

ZONING CHANGE REVIEW SHEET

C12/1

CASE: C14-2014-0093 – Airport Commerce Zoning

P.C. DATE: July 22, 2014

ADDRESS: 1507 Airport Commerce Drive

OWNER: SFSV Hill Airport Commerce II LLC
(Vijay Patel)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: CS-CO-NP **TO:** CS-CO-NP, to change a condition of zoning

AREA: 3.338 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay – neighborhood plan (CS-CO-NP) combining district zoning to remove the floor-to-area ratio limit. The remainder of the Conditional Overlay as it applies to Tract 1, including a list of prohibited uses and conditional uses, will remain intact.

PLANNING COMMISSION RECOMMENDATION:

July 22, 2014:

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a portion of an undeveloped platted lot and has been zoned general commercial services – conditional overlay since 1992, with the neighborhood plan combining district added in 2001 (CS-CO-NP). The property has frontage on Airport Commerce Drive, and two private streets provide one connection each to East Ben White Boulevard and East Riverside Drive. There is undeveloped property directly north and south (CS-CO-NP), undeveloped property and office-warehouses on the west side of Airport Commerce Drive (ERC; CS-CO-NP; LI-CO-NP) and the Riverside Meadows single family subdivision is further west (SF-4A-NP). Across East Ben White Boulevard, there are hotels, restaurants and a service station, and a mobile home park (LI-NP; CS-NP). The rezoning area is situated within the Airport Overlay Zone 3, also known as the ½ mile buffer zone, which permits commercial and industrial uses. (The AO-3 Zone does not allow for new residential development to occur, with limited exceptions, hence an MU district is not recommended.) Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), B (1992 Rezoning Ordinance and Restrictive Covenant) and C (Recorded Plat).

C12/2

The Applicant has requested to remove the floor-to-area ratio (FAR) component of the Conditional Overlay that is limited to 0.3 to 1 for the subject lot. For information, the maximum FAR in the CS district is 2 to 1. All other components of the Conditional Overlay associated with Tract 1, including prohibited and conditional uses, will remain intact and development will be within the scope of the approved Traffic Impact Analysis. Staff supports the Applicant's request to remove the FAR limit as roadway improvements have occurred since the 1992 zoning case, and it will allow denser commercial development to occur on property that is located on a collector street and has access to a freeway and an arterial street.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|--|---|
| <i>Site</i> | CS-CO-NP | Undeveloped |
| <i>North</i> | CS-CO-NP | Undeveloped |
| <i>South</i> | ERC (designated as Corridor Mixed Use) | Hotel; Undeveloped |
| <i>East</i> | LI-NP; CS-NP | Hotels; Restaurants; Service station/food sales; Mobile home park |
| <i>West</i> | LI-CO-NP; CS-MU-NP; SF-4A-NP | Office-Warehouses; Undeveloped; Single family residences within the Riverside Meadows subdivision |

NEIGHBORHOOD PLANNING AREA: Montopolis **TIA:** Is not required

WATERSHED: Carson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- 299 – The Crossing Gardenhome Owners Association
- 477 – El Concilio, Coalition of Mexican American Neighborhood Association
- 511 – Austin Neighborhoods Council 634 – Montopolis Area Neighborhood Alliance
- 774 – Del Valle Independent School District
- 972 – PODER-People Organized in Defense of Earth & Her Resources
- 1037 – Homeless Neighborhood Association 1075 – Bike Austin
- 1131 – Riverside Meadows Homeowner's Association
- 1145 – Carson Ridge Neighborhood Association
- 1200 – Super Duper Neighborhood Objectors and Appeals Organization
- 1224 – Austin Monorail Project 1227 – Montopolis Neighborhood Plan Contact Team
- 1228 – Sierra Club, Austin Regional Group 1255 – Pleasant Valley
- 1236 – The Real Estate Council of Austin, Inc. 1258 – Del Valle Community Coalition
- 1321 – Montopolis Tributary Trail Association
- 1339 – Montopolis Neighborhood Association 1340 – Austin Heritage Tree Foundation
- 1357 – Montopolis Community Alliance 1363 – SEL Texas
- 1394 – Montopolis Neighborhood Association – El Concilio

1408 – Go! Austin/Vamos!Austin – Dove Springs 1424 – Preservation Austin
 1444 – East Austin Conservancy 1447 – Friends of the Emma Barrientos MACC

SCHOOLS:

This property is within the Del Valle Independent School District.
 Joseph Gilbert Elementary School Ojeda Middle School Del Valle High School

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---|--|--|---|
| C14-2012-0112 – East Riverside Corridor Regulating Plan-Montopolis Neighborhood – Along/in proximity to E Riverside Dr between Grove Blvd on west and SH 71 on east | Various to ERC zoning on 11 tracts of land covering 235 acres | To Grant | Apvd (05-09-2013). |
| C14-2007-0126 – Sky Inn Hotels & Suites, Inc. – 1611 Airport Commerce Dr | CS-CO-NP to CS-CO-NP, to remove the FAR limit within the Conditional Overlay | To Grant | Apvd (10-11-2007). |
| C14-2007-0122 – Airport Commerce 13 – 7600-7812 E Ben White; 1707, 1801, 1901 Airport Commerce Dr | CS-CO-NP to CS-CO-NP, to remove the FAR limit within the Conditional Overlay | To Grant | Apvd (10-11-2007). |
| C14-01-0010 – Steiner Tract – 7300-7320 Block of E Riverside Dr | SF-2; SF-3 to CS; CS-1 | To Grant MF-3-CO-NP for Tracts 1 and 2; CS-CO-NP for Tract 3 with conditions | Apvd SF-6-CO-NP for Tract 1; MF-3-CO-NP for Tract 2; CS-CO-NP for Tract 3; CO for maximum number of dwelling units and density; and prohibited uses (01-30-2003). |

RELATED CASES:

The property was zoned CS-CO district zoning on February 13, 1992. The Conditional Overlay established prohibited and conditional uses, and a floor-to-area ratio of 0.3 to 1.0 (C14R-86-316). A Restrictive Covenant requires conformance with the noise level reduction measures, reservation of right-of-way along U.S. Highway 183 and compliance with the traffic impact analysis. The Applicant's proposal to remove the FAR limit will still be within the scope of the approved Traffic Impact Analysis.

The property represents a portion of Lot 1, Block A of Airport Commerce, Section Two, recorded May 2008 (C8-2007-0181.0A).

The Montopolis Neighborhood Plan Rezoning was completed on September 27, 2001 (Ordinance 010927-28). The base district of the subject property did not change, and the NP combining district was added.

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | Sidewalks | Bike Route | Capital Metro |
|------------------------|---------|----------|----------------|-----------|------------|---------------|
| Airport Commerce Drive | 90 feet | 67 feet | Collector | No | No | Yes |
| John Glenn Way | N/A | N/A | Private | N/A | N/A | N/A |

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Airport Commerce Drive.

CITY COUNCIL DATE: August 7, 2014

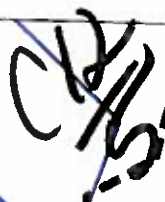
ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719


$$1'' = 400'$$

SF-4A-NP

IP-CO-NP

99-0046

LI-CO-NP

CS-CO-NP

SF-4A-NP

SP-06-0000C

SF-4A-NP

SF-4A-NP

99-0046

CS-CO-NP

ERC

AIRPORT COMMERCE DR.

ERC

AIRPORT COMMERCE DR.

DISCOVERY LN

JOHN GLENN WAY

E BEN WHITE BLVD

BASTROP SB TO BEN WHITE WB RAMP

RIVERSIDE DR

ERC

E BEN WHITE BLVD WB
E BEN WHITE BLVD EB

CS-NP

CS-NP

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LI-NP

SP-03-0000C

PALMA VERDE

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AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT 1: 57.28 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "CS-CO" GENERAL COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT; AND,

TRACT 2: 30.46 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT AND "SF-3" FAMILY RESIDENCE TO "LI-CO" LIMITED INDUSTRIAL SERVICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT,

LOCALLY KNOWN AS 7000-7009 EAST BEN WHITE BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1. That Chapter 13-2 of the Austin City Code of 1981 is amended to change the respective base zoning districts and to establish a Conditional Overlay combining district on all of the property described in File C14-86-316, as follows:

TRACT 1: FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "CS-CO" GENERAL COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT.

57.28 acre tract of land out of the Santiago Del Valle Grant, said 57.28 acre tract of land of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes.

TRACT 2: FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT AND "SF-3" FAMILY RESIDENCE TO "LI-CO" LIMITED INDUSTRIAL SERVICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT.

30.46 acre tract of land out of the Santiago Del Valle Grant, said 30.46 acre tract of land of land being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes.

locally known as 7000-7009 East Ben White Boulevard, in the City of Austin, Travis County, Texas.

PART 2. That the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following restriction:

1. The following uses of Tracts 1 and 2 shall be prohibited:

- | | |
|--|---|
| (a) Agricultural sales and services, | (h) Basic industry, |
| (b) Automotive washing (self service), | (i) Outdoor entertainment, |
| (c) Campground, | (j) Day care services (limited), |
| (d) Equipment repair services, | (k) Day care services (general), |
| (e) Equipment sales, | (l) Day care services (commercial), |
| (f) Exterminating services, | (m) Hospital services (limited), |
| (g) Kennels, | (n) Hospital services (general), |
| (o) Monument retail sales, | (t) Private primary educational facilities, |
| (p) Scrap and salvage service, | (u) Private secondary educational facilities, |

EXHIBIT B

1992 REZONING ORDINANCE
+ RESTRICTIVE COVENANT

- (g) Resource extraction,
(f) Vehicle storage,
(s) Veterinary services,

- (v) Public primary educational facilities, and,
(w) Public secondary educational facilities.

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2. A Conditional Use permit shall be required to develop or establish the following uses on Tracts 1 and 2 or any portion of Tracts 1 and 2:

- (a) Commercial off-street parking,
(b) Automotive rentals,
(c) Automotive repair services,
(d) Automotive sales,
(e) Arts and craft studio (industrial), [with outdoor storage and manufacturing uses only]
(f) Construction sales and services, [with outdoor storage use only]
(g) Convenience storage,
(h) General warehousing and distribution, [with outdoor storage use only]
(i) Limited warehousing and distribution, [with outdoor storage use only]
(j) Light manufacturing, [with outdoor storage use only] and,
(k) Custom manufacturing, [with outdoor storage use only].

3. Development of Tract 1 shall be restricted to a maximum floor to area ratio of .3 to 1.

4. Development of Tract 2 shall be restricted to a maximum floor to area ratio of .5 to 1.

Except as specifically restricted by this ordinance, the property may be developed and used in accordance with regulations established for the respective base districts and other applicable requirements of the Land Development Code.

PART 3. That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1981 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

PART 4. That the requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three separate days shall be waived by the affirmative vote of five members of the City Council to pass this ordinance through more than one reading on a single vote.

PART 5. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage.

PASSED AND APPROVED:

February 13, 1992

CLERK




Bruce Todd
Mayor

APPROVED:


Diana L. Granger
Acting City Attorney

ATTEST:


James E. Aldridge
City Clerk

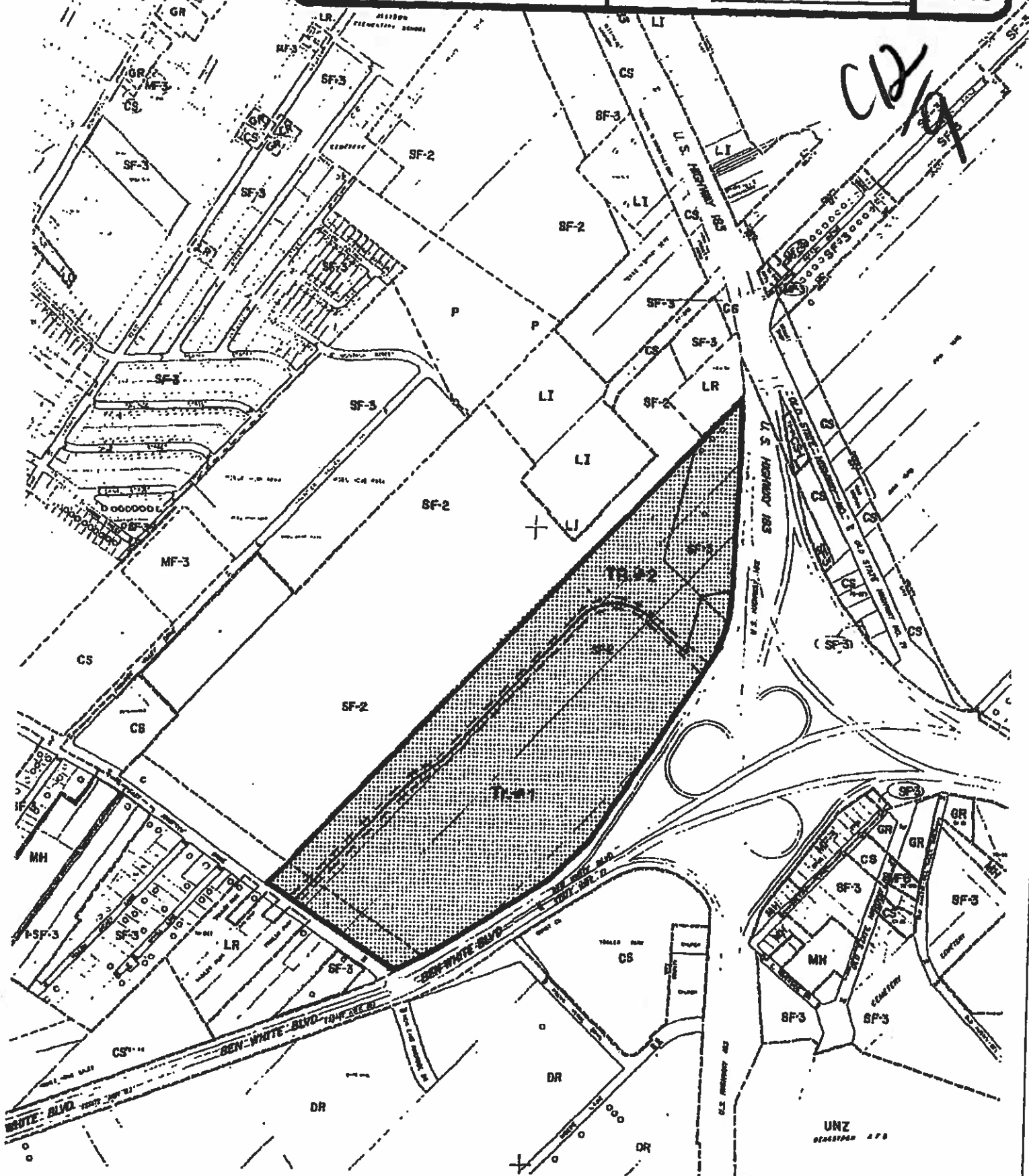
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ME/lj



PENDING CASE
ZONING LINE
CYCLE ^{1/86} INTLS ^{LB}

SUBJECT TRACT
SUBJECT ACREAGE 99.62
CASE NO: C14r-86-316

GRID
L&M
18&19



RESTRICTIVE COVENANT

OWNER: SOUTHEAST AUSTIN ASSOCIATES, a California limited partnership
 c/o Del Bennett, General Partner, 2333 San Ramon Valley Blvd.
 ADDRESS: c/o Jim Wirth, 8101 Bee Cave Road, Suite 315, Austin, Texas 78746.
 Suite #450, San Ramon, CA 94583
 CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration
 paid by the City of Austin to the Owner, the receipt and sufficiency of which is
 acknowledged.
 PROPERTY: Tract 1: 57.28 acre tract of land out of the Santiago Del Valle Grant, said
 57.28 acre tract of land being more particularly described by metes and
 bounds in "Exhibit A" attached and incorporated herein for all purposes.
Tract 2: 30.46 acre tract of land out of the Santiago Del Valle Grant, said
 30.46 acre tract of land being more particularly described by metes and
 bounds in "Exhibit B" attached and incorporated herein for all purposes.

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property
 should be impressed with certain covenants and restrictions as conditions of zoning for the Property;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall
 hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon
 the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and
 shall be binding on the Owner of the Property, its successors, and assigns.

1. Development of the Property shall conform with Noise Level Reduction (NLR) measures
 recommended by the Air Installation Compatible Use Zone Study (AICUZ), prepared by
 Bergstrom Air Force Base, date July 28, 1987. In the event of the closure of Bergstrom Air
 Force Base, should the City of Austin acquire title to Bergstrom Air Force Base for use as a
 municipal airport, development of the property shall conform to the requirement of 14 C.F.R.
 Part 77 and Part 150, should the requirements of such federal aviation regulations be
 applicable, as amended, and provided that the applicable 14 C.F.R., Part 77 and Part 150
 requirements are no more restrictive concerning the usability of the subject tract than are the
 currently applicable AICUZ requirements.
2. Owner shall reserve 150 feet of right-of-way from the future center line of U. S. Highway 183
 and State Highway 71 for future right-of-way, pursuant to Section 13-5-8 of the Austin City
 Code. No structure shall be erected nor shall improvements be made within the reserved right-
 of-way as determined by the Transportation and Public Safety Department.
3. Notwithstanding any other provision of the Land Development Code applicable to the Property
 on the effective date of this ordinance or at the time an application for approval of a site plan
 or building permit is submitted, no site plan for development of the Property or any portion
 of the Property shall be approved or released, and no building permit for construction of a
 building on the Property, shall be issued if the completed development or uses authorized by
 the proposed site plan or building permit, considered cumulatively with all existing or
 previously authorized development and uses of the Property, do not conform with the
 recommendation specified in that certain Traffic Impact Analysis prepared by Urban
 Transportation Engineers, dated June 1988 and October 1988 (as revised), on file at the
 Department of Planning and Development, and submitted in support of the zoning request as
 proposed in Zoning File C14-86-316.

C12/11

4. Prior to approval of a final plat for the Property, or any portion of the Property, the Owner shall furnish the City of Austin with the following fiscal arrangements:
 - (i) Fiscal arrangements for 100% of the cost of relating to traffic signalization improvements at Riverside Drive and Bennett Drive; and,
 - (ii) Fiscal arrangements for its pro-rata share of the cost relating to a westbound right-turn lane on Ben White Boulevard at Riverside Drive,in accordance with Zoning File C14-86-316.
5. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
6. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
7. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
8. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property at the time of such modification, amendment or termination.

All citations to the Austin City Code shall refer to the Austin City Code of 1981, as amended from time to time, unless otherwise specified. When the context requires, singular nouns and pronouns include the plural.

SOUTHEAST AUSTIN ASSOCIATES,
a California limited partnership

BY: Delbert C. Bennett
Delbert C. Bennett, General Partner

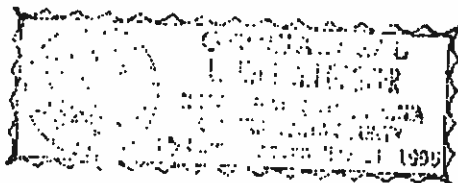
Date: JAN 15, 1992

THE STATE OF CALIFORNIA §
COUNTY OF CONTRA COSTA §

This instrument was acknowledged before me on this the 15 day of JANUARY, 1992 by Delbert C. Bennett, General Partner, on behalf of SOUTHEAST AUSTIN ASSOCIATES, a California limited partnership.

Linda Joan Gasper
Notary Public Signature

LINDA JOAN GASPER
Type or Print of Notary
My Commission Expires: 11/11/95



After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767
Attention: Joe Brouce, Legal Assistant

AIRPORT COMMERCE SECTION TWO

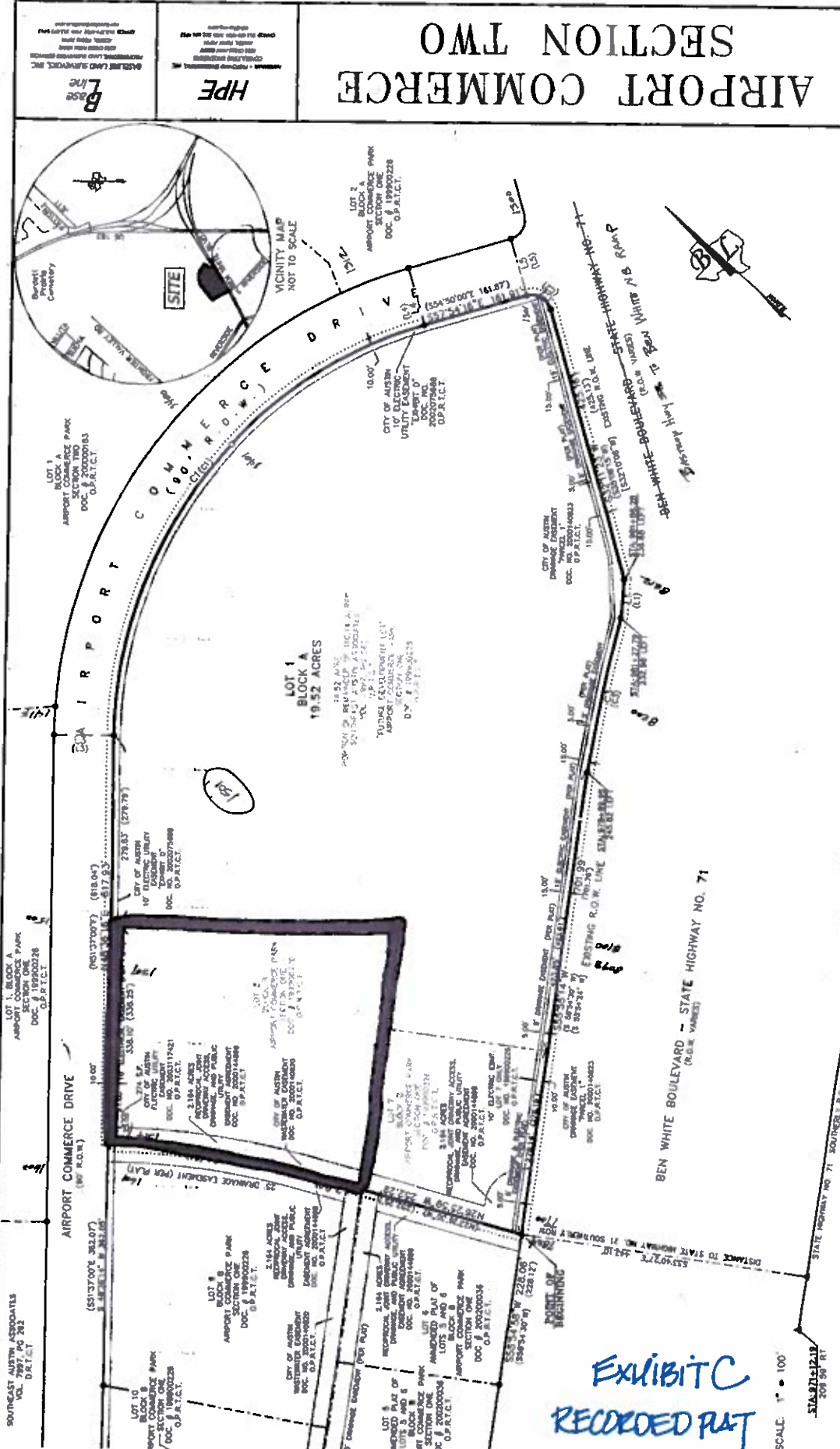
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|--------------|----------|
| Revision 1: | 02/28/08 |
| Revision 2: | 02/28/08 |
| Revision 3: | 02/28/08 |
| Revision 4: | 02/28/08 |
| Revision 5: | 02/28/08 |
| Revision 6: | 02/28/08 |
| Revision 7: | 02/28/08 |
| Revision 8: | 02/28/08 |
| Revision 9: | 02/28/08 |
| Revision 10: | 02/28/08 |

SHEET 1 of 2

CB-2007-0181.0A

13471



OWNER: SOUTHEAST AUSTIN ASSOCIATES
 ACREAGE: 19.52 ACRES
 SURVEY: SATELITE DEL VALLE GRANT
 DATE: 29 FEBRUARY 2008
 SURVEYOR: BASELINE LAND SURVEYORS, INC.
 ENGINEER: HARMAN PORTLAND ENGINEERING, INC.
 LINEAR FOOTAGE OF
 STREETS: 0'
 NUMBER OF LOTS: 1

| CURVE | RADIUS | LENGTH | CHORD | BEARING | CHORD |
|-------|--------|--------|-------|-------------|--------|
| (1) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (2) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (3) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (4) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (5) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (6) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (7) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (8) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (9) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |
| (10) | 150.00 | 33.33 | 33.33 | N89°28'31"E | 778.23 |

| LINE | BEARING | LENGTH |
|------|-------------|--------|
| (1) | S84°28'31"W | 58.44' |
| (2) | S84°28'31"W | 58.44' |
| (3) | S84°28'31"W | 58.44' |
| (4) | S84°28'31"W | 58.44' |
| (5) | S84°28'31"W | 58.44' |
| (6) | S84°28'31"W | 58.44' |
| (7) | S84°28'31"W | 58.44' |
| (8) | S84°28'31"W | 58.44' |
| (9) | S84°28'31"W | 58.44' |
| (10) | S84°28'31"W | 58.44' |

LEGEND
 1/2" IRON REBAR FOUND (NOTED IF CAPPED)
 MAR FOUND
 1/2" REBAR SET W/PLASTIC CAP: "BASELINE INC."
 CALCULATED POINT
 RECORD INFO PER 14001 R.O.W. MAP DATED 1989
 LT.C.T.1
 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
 PROPOSED SEWER
 RIGHT OF WAY

EXHIBIT C
 RECORDED PAT

SCALE: 1" = 100'

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay – neighborhood plan (CS-CO-NP) combining district zoning to remove the floor-to-area ratio limit. The remainder of the Conditional Overlay as it applies to Tract 1, including a list of prohibited uses and conditional uses, will remain intact.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

The property has frontage on Airport Commerce Drive, a collector street, and two private streets: one intersects East Ben White Boulevard, a freeway and the other intersects East Riverside Drive, an arterial.

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

Staff supports the Applicant's request to remove the FAR limit as roadway improvements have occurred since the 1992 zoning case, and it will allow denser commercial development to occur on property that is located on a collector street and has access to a freeway and an arterial street.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and relatively flat. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 80%, which is based on the more restrictive watershed regulations, as described below.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed

by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

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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 Gross Site Area</i> | <i>% of Gross Site Area with Transfers</i> |
|--|-----------------------------|--|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multi-family | 60% | 70% |
| Commercial | 80% | 90% |

According to floodplain maps there is no floodplain within or adjacent to the project location.

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 a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Transportation

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

Water and Wastewater

FYI: 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 any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.

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Compatibility Standards

Site plans will be required for any new development. 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 located on an Urban Roadway.

This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

This property is within the Airport Overlay Zone AO-3. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

Thrower Design

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C12/16

April 17, 2014

Mr. Greg Guernsey, Director
Planning & Development Review Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

RE: Airport Commerce Rezoning

Dear Mr. Guernsey,

We represent the current landowners and the buyer for the property covered under the attached rezoning application. Our request is from "CS-CO-NP" to "CS-CO-NP" with the intent to remove a condition found in the current Conditional Overlay affecting this property.

The property and surrounding area was zoned with Ordinance 920213-A (attached) that covered approximately 88 acres. The subject property is contained within Tract 1 of that rezoning ordinance and under Part 2 (3) the development is limited to a floor area ratio of 0.3:1. Our request with the current application is to eliminate this FAR limitation and have the zoning district regulation of 2:1 FAR be the applicable regulation for development.

For clarity, the broader area went through a Neighborhood Plan process, styled as Montopolis Neighborhood Planning Area, and, as is typical, some of the properties within a planning area underwent zoning changes. However, the subject property did not go through any rezoning other than the "NP" Overlay.

For further clarity, this property abuts, but is not included within, the boundaries of the East Riverside Corridor Planning Area.

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A lot has changed in the 22 years since the last rezoning of the property. Growth in Austin is far exceeding expectations. I trust that the City will find that this rezoning request to eliminate the FAR limitation is strongly supported by current City Policies, Imagine Austin and many other documents relating to desired development patterns. The property is not within any compatibility zones there for height is not an issue today just as height was not a limit or condition within the existing zoning ordinance.

We respectfully request positive recommendation for this rezoning request to eliminate the FAR limitation.

Please let me know if you have any questions.

Sincerely,



A. Ron Thrower