

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



**AGENDA ITEM NO.: Z-22
AGENDA DATE: Thu 11/17/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0150 - Fairfield at Woodland Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3226 West Slaughter Lane (Slaughter Creek Watershed - Barton Springs Zone) from multi-family residence-moderate-high - conditional overlay (MF-4-CO) combining district zoning to multi-family residence-moderate-high - conditional overlay (MF-4-CO) combining district zoning in order to change conditions of zoning Zoning and Platting Commission Recommendation To grant multi-family residence-moderate-high - conditional overlay (MF-4-CO) combining district zoning in order to change conditions of zoning Applicant John M Harmon and Joyce W Harmon Agent Graves, Dougherty, Hearon & Moody, P C. (Peter J Cesaro) City Staff Wendy Walsh, 974-7719

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0150

Z.P.C. DATE: October 4, 2005
October 18, 2005

ADDRESS: 3226 West Slaughter Lane

OWNER & APPLICANT: John M and
Joyce W. Harmon

AGENT: Graves, Dougherty, Hearon &
Moody, P C. (Peter J. Cesaro)

ZONING FROM: MF-4-CO **TO:** MF-4-CO **AREA:** 30 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence (moderate-high density) – conditional overlay (MF-4-CO) combining district zoning. The Conditional Overlay would continue several components of the 2002 case as follows: 1) limit the number of daily trips to 2,000, 2) provide a 300 foot wide vegetative buffer along the north property line adjacent to the residential district, 3) restrict the development to multi-family residence (medium density) (MF-3) site development standards for lot size, lot width and setbacks. Two Conditional Overlays would be added as follows: 4) reduce the zoning impervious cover and building coverage from 65% to 15%, and 5) reduce the density from 12.4 to 6.2 dwelling units per acre.

Note: With the Staff recommendation, the Conditional Overlay limiting height to 45 feet from ground level would be removed and thus, the maximum height of 60 feet as permitted by the MF-4 district would be allowed.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 4, 2005 *APPROVED A POSTPONEMENT TO 10/18/05 (APPLICANT)*
[J MARTINEZ, J PINNELLI – 2ND] (6-0) M HAWTHORNE, J GOHIL; K JACKSON – ABSENT

October 18, 2005 *APPROVED STAFF'S RECOMMENDATION FOR MF-4-CO DISTRICT ZONING*
[B BAKER, K JACKSON – 2ND] (6-2) J MARTINEZ, J PINNELLI – NAY, T RABABO – LEFT EARLY

ISSUES:

The Cherry Creek on Brodie Neighborhood Association is opposed to the Applicant's request to change the Conditional Overlay and allow for a 60-foot height limit, as indicated by correspondence attached at the back of the Staff report.

Prior to the Zoning and Platting Commission hearing, the Applicant met with the Cherry Creek on Brodie Neighborhood Association to discuss the zoning case

A private restrictive covenant between the property owner and the Cherry Creek on Brodie Neighborhood Association covers the 300 foot wide vegetative buffer. A public restrictive covenant (between the property owner and the City) requires the preparation of an Integrated Pest Management Plan and a landscape plan at the time of a site plan application, and implemented with the development

DEPARTMENT COMMENTS:

The subject property consists of an unplatted tract that contains a single family residence and is zoned multi-family residence (moderate-high density) – conditional overlay (MF-4-CO) combining district by way of a 2002 zoning case. The property accesses West Slaughter Lane, an arterial roadway, and is adjacent to a shopping center anchored by a grocery store to the west (GR-CO), single family residences and a park to the north (SF-2, P), undeveloped property zoned SF-6 and MF-3-CO (proposed for an assisted living center) to the east, and, single family residences, a rehabilitation center, office and personal service uses to the south (I-RR; NO-CO, SF-2, LO-CO and LR-CO)

The Applicant is proposing to change the Conditional Overlay to allow for an increase in height from 45 to 60 feet, a reduction in density from 12.4 to 6.2 dwelling units per acre, and the zoning impervious cover and building coverage to 15 percent. As shown in the proposed site plan for the property, the development consists of one multi-family residential structure located near the center of the property. Please refer to Exhibits A (Zoning Map), A-1 (Aerial), A-2 (Vicinity Map) and B (Site Plan)

In 2002, the Staff supported the Applicant's request for MF-4-CO zoning including the 60 foot height limit in consideration of the environmental, access and land use-related issues which apply to the property. There is an unnamed tributary of Slaughter Creek extending through the southwest portion of the property, from which a 100 foot wide critical water quality zone (CWQZ) would apply on both sides, and a 200 foot wide water quality transition zone (WQTZ) would apply from the outside limits of the CWQZ, also on both sides from the centerline of the tributary. There is a separate drainage crossing at the southeast corner of the property that may include enough drainage area (64 acres) to have a City of Austin 100-year floodplain delineation (no drainage report on this tributary is available at this time and floodplain delineation is normally handled during the review of the subdivision or site plan). In total, approximately 20 percent of the site is restricted from development due to the presence of the CWQZ and the WQTZ. The property is also entirely within the Edwards Aquifer Recharge Zone, which limits the amount of impervious cover to 15 percent per net site area (this excludes the area encompassed by CWQZ and WQTZ)

A 60 foot height limit, therefore, would assist towards offsetting the significant portion of undevelopable area. The existing conditional overlay also requires a 300 foot vegetative buffer along the north property line adjacent to the single family residences in Cherry Creek (SF-2). This vegetative buffer is more restrictive than the City-required compatibility

setback that would apply if a 60 foot tall apartment were built. The Applicant is not proposing to change the vegetative buffer provision.

Staff recommends the requested change in the Conditional Overlay to increase the height and reduce the density, given 1) A significant portion of the property is undevelopable due to the application of the critical water quality zones and water quality transition zones, and impervious cover is limited by its location over the Edwards Aquifer Recharge Zone, 2) Development will be concentrated in a single building rather than multiple buildings at 45 feet in height, and 3) The property fronts on a major arterial roadway and will be in proximity to supporting retail services.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	One single family residence
<i>North</i>	SF-2	Single family residences
<i>South</i>	LO-CO, LR-CO, SF-2, NO-CO, RR, I-RR	Offices, Hair and nail salon, Insurance office, Single family residences, Rehabilitation center
<i>East</i>	SF-6, MF-3-CO, LR-CO, GR-CO, RR, SF-1, P	Single family residences on large lots, Gymnasium for dance / gymnastics / cheer training, Mini-storage, Dentist's office, Auto washing, Undeveloped (drainage area)
<i>West</i>	SF-2-CO, RR; GR-CO, LO-CO	Undeveloped, Shopping center with restaurants, bank, grocery store and other retail uses

AREA STUDY: Not Applicable

TIA: Waived

WATERSHED: Slaughter Creek –
Barton Springs Zone

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood Association

219 – Palomino Park Homeowners Association

384 – Save Barton Creek Association

385 – Barton Springs Coalition

428 – Barton Springs / Edwards Aquifer Conservation District

465 – Cherry Creek on Brodie Neighborhood Association

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

742 – Austin Independent School District

918 – Davis Hills Estate HIOA

943 – Save Our Springs Alliance

959 – Villages Neighborhood Association

997 – Tanglewood Oaks Owners Association

SCHOOLS:

Kocurek Elementary School

Bailey Middle School

Bowie High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0074	LO-CO to GR-CO	Recommended GR-CO with the CO for height limits, hooded lighting, trip limit, vegetative buffer, signage limits, prohibit drive-thru services RC for rollback to LO-CO and hours of operation	Scheduled for 10-17-05
C14-04-0090	LR-CO to GR-CO	Recommended GR-CO with CO allows personal improvement services and all NO-CO uses	Approved GR-CO as ZAP recommended, with a Restrictive Covenant addressing IPM / Grow Green and coal-tar based sealants (8-26-04)
C14-02-0172	DR to GR	To Grant NO-CO with conditions of no additional impervious cover, prohibit access to Rocking Horse Road	Approved NO-CO with the CO establishing the maximum impervious cover at 21.9 percent and prohibiting access to Rocking Horse Road (7-17-03).
C14-02-0119	GR-CO to CS-1	To Grant CS-1-CO w/CO to permit Liquor Sales and all other GR uses with the exception of auto washing and repair, commercial off-street parking, extermination services, funeral services, pawn shops, and service stations, limit of 40' height.	Approved CS-1-CO, with a Restrictive Covenant for an IPM plan and to use native plants (11-7-02)
C14-02-0118	LO-CO to GR	To Grant GR-CO w/CO for list of	Approved GR-CO as recommended by ZAP

		prohibited uses, 40' height and 2,000 trips	(12-5-02)
C14-02-0102	I-SF-2, SF-2 to LO-MU-CO; LR, as amended	To Grant LR-MU-CO with list of prohibited uses, 2,000 trips and 8 driveway cuts	Granted LO-CO for Tracts 1 and 2 and LR-CO for Tract 3 (3-27-03)
C14-01-0159	LO-CO to SF-3	To Grant SF-3	Approved SF-3 (1-10-02).
C14-00-2032	LR-CO to LR-CO	To Grant LR-CO w/conds	Approved LR-CO w/conditions (4-20-00)
C14-99-0070	I-RR to GO	To Grant GO-CO w/conds	Approved GO-CO w/conditions (12-2-99)
C14-97-0156	I-RR and I-SF-2 to RR; SF-1; SF-2, SF-3, SF-4; SF-6, GR, P	To Grant RR, SF-2, SF-4A; LO, LR; and P	Approved RR, SF-2, SF-4A; LO, P w/conditions (6-25-98)
C14-96-0039	I-RR to GR, LR	To Grant GR-CO on Tract 1; LR-CO on Tract 2	Approved as per PC recommendation (5-23-96)

RELATED CASES:

The subject property was annexed into the City limits on December 31, 1992 (Ordinance Number 921210-A)

The subject property was zoned from I-RR to MF-4-CO in November 2002 (C14-02-0035) The Conditional Overlay is for a 2,000 vehicle trip limit, a 300 foot wide vegetative buffer along the north property line, MF-3 development standards with the exception of a 45 foot height limit and SF-6 density (12 4 dwelling units per acre) There is a public Restrictive Covenant for an Integrated Pest Management Plan and a landscape plan for the use of native and adapted plant materials, to be prepared at the time of site plan No changes to the Restrictive Covenant are not proposed

A site plan for multi-family development has been received by the City and is in the review process (SP-05-1524C)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
West Slaughter Lane	114 feet	2 @ 36 feet	Major Arterial	No	No	# 86

CITY COUNCIL DATE: November 17, 2005 **ACTION:**

ORDINANCE READINGS: 1st

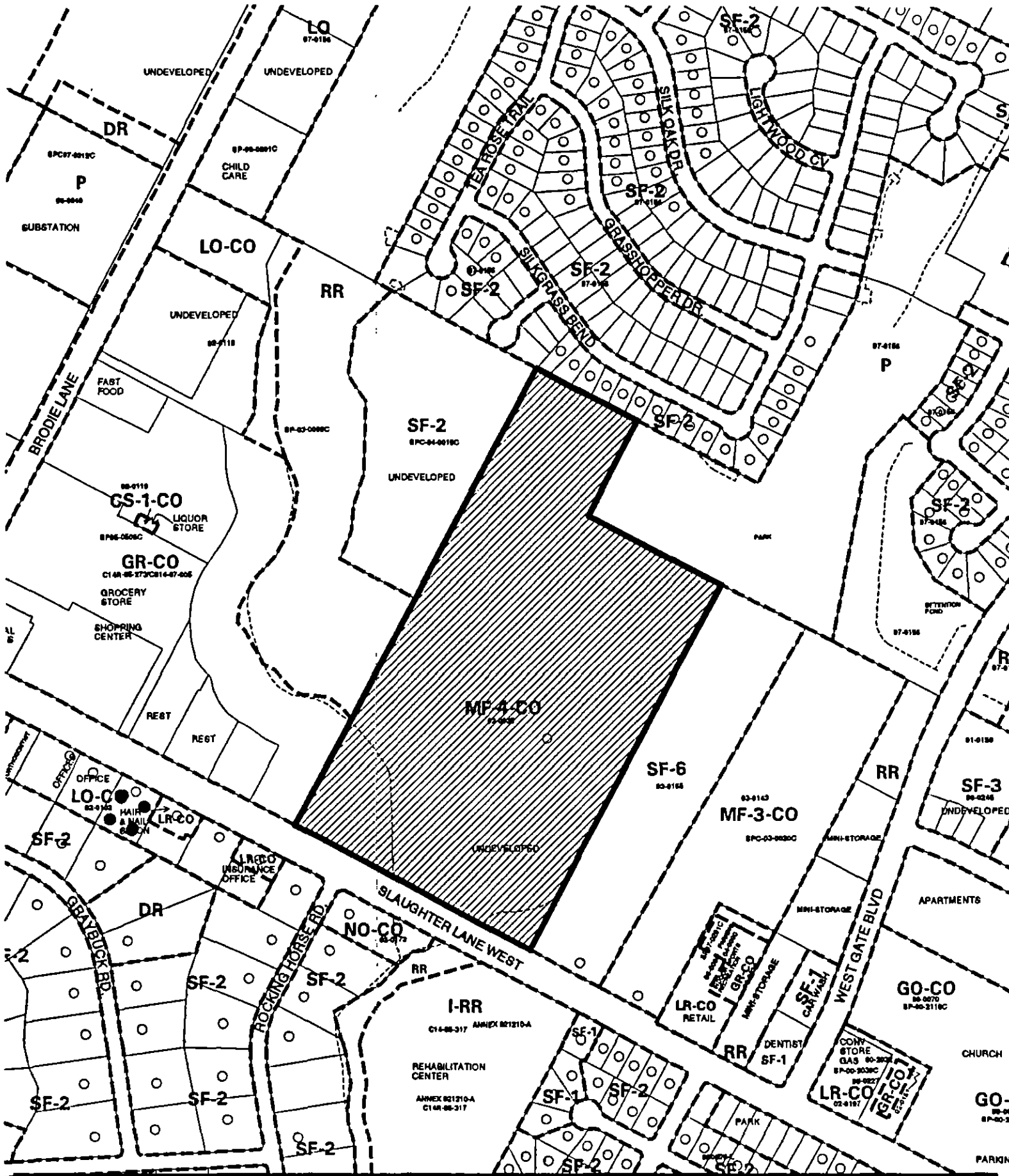
2nd

3rd

ORDINANCE NUMBER:

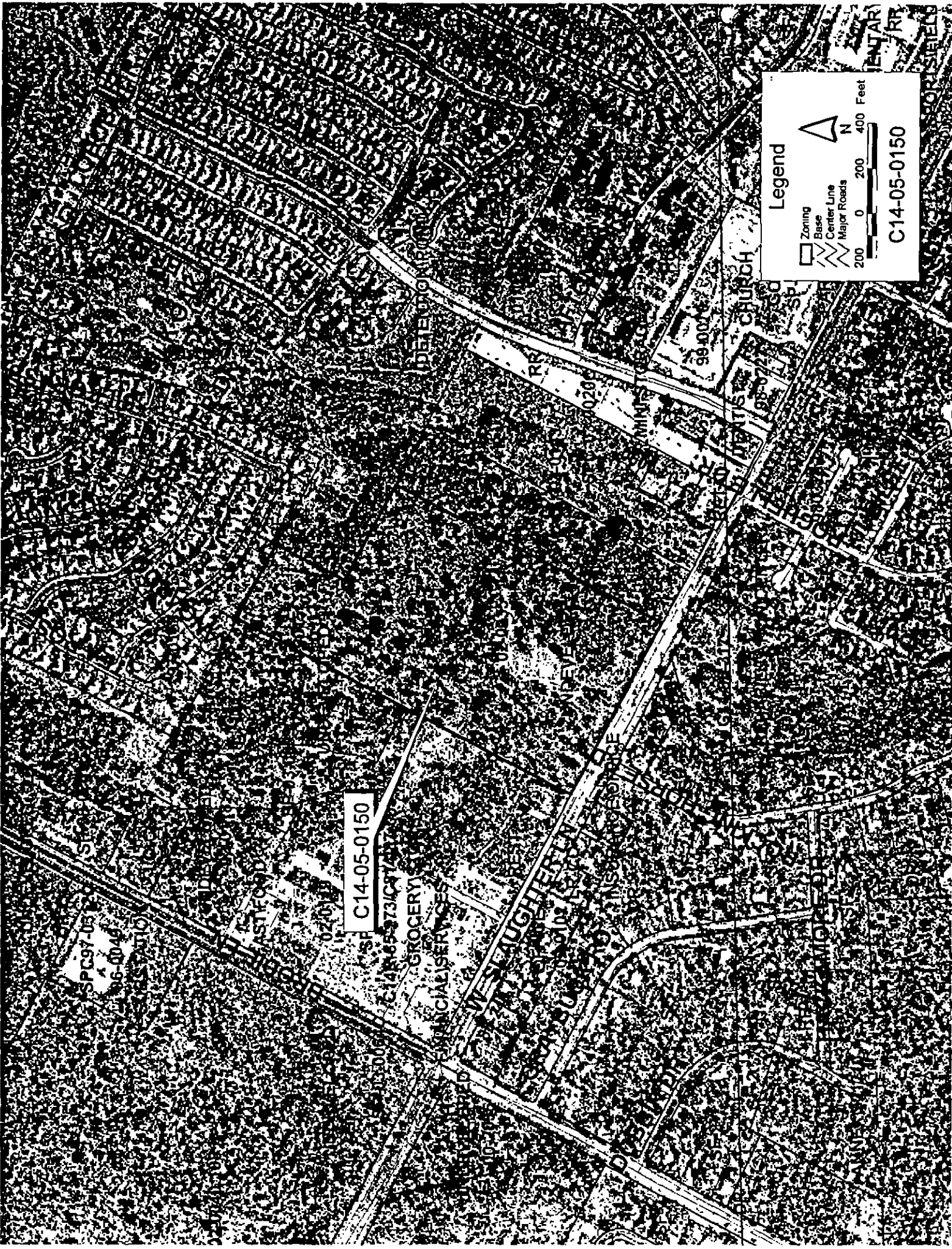
CASE MANAGER: Wendy Walsh
e-mail wendy.walsh@c1 austin tx us

PHONE: 974-7719



 1" = 400'	SUBJECT TRACT 	CASE #: C14-05-0150 ADDRESS: 3226 W SLAUGHTER LN SUBJECT AREA (acres): 30	DATE: 05-09 INTLS: SM	CITY GRID REFERENCE NUMBER: D15
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: WWALSH			

ZONING *EXHIBIT A*



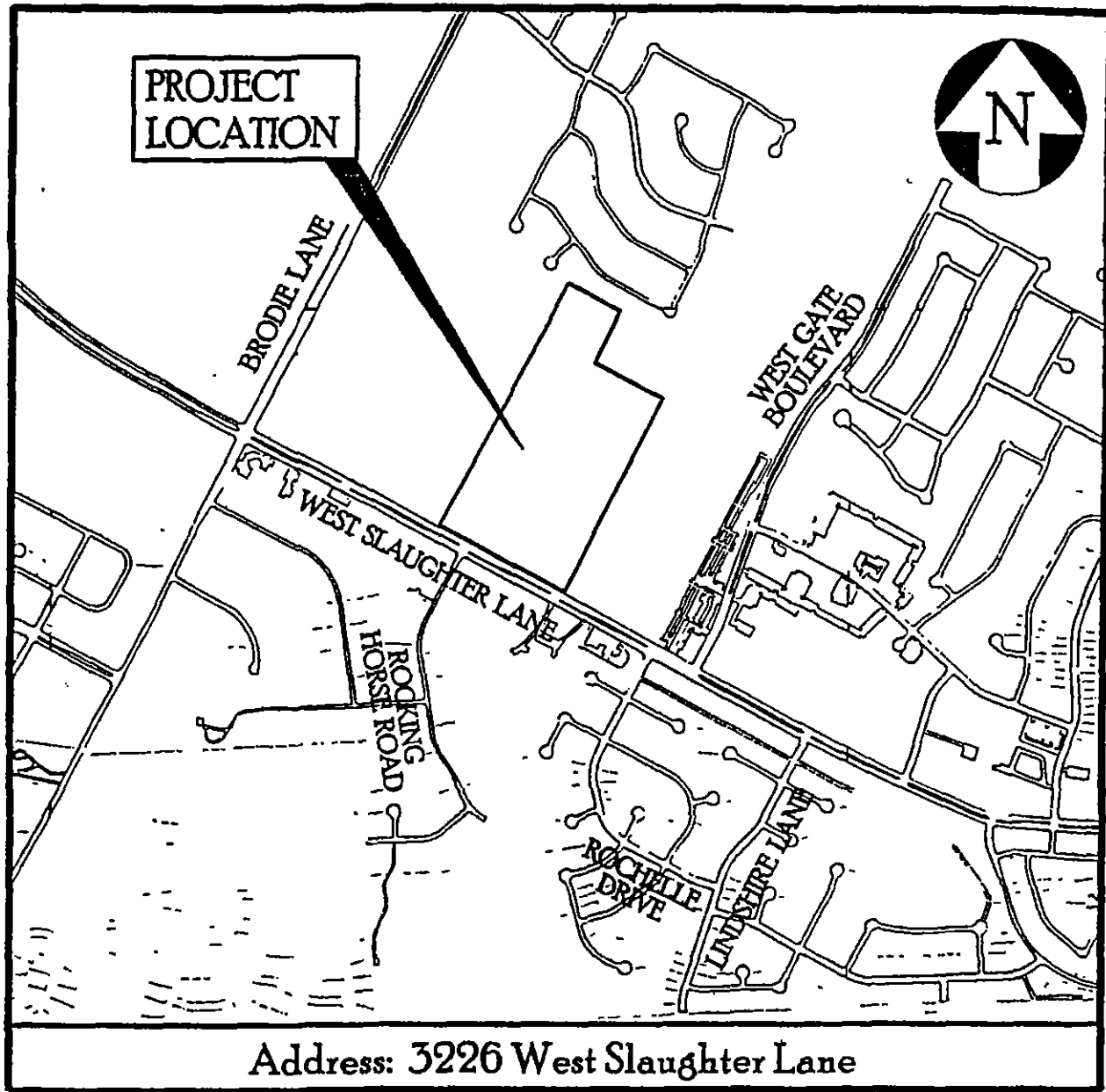
N

- Zoning
- Base
- Center Line
- Major Roads

200 0 200 400 Feet

Legend

C14-05-0150



FAIRFIELD RESIDENTIAL AT
WOODLAND PARK

EXHIBIT A-2
VICINITY MAP

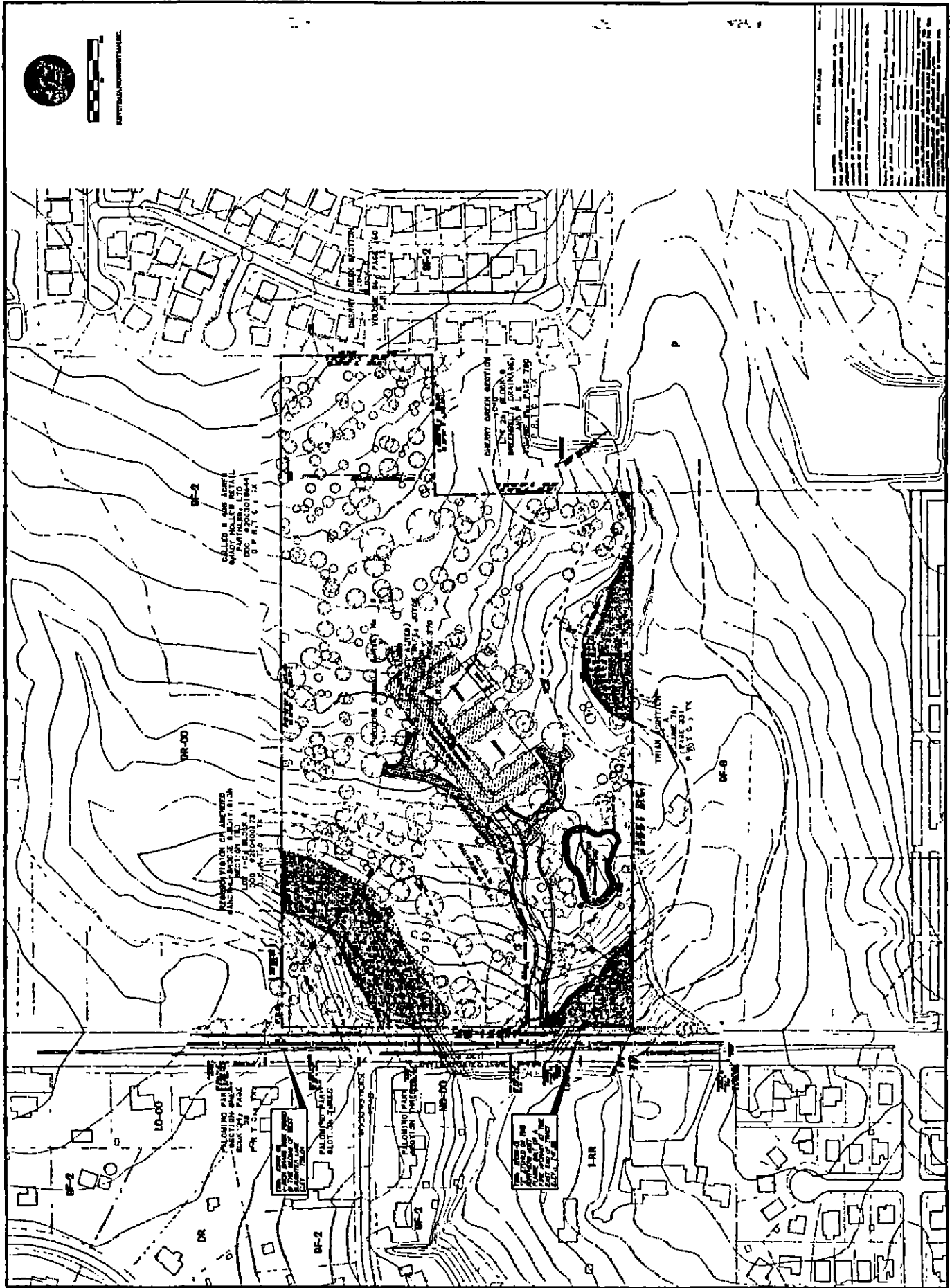


EXHIBIT B
SITE PLAN IN PROCESS

STAFF RECOMMENDATION

The Staff's recommendation is to grant multi-family residence (moderate-high density) – conditional overlay (MF-4-CO) combining district zoning. The Conditional Overlay would continue several components of the 2002 case as follows: 1) limit the number of daily trips to 2,000, 2) provide a 300 foot wide vegetative buffer along the north property line adjacent to the residential district, 3) restrict the development to multi-family residence (medium density) (MF-3) site development standards for lot size, lot width and setbacks. Two Conditional Overlays would be added as follows: 4) reduce the zoning impervious cover and building coverage from 65% to 15%, and 5) reduce the density from 12.4 to 6.2 dwelling units per acre.

Note: With the Staff recommendation, the Conditional Overlay limiting height to 45 feet from ground level would be removed and thus, the maximum height of 60 feet as permitted by the MF-4 district would be allowed.

BACKGROUND

The subject property consists of an unplatted tract that contains a single family residence and is zoned multi-family residence (moderate-high density) – conditional overlay (MF-4-CO) combining district by way of a 2002 zoning case. The property accesses West Slaughter Lane, an arterial roadway, and is adjacent to a shopping center anchored by a grocery store to the west (GR-CO), single family residences and a park to the north (SF-2, P), undeveloped property zoned SF-6 and MF-3-CO (proposed for an assisted living center) to the east, and, single family residences, a rehabilitation center, office and personal service uses to the south (I-RR; NO-CO, SF-2, LO-CO and LR-CO).

The Applicant is proposing to change the Conditional Overlay to allow for an increase in height from 45 to 60 feet, a reduction in density from 12.4 to 6.2 dwelling units per acre, and the zoning impervious cover and building coverage to 15 percent. As shown in the proposed site plan for the property, the development consists of one multi-family residential structure located near the center of the property.

In 2002, the Staff supported the Applicant's request for MF-4-CO zoning including the 60 foot height limit in consideration of the environmental, access and land use-related issues which apply to the property. There is an unnamed tributary of Slaughter Creek extending through the southwest portion of the property, from which a 100 foot wide critical water quality zone (CWQZ) would apply on both sides, and a 200 foot wide water quality transition zone (WQTZ) would apply from the outside limits of the CWQZ, also on both sides from the centerline of the tributary. There is a separate drainage crossing at the southeast corner of the property that may include enough drainage area (64 acres) to have a City of Austin 100-year floodplain delineation (no drainage report on this tributary is available at this time and floodplain delineation is normally handled during the review of the subdivision or site plan). In total, approximately 20 percent of the site is restricted from development due to the presence of the CWQZ and the WQTZ. The property is also entirely within the Edwards

Aquifer Recharge Zone, which limits the amount of impervious cover to 15 percent per net site area (this excludes the area encompassed by CWQZ and WQTZ).

A 60 foot height limit, therefore, would assist towards offsetting the significant portion of undevelopable area. The existing conditional overlay also requires a 300 foot vegetative buffer along the north property line adjacent to the single family residences in Cherry Creek (SF-2). This vegetative buffer is more restrictive than the City-required compatibility setback that would apply if a 60 foot tall apartment were built. The Applicant is not proposing to change the vegetative buffer provision.

Thus, Staff recommends the requested change in the Conditional Overlay to increase the height and reduce the density, given: 1) A significant portion of the property is undevelopable due to the application of the critical water quality zones and water quality transition zones, and impervious cover is limited by its location over the Edwards Aquifer Recharge Zone, 2) Development will be concentrated in a single building rather than multiple buildings at 45 feet in height, and 3) The property fronts on a major arterial roadway and will be in proximity to supporting retail services.

BASIS FOR RECOMMENDATION

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

The MF-4, Multi-Family Residence (Moderate – High Density), district is intended for residential and multi-family use with a maximum density of up to 54 units per acre, depending on unit size and mix. This district is appropriate for multi-family residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas. The property has frontage on West Slaughter Lane and is adjacent to a retail shopping center.

- 2. Zoning changes should allow for a reasonable use of the property and should promote a transition between adjacent and nearby zoning districts, land uses and development intensities*

Staff recommends the requested change in the Conditional Overlay to increase the height and reduce the density, given: 1) A significant portion of the property is undevelopable due to the application of the critical water quality zones and water quality transition zones, and impervious cover is limited by its location over the Edwards Aquifer Recharge Zone, 2) Development will be concentrated in a single building rather than multiple buildings at 45 feet in height, and 3) The property fronts on a major arterial roadway and will be in proximity to supporting retail services.

EXISTING CONDITIONS

Site Characteristics

The site is relatively flat and slopes towards the unnamed tributaries of Slaughter Creek, located on the southwest and southeast portions of the property

Impervious Cover

The maximum impervious cover allowed by the MF-4 zoning district would be 15%, given its location over the Edwards Aquifer Recharge Zone

Environmental

This site is located over the Edward's Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, and is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the Recharge Zone.

If any portion of the site is within or adjacent to the flood plain, offsite drainage should be calculated to determine whether any Critical Water Quality Zone and Water Quality Transition Zone exists within the project location.

At least 3/4 of the site (all except northern "panhandle" area) is located in the endangered species survey area. Surveys would be conducted during the site plan phase of development.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC, Section 25-8-514.

Transportation

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

The trip generation under the requested zoning is estimated to be 6,468 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

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

* The 2,000 motor vehicle trip limitation results in a maximum of 311 multi-family residential units

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and adjustment to serve each lot. 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.

There is a 12-inch water main on the north side of Slaughter Lane and an 8-inch wastewater line on the south side.

Compatibility Standards

The site is subject to compatibility standards. Along the north, south, and west property lines, the following standards apply where adjacent to single-family zoning or development:

- 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.
- For a structure more than 100 feet but not more than 300 feet from the property line, a structure may attain a height of 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from the property line, a structure may attain a height of 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- 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.

Walsh, Wendy

From Phil Brown [pgbrown@mac.com]
Sent. Wednesday, September 28, 2005 4 50 PM
To: Walsh, Wendy
Cc: Brown Phil
Subject Cherry Creek on Brodie re Case C14-05-0150 - Harmon/Fairfield variance request

Wendy,

Re. Case C14-05-0150,
FAIRFIELD AT WOODLAND PARK,
3226 W SLAUGHTER LN

The applicant is requesting a variance to the conditional overlay to increase the allowed height from 45 feet to 60 feet. Our neighborhood association opposes this variance. Our position is consistent with the outcome of the original case in 2002.

Please feel free to contact me if you have any questions

Sincerely,

Phil Brown, President
Cherry Creek on Brodie Lane Neighborhood Association
3322 Silkgrass Bend Austin, TX 78748
[http://www main.org/ccobna](http://www.main.org/ccobna)

cc: Cherry Creek BOD and Development Committee

Walsh, Wendy

From: Carla Chiang [cchiang@austin.rr.com]
Sent: Friday, September 30, 2005 11:38 AM
To: Tanglewood Board, Walsh, Wendy
Cc: Mail@marissaatkinson.com, vmcglothan@sbcglobal.net, nancymiller100@aol.com, trumprop@sbcglobal.net, trumprop1@yahoo.com, paul@austinusa.com, victoria@austinusa.com, linda.klar@twcable.com
Subject: RE: C14-05-0150 FAIRFIELD AT WOODLAND PARK, 3226 W SLAUGHTER LANE

Tanglewood Forest has conditions for even signage height with this area being a designated zone of some sort. I cannot imagine this building would fall within those zone guidelines on record with the City of Austin. Linda Klar of Tanglewood Forest can speak to the details of the height restrictions.

Carla Chiang
Treasurer
Tanglewood Oaks Owners Association

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

From: Tanglewood Board [mailto:tanglewoodoaks@hotmail.com]
Sent: Friday, September 30, 2005 11:28 AM
To: wendy.walsh@ci.austin.tx.us
Cc: Mail@marissaatkinson.com, cchiang@austin.rr.com; vmcglothan@sbcglobal.net; nancymiller100@aol.com; trumprop@sbcglobal.net, trumprop1@yahoo.com, paul@austinusa.com; victoria@austinusa.com
Subject: C14-05-0150 FAIRFIELD AT WOODLAND PARK, 3226 W SLAUGHTER LANE

Dear Ms. Walsh,

Re: Case C14-05-0150,
FAIRFIELD AT WOODLAND PARK,
3226 W SLAUGHTER LN

The applicant, John & Joyce Harmon, is requesting a variance to the conditional overlay to increase the allowed height from 45 feet to 60 feet. Tanglewood Oaks Owners Association (TOOA) opposes this variance. Our position is consistent with the outcome of the original case in 2002 and we feel that a max height of 45' is plenty sufficient for this area. A height of 65' would make these the tallest buildings for miles around. They would stick out like a sore thumb, be an eyesore, and definitely not fit in with the surrounding buildings, architecture, etc.

Please feel free to contact me if you have any questions.

Sincerely,

Gary Trumbo, President
Tanglewood Oaks Owners Association

9/30/2005

Walsh, Wendy

From: Larkin, John [john.larkin@amd.com]
Sent: Friday, September 30, 2005 3:52 PM
To: bbaker@austintexas.org, chammond1@austin.rr.com, apsinc@bga.com, jdonisi@bickerstaff.com, jay@jaygohilrealty.com, kbjackson@pbsj.com, josephmartinez@yahoo.com, Pinnelli@flash.net, Walsh, Wendy, Guernsey, Greg
Cc: Larkin John, Larkin, John
Subject: C14-04-0150

September 30, 2005
Re: C14-04-0150

Greetings Chairman Baker, Board Members, Ms. Walsh, and Mr. Guernsey,

I am writing in opposition to the pending zoning request C14-04-0150 for the property located at 3226 West Slaughter Lane and owned by John and Joyce Harmon.

The local community negotiated the current zoning in good faith and we have not changed our position since C14-02-0035 was approved by the City Council in 2002. I note that sixty foot structures are wholly incompatible with our suburban streetscape and are totally out of context with existing area zoning.

If I may answer any questions and/or concerns, please contact me at your convenience.

Sincerely,
John Larkin
Cherry Creek on Brodie Lane

Desk: 512-602-2007
Cell: 512-970-8157
Home: 512-280-2066

Walsh, Wendy

From: Percy Wegmann [pwjazz@gmail.com]
Sent: Saturday, October 01, 2005 11:30 AM
To: Walsh, Wendy
Subject: Resident Input to Zoning Case C14-05-0150

Dear Ms. Walsh,

This case proposes a change to a condition of zoning to increase the allowed height of structures from 45 to 60 feet on the Harmon property. My wife and I live directly adjacent to Mr. and Mrs. Harmon. Like many of our neighbors, we feel that such a change represents the first step in urbanizing the Southwest Austin area and is incompatible with existing and proposed developments in this area. Specifically, MF-4 zoning is too urban a use for this mostly suburban and partially rural area. The height restriction of 45 feet was a critical component in our agreeing to the original change to MF-4, because it assured that at least the size of the structure would be compatible with its surroundings.

Not only is a 60-foot structure incompatible with existing buildings in the area, but it doesn't even match currently proposed developments. I took it upon myself to use the city's GIS system to do a quick scan of current zoning cases within the general vicinity of the Harmon property. I was able to find only two proposed MF-4 zonings:

1. The St. Edwards / East Congress neighborhood planning area, which is certainly much more urban than southwest Austin.
2. A project almost right next to Austin Bergstrom Municipal Airport, which has existing tall structures including the airport's traffic control tower and the Hilton hotel to name only a few.

I am not categorically opposed to urbanization, but I believe that successful urbanization comes about only with careful and inclusive neighborhood planning. The St. Edwards neighborhood plan is an example of this, and I would welcome high-density development proposals in my backyard within the context of such a neighborhood planning process. Given that we don't even have bus service and that our main thoroughfare, Brodie Lane, is already operating at year 2025 capacity, urbanizing Southwest Austin without a neighborhood planning process would be a bad idea.

Regards,
Percy M. Wegmann

P.S. During my research, I noticed that you're handling quite a few zoning cases at this time and want to say that I appreciate your dedicated service to the residents of Austin.

CC: Cherry Creek on Brodie Lane Neighborhood Association Board of Directors

Walsh, Wendy

From Brian Judis [bjudis2000@yahoo.com]
Sent Saturday, October 01, 2005 5:37 PM
To: Walsh, Wendy
Subject: C14-04-0150 - Fairfield at Woodland Park +***+

Dear Ms. Walsh,

My family lives in the Cherry Creek on Brodie subdivision, and I am writing on behalf of my family to advise of our opposition to the proposed zoning change in the above referenced case. I was surprised to learn of this zoning change request, since just a short time ago our neighborhood worked diligently and in good faith to successfully negotiate with the applicant on zoning that was within the developers and owners' expectations, yet considerate of our adjacent single family subdivision. This new request for 60 ft structures so close to our neighborhood goes far beyond what we agreed upon and, under the circumstances, would result in incompatible zoning (based upon height) that is supposed to protect property values and prevent single family subdivisions from being overrun by apartments and commercial development, which is clearly the case with the most recent approved zoning matters involving our neighborhood. Allowing for this height change is incompatible because it will now place 60 foot structures in close proximity and plain view of adjacent single family homes. The 60 ft structures will tower over our homes and make them less desirable. Any buffer provided will be insignificant since the area is mainly populated with low lying brush and scrub trees.

I only ask that there be some consideration given to the well being of the adjacent single family homeowners. I would be interested in hearing from you about this case and understanding the compatibility of this proposed zoning change.

Thanks

Brian and Rebecca Judis
9310 Lightwood Loop
Austin, Texas 78748
291-4322
bjudis2000@yahoo.com

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Walsh, Wendy

From: Henry [hcowen@rosco.com]
Sent: Monday, October 03, 2005 9:36 AM
To: Walsh, Wendy
Subject: AGAINST Rezoning C14-04-0150 - Fairfield at Woodland Park
Importance: High

Hello Ms. Walsh, I hope you are well today. Thank you for your tireless efforts in making Austin what it is.

In 2002, our neighborhood association "Cherry Creek on Brodie Lane Neighborhood Association" came to agreement with the Harmon Ranch developers and the city to limit the height of their development to 45 feet. The developer now wants a variance to the conditional overlay of the original ordinance so they can go up 15 feet -- from an acceptable 45 feet to a too-tall 60 feet. And the city staff has endorsed this change. **This variance is not compatible with the surrounding neighborhoods and it is out of character for the Slaughter Lane area.**

Please work to honor the original agreement and preserve our faith in the system we all must work within.

Thank you,
Henry Cowen
9334 Lightwood Loop
Austin, TX 78748

10/3/2005

Walsh, Wendy

From: Ben Prager [bap@ausdig.com]
Sent: Tuesday, October 04, 2005 1 26 PM
To: Walsh, Wendy
Subject: Rezoning C14-04-0150 - Fairfield at Woodland Park

Dear Ms. Walsh,

I live in the Cherry Creek on Brodie neighborhood and want to let you know that I am strongly in opposition to the variance being considered for C14-04-0150. I thought this was settled awhile back. The 60' height desired by the developer is just not at all compatible with the surrounding neighborhoods and it is out of character for the Slaughter Lane area.

I look forward to being at the meeting tonight to oppose this rezoning request.

Thank you for your time.

Ben Prager
3323 Silkgrass Ben
Austin, TX 78748

Walsh, Wendy

From: Jan Naughton [jan_naughton@hotmail.com]
Sent Tuesday, October 04, 2005 1:39 PM
To Walsh, Wendy
Subject. Regarding Case #C14-05-0150

Ms Walsh,

We are residents of Cherry Creek on Brodie subdivision and want to voice our opposition to the request for a variance to allow the builder of the Harmon Ranch to go up to 60 feet from the currently approved 45 feet. Again, we oppose this request because it is incompatible with the surroundings and our neighborhood. We ask the City to deny their request in the interest of keeping things compatible in this area.

Thank you,

Jan and Phil Naughton
9312 Lightwood Loop

Walsh, Wendy

From: Megan Wisdom-Larkin [mewl2000@austin rr com]

Sent: Tuesday, October 04, 2005 7 03 PM

To: Walsh, Wendy

Subject: Rezoning C14-04-0150

Re:15. Rezoning C14-04-0150 - Fairfield at Woodland Park

Location 3226 West Slaughter Lane, Slaughter Creek (Barton Springs Zone) Watershed

Owner/Applicant John M and Joyce W Harmon

Agent Graves, Dougherty, Hearon & Moody, P.C. (Peter J Cesaro)

Request MF-4-CO to MF-4-CO to change a condition of zoning to increase the height from 45 feet to 60 feet, and to reduce the density.

Staff Rec RECOMMENDED

Staff. Wendy Walsh, 974-7719, wendy walsh@ci austin tx us Neighborhood Planning and Zoning Department

Dear Ms. Walsh,

As a resident of the property abutting the above mentioned property, I would like to say I am vehemently opposed to this zoning change. We reached an amicable agreement with the owners of this property some time ago, and I have no desire to see it changed. A height of 60 feet would be very out of place for this neighborhood. I'm sure it would be very appropriate for downtown.

Megan Wisdom-Larkin

9508 Tea Rose Tr

Austin, TX 78748

512-280-2066

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: C14-05-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

October 4, 2005 Zoning and Platting Commission

Orrin Shaid

Your Name (please print)

3206 Slaughter Lane West

Your address(es) affected by this application

Orrin Shaid

9-30-05

Signature

Date

☐ I am in favor
☒ I object

Comments: Our property adjoins the subject tract on the east. We have SF-6 zoning for townhouses and/or condominiums; accordingly, the height limitation for our property is 35'. It appears that having structures of 60' in height on the Harmon tract would adversely affect both the current use (single-family residence) and the projected future use because of a loss of privacy from taller residential structures. Having a buffer is meaningless if the height limitation is increased.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-05-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

October 4, 2005 Zoning and Platting Commission

Orrin Shaid III

Your Name (please print)

3204 Slaughter Lane West

Your address(es) affected by this application

9/30/2005

Date

Signature

Comments: My property, like my grandparents

property at 3206 Slaughter, adjoins the Harmon
tract on the east. and is zoned SF-6. I believe
that the number of units originally permitted

at the time of rezoning the Harmon tract to

SF-4 was unrealistic and unattainable; therefore
a reduction in number of units now actually

means nothing because they could not have been
built anyway. An increase in allowable height

to 60' on the Harmon tract would detrimentally

affect my property because of a loss of privacy.
If you use this form to comment, it may be returned to. I supported
City of Austin the Harmon's original rezoning request
Neighborhood Planning and Zoning Department because of its
Wendy Walsh 35' height limitation; however, I am
P.O. Box 1088 opposed to any increase in the
Harmon tract's height
Austin, TX 78767-8810 limitation.

PUBLIC HEARING INFORMATION

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Case Number: C14-05-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

October 4, 2005 Zoning and Platting Commission

Heidi Wolff

Your Name (please print)

308 Foxton Cove

Your address(es) affected by this application

Heidi Wolff

Signature

10-3-05

Date

☐ I am in favor
☒ I object

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

MEMORANDUM

TO: Betty Baker, Chair and Members of the Zoning & Platting Commission

FROM: Dora Anguano, ZAP Commission Coordinator
Neighborhood Planning and Zoning Department

DATE: October 20, 2005

SUBJECT: ZAP Commission Summary

Attached is a ZAP Commission summary, which will be forwarded to the City Council

CASE # C14-05-0150

15. Zoning: **C14-05-0150 – Fairfield at Woodland Park**
Location: 3226 West Slaughter Lane, Slaughter Creek Watershed – Barton Springs Zone
Owner/Applicant: John M and Joyce W Harmon
Agent: Graves, Dougherty, Hearon & Moody, P.C (Peter J Cesaro)
Postponements: Postponed to 10/20/05 (Applicant)
Request: **MF-4-CO-CO to MF-4-CO to change a condition of zoning to increase the height from 45 to 60 feet, and to reduce the density.**
Staff Rec: **RECOMMENDED**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning Department

SUMMARY

Wendy Walsh, Staff – “The property accesses West Slaughter Lane and is zoned MF-4-CO by a 2002 case. The Applicant is proposing to change the Conditional Overlay to increase the height from 45 to 60 feet, reduce the density from 12.4 to 6.2 dwelling units per acre and the zoning impervious cover and building coverage to 15% in accordance with SOS regulations. In 2002, Staff supported the Applicant’s request for MF-4-CO with a 60 foot height limit in consideration of the environmental, access and land use-related issues. A 60 foot height limit would assist in offsetting the significant amount of undevelopable area on site, being the tributaries that extend through the south portion of the property and the 15% impervious cover limit. Staff is supporting the Applicant’s request.”

FAVOR

John Harmon, Owner & Applicant – Spoke in favor. Has owned the land for 27 years and was recently approached by Fairfield company to develop one multi-family structure with a 60-foot height limit. Noted that this was one of the few SOS compliant apartment developments in Austin.

Commissioner Hammond – Asked about elevation of the property in relation to its surroundings.

Mr. Harmon – Said that there was a 20-foot drop in elevation from the north property line to Slaughter Lane.

Commissioner Jackson – Confirmed that the 300-foot vegetative buffer on the north side of the property would remain intact. Confirmed that the 45-foot height limit was agreed upon in 2002 as a result of discussions between the Applicant and Neighborhood, and that the Zoning and Platting Commission did not object.

Michael Whellan, Agent for the Applicant – Spoke in favor. Showed an aerial of the property and surrounding area, and described the surrounding area in terms of zoning and noted the reduced developable area of the site.

Commissioner Donisi – Confirmed that compatibility could be achieved with a 45-foot height limit, but there would be more than one building.

Joyce Harmon, Owner and Applicant – Spoke in favor Described the changes that have occurred on Slaughter Lane over the past several years Noted that 90 percent of the property would remain undeveloped as it is now

OPPOSITION

John Larkin, representative of Cherry Creek on Brodie Neighborhood Association – Spoke in opposition Noted that the neighborhood was in agreement with the height limit of 45 feet in 2002 and understands that the developable area is limited However, a 60 foot height limit is out of character with the rural – suburban environment of the area Representatives of the neighborhood met with the developers and feel sure that they can do this project with a 45 foot height limit, as they agreed to in 2002, but would have to dig deeper into the ground

Phil Brown, representative of Cherry Creek on Brodie Neighborhood Association – Spoke in opposition Noted that this was one of Cherry Creek on Brodie's first development cases The neighborhood has tried to focus on what is appropriate for Brodie and Slaughter Creek MF-4-CO was agreed upon in 2002 and the subject rezoning application gives a much higher height limit

REBUTTAL

The Applicants and Agent did not make a rebuttal

MOTIONS

Commissioner Martinez – Made a motion to deny the Applicant's request

Commissioner Pinnelli – Seconded the motion

Madame Chair Baker – Made a substitute motion to approve the Staff's recommendation

Commissioner Jackson – Seconded the substitute motion

Madame Chair Baker – Mentioned that she was familiar with the case and noted that the Applicants had been stewards of the property for nearly 30 years Furthermore, the density was being reduced by one-half and the building shown on the conceptual site plan had been moved towards Slaughter Lane from previous illustrations shown in 2002 She was in agreement with the Applicant's request based on surrounding land uses and zonings

Commissioner Jackson – Said that he remembered the 300-foot buffer to provide enhanced compatibility, and that the plan shown by the Applicant's Agent was able to better concentrate development, given the property's constraints. He did not see an impact from this project to the neighborhood.

Commissioner Hammond – Said he sees a small footprint on a large piece of land.

Commissioner Martinez – Noted that a number of neighbors have submitted concerns and did not feel that the Applicant addressed the issue of compatibility in their presentation. Furthermore, a 60-foot height limit had implications for future developments on Slaughter Lane.

Motion carried.

COMMISSION ACTION:
MOTION:

BAKER, JACKSON
APPROVED MF-4-CO DISTRICT
ZONING AS RECOMMENDED BY
THE STAFF.

AYES:

BAKER, JACKSON, HAMMOND,
DONISI, HAWTHORNE, GOHIL

NAYS:

MARTINEZ, PINNELLI

LEFT EARLY:

RABAGO

MOTION CARRIED WITH VOTE: 6-2.

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3226 WEST SLAUGHTER LANE FROM MULTIFAMILY RESIDENCE MODERATE HIGH DENSITY-CONDITIONAL OVERLAY (MF-4-CO) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE MODERATE HIGH DENSITY-CONDITIONAL OVERLAY (MF-4-CO) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from multifamily residence moderate high density-conditional overlay (MF-4-CO) combining district to multifamily residence moderate high density-conditional overlay combining district on the property described in Zoning Case No. C14-05-0150, on file at the Neighborhood Planning and Zoning Department, as follows:

A 29.399 acre tract of land, more or less, out of the Theodore Bissell Survey No. 18 in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 3226 West Slaughter Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. A 300-foot wide vegetative buffer shall be provided and maintained along the north property line adjacent to the adjoining residential district. Improvements permitted within the buffer zone are limited to water quality facilities for the irrigation or re-irrigation of stormwater, landscaping, drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

3. Development of the Property shall comply with the following regulations:

- A. The minimum lot size is 8,000 square feet.
- B. The minimum lot width is 50 feet.
- C. The maximum density is 62 dwelling units per acre.
- D. The maximum building coverage is 15 percent.
- E. The maximum impervious cover is 15 percent.
- F. The minimum setbacks are: 25 feet for front yard,
15 feet for street side yard,
5 feet for interior side yard, and
10 feet for rear yard.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence moderate-high density (MF-4) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED:

_____, 2005

§
§
§

Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Brown
City Clerk

29 399 Acres
Theodore Bissell Survey No 18
Travis County, Texas

EXHIBIT A

FN 3684(WGH)
April 15, 2005
SAM, Inc Job No 25081-01

DESCRIPTION OF A 29.399 ACRE TRACT OF LAND LOCATED IN THE THEODORE BISSELL SURVEY No 18 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 30 00 ACRE TRACT OF LAND DESCRIBED IN A DEED TO JOHN M HARMON AND WIFE, JOYCE W. HARMON, RECORDED IN VOLUME 7589, PAGE 370 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a ½-inch iron rod found in the north right-of-way (ROW) line of West Slaughter Lane as dedicated in Volume 10753, Page 1651 of the Real Property Records of Travis County, Texas, being the southeast corner of Lot 1-D, Block A of the Resubdivision of Amended Sandahl-Brodie Subdivision Section Two, recorded under Document No 200400173 of the Official Public Records of Travis County, Texas, and being in the west line of said called 30 00 acre tract, for the southwest corner hereof,

THENCE, leaving the said north ROW line with the east lines of said Resubdivision Plat and a called 8 435 acre tract of land described in a deed to Shady Hollow Retail Partners, Ltd , recorded under Document No 2003018644 of the Official Public Records of Travis County, Texas, being the west line of said called 30 00 acre tract, N 27°52'08" E, passing a ½-inch iron rod found at 833 67 feet, in all a distance of 1683 40 feet to a 5/8-inch iron rod found being the northeast corner of the said called 8 435 acre tract, being in the south line of Cherry Creek Section 10-A, recorded in Volume 86, Page 16C of the Plat Records of Travis County, Texas, and being the northwest corner of said called 30 00 acre tract and the northwest corner hereof,

THENCE, with the common line between the said Cherry Creek Section 10-A and the said called 30 00 acre tract, S 62°28'31" E, passing a ½-inch iron rod found at 126 10 feet, passing a ½-inch iron rod found at 201 32 feet, passing a ½-inch iron rod found at 261 19 feet, passing a 1/2"-inch iron rod found at 321 28 feet, in all a distance of 370 53 feet to a 4-inch brass disc in concrete being in the south line of the said Section 10-A, being the western-most northwest corner of Cherry Creek Section 10-C, recorded in Volume 86, Page 76C of the Plat Records of Travis County, Texas, and being the northern-most northeast corner of said called 30 00 acre tract and the northern-most northeast corner hereof,

THENCE, with the common lines between the said Cherry Creek Section 10-C and the said called 30 00 acre tract the following two (2) courses and distances

1. S 26°33'29" W, a distance of 350 66 feet to a ½-inch iron rod set with plastic "SAM" cap for an interior corner hereof, and
2. S 62°56'20" E, a distance of 481 69 feet to a ½-inch iron rod found in the south line of the said Section 10-C, being the northwest corner of Tian Addition Lot A, recorded in Volume 76, Page 331 of the Plat Records of Travis County, Texas, and being the eastern-most northeast corner of said called 30 00 acre tract and the eastern-most northeast corner hereof,

29 399 Acres
Theodore Bissell Survey No 18
Travis County, Texas

FN 3684(WGH)
April 15, 2005
SAM, Inc Job No 25081-01

THENCE, with the common line between the said Trian Addition and the said called 30 00 acre tract, S 27°52'00" W, a distance of 1341.07 feet to a ½-inch iron rod found for the southwest corner of the said Trian Addition, being in the said north ROW line of West Slaughter Lane as dedicated in Volume 10753, Page 1651 of the Real Property Records of Travis County, Texas, and being the southeast corner hereof,

THENCE, with the said north ROW line, N 62°10'58" W, a distance of 860 25 feet to the POINT OF BEGINNING, containing 29 399 acres of land, more or less

STATE OF TEXAS


KNOW ALL MEN BY THESE PRESENTS:

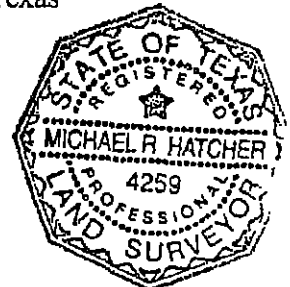
COUNTY OF TRAVIS

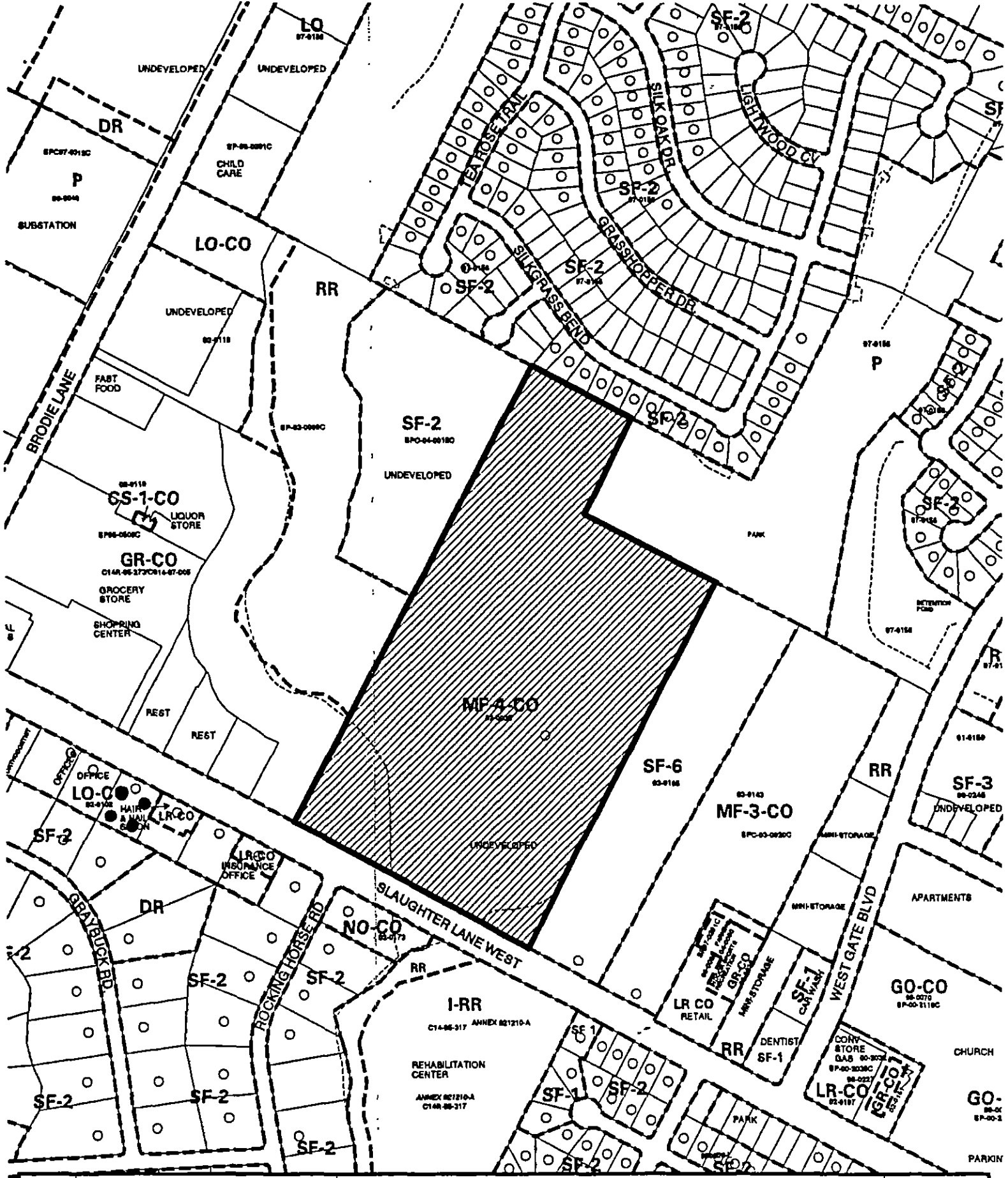
That I, Michael R. Hatcher, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during March, 2005 and April, 2005 under my direction and supervision

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 15th day of April, 2005
A D.

SURVEYING AND MAPPING, Inc
5508 West Highway 290, Building B
Austin, Texas 78735


Michael R. Hatcher
Registered Professional Land Surveyor
No 4259 ~ State of Texas





 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT 13		CITY GRID REFERENCE NUMBER D15
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-05-0150	DATE 05-09	
	CASE MGR WWALSH	ADDRESS 3226 W SLAUGHTER LN	INTLS SM	

Walsh, Wendy

From: Margaret Stark [1toothfairy@austin rr com]
Sent: Monday, November 07, 2005 7 45 PM
To: Wynn, Will, Alvarez, Raul, Brewster mccracken@ci austin tx us, Thomas, Danny, Kim, Jennifer, Leffingwell, Lee, Futrell, Toby, Walsh, Wendy
Cc: board@cherrycreekonbrodie org
Subject: Zoning Case C14-05-05150

Honorable Councilperson

My address is 3206 Silkgrass Bend, Austin, TX 78748 I live in Cherry Creek on Brodie Lane and would like to ask you to abide by the previous agreement that our Home Owner's Association has agreed to with the developer of the Harmon Ranch property

I AM AGAINST ALLOWING THE ZONING HEIGHT LIMIT ON THIS BUILDING SITE TO BE RAISED FROM 45 FEET TO 60 FEET

Please honor the hard work that went into this compromise between our neighborhood and the Harmon Ranch developer approximately 2 years ago and do not allow this zoning height limit to be changed

Thank you for you consideration

Sincerely,
Margaret Stark