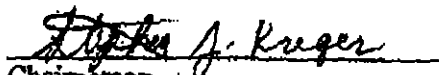
WHEREAS the VORTEX has expressed its commitment to limit outside noise, especially after 10:00 PM and to continue to work with the neighbors and the neighborhood association to address their concerns;

WHEREAS the VORTEX has also expressed its commitment to continue to use the space primarily for theatrical performances,

RESOLVED that the UBCPT supports and is in accord with the proposed re-zoning described above, subject to the terms and conditions set forth above.

FURTHER RESOLVED that the VORTEX and other third parties, including the City of Austin and the Neighborhood Planning and Zoning Department, may rely on the foregoing resolutions of support and accord for all purposes.

IN WITNESS WHEREOF, I hereunto set my hand on NOVEMBER 30, 2004.


Chairperson

STEPHEN KREGAR

Commissioner Moore said that he would like to see the house saved but even if there is a report provided that says the house can be saved, there is a big difference between can and will be.

6. Rezoning: C14-04-0169 - The Vortex
 Location: 2206 Maple, Boggy Creek Watershed, Upper Boggy Creek NPA
 Owner/Applicant: Brooks Albert Co. LLC
 Agent: The Vortex Bonnie Cullum
 Request: Rezone from CS-MU-CO-NP to CS-1-MU-CO-NP
 Staff Rec.: **NOT RECOMMENDED**
 Staff: Thomas Bolt, 974-2755, Thomas.Bolt@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

Tom Bolt presented the staff recommendation.

Commissioner Cortez asked about other similar land uses and their zoning. Mr. Bolt said that the Paramount has CBD zoning and that Zach Scott is in the Waterfront Overlay, which permits cocktail lounges.

Bonnie Cullum, co-founder of Vortex, said this is a non-profit tax exempt organization founded in 1988. They have done over 200 productions. They have had cultural contracts with the City. They have been at the current location on Manor since 1994. They own the three lots that they are requesting the zoning. They also own the property in front, along Manor Road. More money is needed to improve the facility. They want to generate money for the theatre. The arts have been hit hard the past few years. Last year they applied for the certificate by TABC. The TABC rejected the permit because it was not considered a restaurant but a theatre. She approached the neighborhood association and has been working with them since June. She said that there is a legal agreement between the Upper Boggy Creek neighborhood and the owners that addresses the concern brought to them. Other theatres in town, such as Bass Concert Hall, Paramount and State, also serve alcohol. They want to become like those theatres. They have an agreement to restrict noise. She concluded that she wants to improve their business. There are members from the neighborhood planning team that are to speak in favor. Mr. Wilbur has removed his objection.

James Cullum is a professional musician and understands the difficulty in developing an organization. Usually these types of theatres go under in 6 months. She has been able to do it for 16 years. He called to attention page 3 of the handout. There are no neighbors in opposition to the request.

Lavon Marshall lives at 2508 Gibbons. She lives four blocks away from the theatre. Initially they were opposed to the zoning because they were concerned about the noise. About a year ago the theatre did have an event that was very noisy. They expressed their concerns with Bonnie and with the Upper Boggy Creek neighborhood planning team. She is with the Rogers Washington Holy Cross neighborhood association.

Bo McCarver, member of Upper Boggy Creek neighborhood and member of Blackland Development Corp said they appreciate the work Rogers Washington Holy Cross neighborhood did with Vortex. It seems like a win/win. Artists are kind of canaries for gentrification. The area

is being highly gentrified. This property is not going to flip. It will remain local and community oriented. He suggested that the Code should be revised to foster and support local community based uses.

Steven Kreger, chair of the Upper Boggy Creek Planning Team, said that this represents a better story of neighborhood planning. As mentioned, there were initially objections. The Planning Team asked Bonnie to work with the neighborhood. He is disappointed that the City did not recommend it. This is what neighborhood planning is about- compromising to create an agreement that works for both parties.

Jay Velgos, president of Delwood Neighborhood Association and member of Upper Boggy Creek Neighborhood Planning Team, said that the neighborhood planning process was long and tortuous. Proud of work to come to resolution for the Vortex theatre. He supports the zoning change and asked for them to disregard what city staff says.

Roger Renwick said he owns two houses across the street from the Vortex. They are rental houses. That is what initially moved him to write the objection letter. He could not make up his mind whether to be for or against. It is hard to be against the Vortex theater because it is a creative, non profit arts venue, however after some thought decided to oppose it and wrote to Mr. Bolt. The two main reasons why he decided to oppose. The first is that the theatre is squarely in a residential area. In a general sense, concerned that this would be a thin edge and that the owners, once with the zoning, could be free to change to another use. Ms. Cullum explained to him that there would be an agreement that if the theatre ceases to exist, the zoning would revert. He found that out after he wrote the letter. Second, the theatre has generated noise. Two of his tenants mentioned the noise on one instance. Once again, talking with Ms. Cullum she said that it would not happen again. So he changed his position to neutral. He cannot support it because he is a little concerned about the qualifications of the 10pm limit. He really wanted to emphasize how much he is concerned the potential for noise on the main road. There was a summer of absolutely misery created by a restaurant called Kalabesh that held concerts that made living at the house difficult.

Bonnie Cullum said that they want goodwill with the neighbors. Some of the events that were too loud were rentals. It is no longer to their advantage to rent the facility. In addition, with a permit from TABC, cannot rent out, so it does protect the neighborhood.

FOR, DID NOT SPEAK

Guoping Mao
Girard Kinney
Chad Salvata

MOTION: CLOSE PUBLIC HEARING

VOTE: 8-0 (MH-1st, JR-2nd)

MOTION: APPROVE APPLICANT'S REQUEST FOR CS-1-MU-CO-NP ZONING.

VOTE: 8-0 (MH-1st, JR-2nd)

Commissioner Hollon said this is a win/win situation. He is disappointed with the city staff position. He suggested that possibly the Codes and Ordinances Committee explore ways to support the arts and nonprofits in general.

Commissioner Sullivan reminded the Commission that they review requests not to reward good businesses but for land use planning reasons. He said he will support the request because he supports mixed use and provides a development in an area needing economic support.

Tom Bolt reminded the Commission that since this is a cocktail lounge, a conditional use permit will be before the Commission.

Commissioner Riley said he would support the motion and requested that the codes and ordinances committee consider amendments. He expressed the concern that a commercial use is not permitted by code in residential areas. One thing he learned from Envision Central Texas is that the perception of urban areas is changing. The Code does not acknowledge the possibility that some commercial uses may be welcome within neighborhoods and may become assets. Land use definitions do need to be updated. For instance have a carriage stable land use but do not have one for theater that serves alcohol.

Tom Bolt said that the restrictive covenant is a private one that will be enforced by the neighborhood association.

DISCUSSION AND ACTION ON SITE PLAN CASES

7. **Site Plan** **SPC-04-0045A - Sherlock's Baker Street Pub and Grill**
(Conditional Use):
 Location: 9012 Research Blvd., Little Walnut Creek Watershed,
 Wooten/Crestview Neighborhood Plan NPA
 Owner/Applicant: Austin Home Center Associates (David Mills)
 Agent: Crocker Consultants (Sarah Crocker)
 Request: Approval of Conditional Use Permit
 Staff Rec.: **Recommended**
 Staff: Kathy Haught, 974-2724, kathy.haught@ci.austin.tx.us
 Watershed Protection & Development Review

MOTION: APPROVE BY CONSENT

VOTE: 6-0 (DS-1st, CG-2nd; JR-ABSTAIN; JMC-ARRIVED LATER)

DISCUSSION AND ACTION ON SUBDIVISION CASES

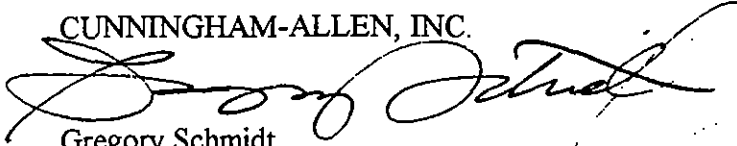
PRELIMINARY

note description.

Bearing Reference: The south line of that certain Cullen and Parmer Lane Ltd. tract recorded in Volume 12713, Page 990, (Tract II) Real Property Records of Travis county, Texas. (N 60°10'07" W)

I hereby certify that this description was prepared from the results of a survey made on the ground under my supervision.

CUNNINGHAM-ALLEN, INC.



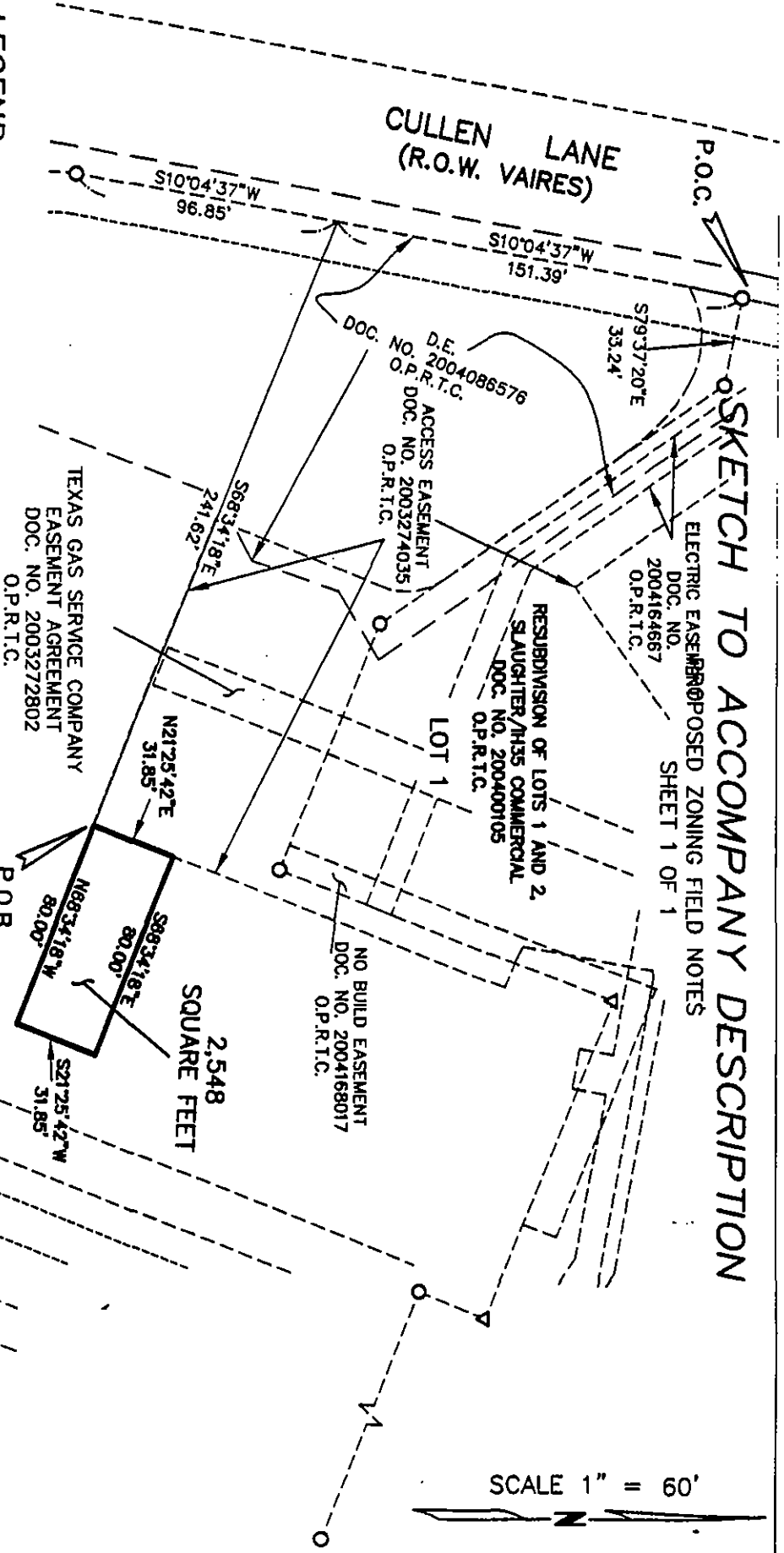
Gregory Schmidt
Registered Professional Land Surveyor
Texas Registration No. 4437
Date: 12/10/04



SKETCH TO ACCOMPANY DESCRIPTION

ELECTRIC EASEMENT PROPOSED ZONING FIELD NOTES
SHEET 1 OF 1

SCALE 1" = 60'



LEGEND

- O 1/2" IRON ROD W/CAP SET (UNLESS STATED)
- Δ STEEL SPIKE SET W/ ALUM. WASHER
- ..P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

SURVEYED BY:

GREGORY SCHMIDT
REG. PROF. LAND SURVEYOR
NO. 4437

DATE:

12/10/04

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OFFICE: DAW

PROJ # 920-0364

SLAUGHTER/H35 COMMERCIAL
DOC. NO. 200300314
O.P.R.T.C.

LOT 7

STREET DEED
TO
JOHN D. BYRAM
THE CITY OF AUSTIN
VOL. 11119, PG. 614,
R.P.R.T.C.

DOC. NO. 2003272785
O.P.R.T.C.

15' W.L.E.
DOC. NO. 2003272791
O.P.R.T.C.

CA
Cunningham | Allen
Engineers • Surveyors

3103 Bee Cave Road, Suite 202
Austin, Texas 78746-6819
Tel.: (512) 327-2946
Fax: (512) 327-2973