

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0047 (Overlook at Spicewood Springs)

**Z.A.P. DATE:** May 20, 2014

**ADDRESS:** 4920 Spicewood Springs Road

**OWNER/APPLICANT:** Joseph Benford and Richard A. Haberman Trust (Danny Haberman)

**AGENT:** CIVILE, LLC (Lawrence M. Hanrahan)

**ZONING FROM:** SF-2

**TO:** GO

**AREA:** 4.283 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff recommends GO-CO, General Office-Conditional Overlay District, zoning. The conditional overlay will limit the development intensity to less than 2,000 vehicle trips per day, limit building height to a maximum of 40 feet, limit impervious cover on the site to a maximum of 70% and limit building coverage on the site to a maximum of 50%.

In addition, 70 feet of right-of-way should be dedicated from the centerline of Spicewood Springs through a street deed to the City of Austin in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).\*

\*After the Zoning and Platting Commission meeting, the Transportation staff contacted the applicant and stated that the AMATP requires only 14-foot right of way segment of Spicewood Springs Road. Therefore, ROW dedication is not required at this time.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

5/20/14: Approved the staff's recommendation for GO-CO zoning, with the condition that other than the 15-foot front yard setback, the site shall be limited to all other LO district site development standards, and include ROW dedication requirement (5-1, J. Meeker-No, R. McDaniel-absent); G. Rojas-1<sup>st</sup>, C. Banks-2<sup>nd</sup>.

### **ISSUES:**

On July 3, 2014, the staff received a petition from adjacent property owners who are opposed to any zoning classification other than SF-3 or LO-CO zoning on the site (Please see Attachment A-Petition). This GIS staff evaluated the petition and found that it is currently valid at 42.31%.

The excerpt below is from the City of Austin's Land Development Code and explains when the City Council is subject to the three-fourths vote.

#### ***Sec. 25-2-284 REQUIREMENT FOR APPROVAL BY THREE-FOURTHS OF COUNCIL.***

- (A) *The affirmative vote of three-fourths of the members of Council is required to approve a proposed rezoning if:*
- (1) the Land Use Commission recommends denial of an application to rezone property to a planned unit development; or*
  - (2) the proposed rezoning is protested in writing by the owners of not less than 20 percent of the area of land:*

- (a ) included in the proposed change; or*
- (b) immediately adjoining the area included in the proposed rezoning and extending 200 feet from the area.*

**INFORMATION:**

At Zoning and Platting Commission meeting on June 17, 2014, two members of the public spoke at Citizen Communication concerning the Commission's recommendation on this zoning case. The Commission was concerned about the comments made and asked the staff to put an item on their next meeting agenda to request a review of information for this case. The Zoning and Platting Commission can not rescind and reconsider their action on this case because the Commission did not place the case back on an agenda within 14-days of closing the public hearing per Section 25-2-282(B) the Land Development Code.

On July 15, 2014, the Zoning and Platting Commission held this informational review and the primary concern raised during the discussion was over the maximum impervious cover that is listed in the draft ordinance for this case. During the May 20, 2014 Zoning and Platting Commission meeting, the Commission voted to approve the staff's recommendation of GO-CO zoning for this property with the following conditions: 1) grant the applicant's request for the GO district 15-foot front yard setback, 2) limit the site to all other LO, Limited Office District, site development standards. This motion included the staff's recommendation for a 2,000 vehicle trip per day limit, limiting the maximum building height to 40 feet, limiting the impervious cover to a maximum of 70%, limiting the building coverage to a maximum of 50% and requiring ROW dedication for Spicewood Springs Road. The staff requested a draft ordinance from the Law Department based on the Zoning and Platting Commission's recommendation. In the draft ordinance, it lists out the LO district site development standards, with the exception of the GO district front yard setback. The confusion concerns the LO district's allowable impervious cover. The Limited Office District permits 70% impervious cover. However, as this property is located within the Bull Creek Watershed, the watershed's impervious cover limit is more restrictive than the zoning impervious cover. Therefore, commercial development will be limited to a maximum of 40% impervious cover on this site.

In conjunction with the proposed rezoning case, the applicant filed a site plan for the property at 4920 Spicewood Springs Road. During the administrative review of site plan case SP-2014-0141C, members of the neighborhood association have requested additional information involving environmental features/CEFs and tree removal/protection for this property. The site plan for this property is still under review and the environmental staff has stated that based on the latest update submittal the applicant may have to request environmental variances that will be reviewed by the Environmental Board and go before the Zoning and Platting Commission for approval.

**DEPARTMENT COMMENTS:**

The property in question is an undeveloped tract of land located adjacent to three office developments. The applicant is requesting GO, General Office District, zoning because they would like to develop the site with an office use.

The staff recommends GO-CO zoning because the site under consideration meets the intent and purpose statement of the General Office zoning district. GO-CO zoning will promote consistency and orderly planning because there is existing office zoning (LO, LO-CO) located to the south and west of the site under consideration. The property fronts onto and is accessible from Spicewood Springs Road, a major arterial roadway. The proposed zoning will permit the applicant to develop office uses adjacent to other office developments located to the north, south, east that will provide services to the

nearby residential areas. The staff's recommendation is consistent with previous staff/ZAP Commission recommendations in this area on other GO, General Office District, zoning requests.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	MF-3	Office
<i>South</i>	LO-CO, LO, SF-3	Office
<i>East</i>	SF-2	Undeveloped
<i>West</i>	I-SF-3, LO, LO-CO	Office

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Bull Creek

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Heritage Tree Foundation  
 Austin Monorail Project  
 Austin Neighborhoods Council  
 Bike Austin  
 Bull Creek Foundation  
 Bull Creek Homeowners Association  
 Homeless Neighborhood Association  
 Long Canyon Phase II & LLL Homeowners Association, Inc.  
 Northwest Austin Civic Association  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appealers Organization  
 The Real Estate Council of Austin, Inc.  
 2222 Coalition of Neighborhood Associations, Inc.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2013-0103 (4845 Spicewood Springs Rezone: 4845 Spicewood Springs Road)	I-SF-3, LO to LO	10/01/13: Approved staff's recommendation of LO zoning on consent (7-0); P. Seeger-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> .	10/24/13: Approved LO zoning on consent on all 3 readings (7-0); M. Morrison-1 <sup>st</sup> , B. Spelman-2 <sup>nd</sup> .

C14-2012-0153 (Spicewood Springs Office Rezoning: 4714 Spicewood Springs Road)	SF-3 to GO	1/15/13: Approved staff's recommendation of GO-CO zoning, with additional conditions to limit impervious cover on the site to a maximum of 70% and to limit building coverage on the site to a maximum of 50% (5-1, B. Baker-No, P. Seeger-absent); G. Rojas-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	2/14/13: Approved GO-CO zoning on consent on all 3 readings (7-0); S. Cole-1 <sup>st</sup> , B. Spelman-2 <sup>nd</sup> .
C14-2008-0128 (5005 Spicewood Springs Road)	SF-2 to LO-MU	9/16/08: Denied staff rec. of LO-MU (7-0)	9/25/08: Approved SF-6 zoning (7-0); 1 <sup>st</sup> reading only  10/16/08: Approved SF-6 zoning (7-0); 2 <sup>nd</sup> reading  2/12/09: Approved SF-6-CO zoning (6-0); 3 <sup>rd</sup> reading
C14-05-0202 (Crown Castle Spicewood Springs: 4919 Block of Spicewood Springs)	I-SF-3 to SF-6-CO	1/17/06: Approved SF-6-CO, with only permitted non- residential uses a telecommunication tower and permitted SF uses (7-0)	3/23/06: Approved SF-6-CO (7-0); all 3 readings
C14-05-0078 (Shelton Medical Office: 4615 Spicewood Springs Road)	SF-3 to LO	8/02/05: Approved LO-CO, with 50 vtpd limit (8-0)	9/01/05: Approved LO-CO zoning (7-0); all 3 readings
C14-04-0014 (Peppard: 4601 Spicewood Springs Road)	GO-CO to GO	3/02/04: Approved staff rec. of GO-CO, limiting medical office to 3,485 sq. ft., by consent (8-0)	4/01/04: Approved GO-CO on approximately 4,000 sq. ft. (7-0); 1 <sup>st</sup> reading only  4/22/04: Approved GO-CO zoning (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-03-0164 (4810 Spicewood B: 4810 Spicewood Springs Road)	SF-3 to LO	1/06/04: Approved staff rec. of LO by consent (9-0)	1/29/04: Approved LO (5-0); all 3 readings
C14-00-2049 (Spicewood Office: Spicewood Springs Road)	SF-3 to LO	4/18/00: Approved staff rec. of LO-CO w/conditions to include list of neighborhood prohibited uses except for Family Home, Group Home and Counseling Services (8-0)	5/18/00: Approved PC rec. of LO- CO zoning on 1 <sup>st</sup> reading (6-0, Lewis-absent)  6/22/00: Approved LO-CO zoning on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0)

**RELATED CASES:** SP-2014-0141C (Current Site Plan)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	ADT
Spicewood Springs Rd.	120'	MAU-2	Major Arterial	22,207

**CITY COUNCIL DATE:** June 12, 2014

**ACTION:** Postponed to August 7, 2014 at the neighborhood's request (7-0); B. Spelman-1<sup>st</sup>, L. Leffingwell-2<sup>nd</sup>.

August 7, 2014

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

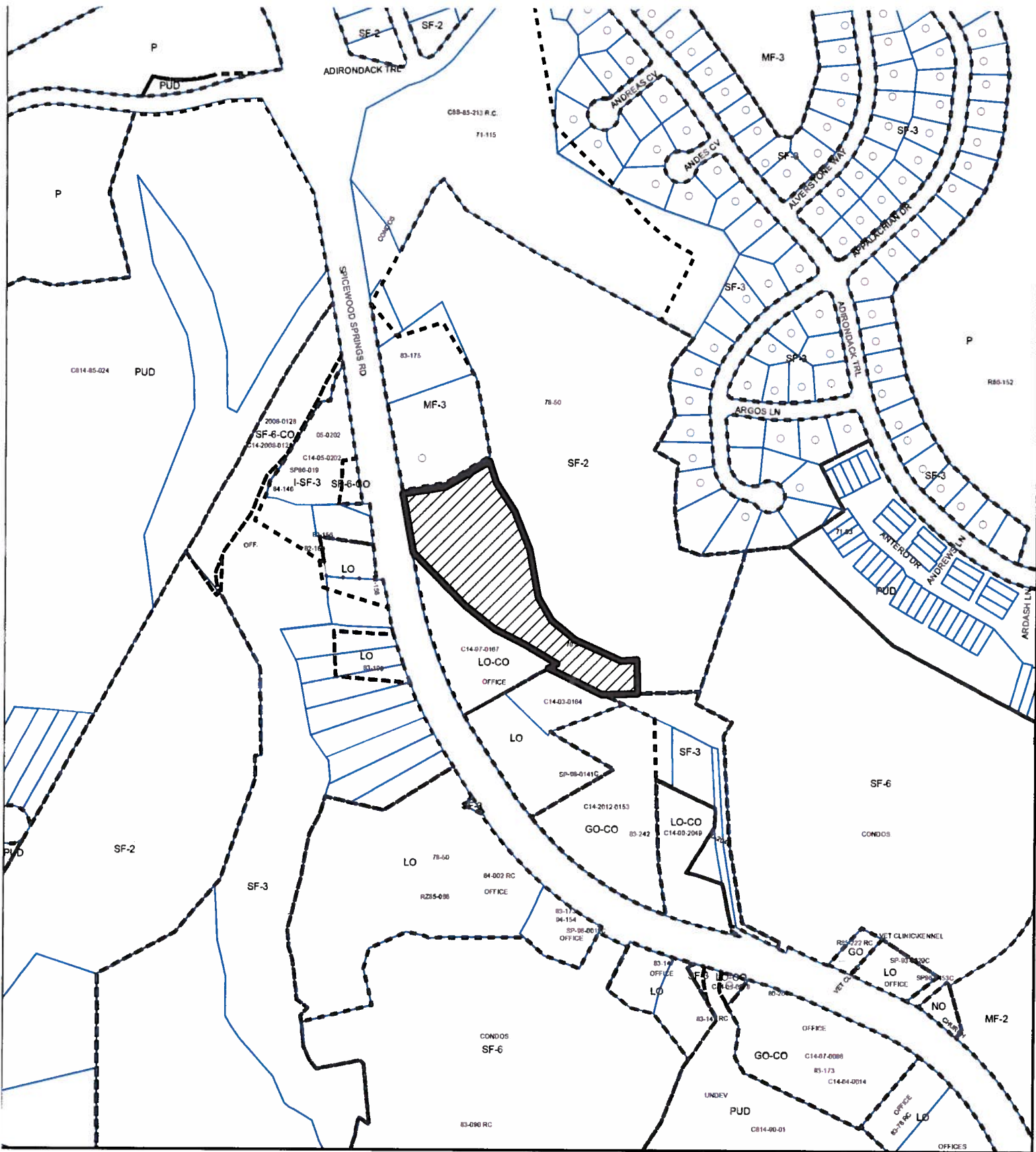
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



# ZONING

ZONING CASE#: C14-2014-0047

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

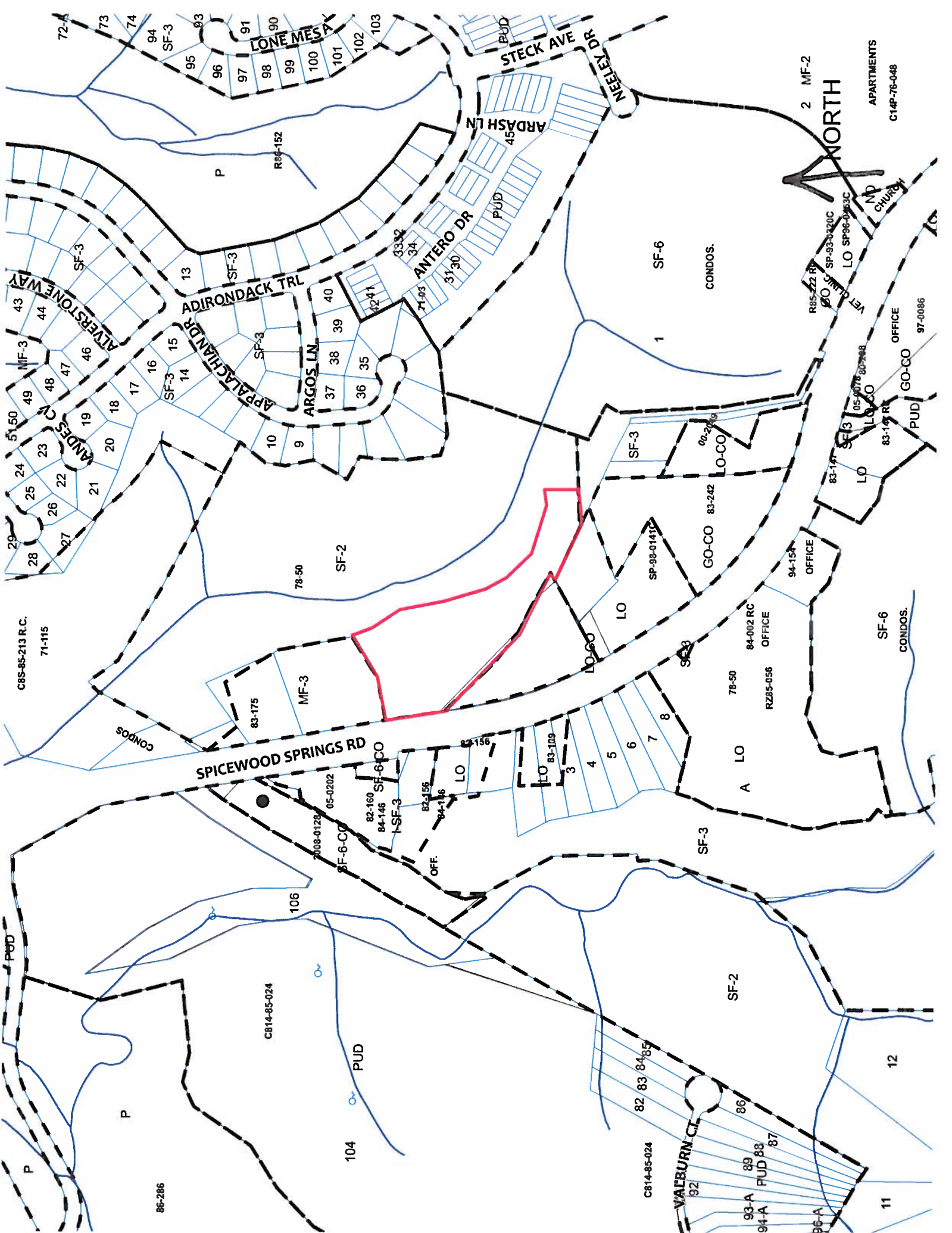
1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







NORTH

APARTMENTS  
C14P-76-048

2 MF-2

R85-222 R  
GO SP-93-0320C  
LO SP96-0463C

83-147  
SF-3 05-0078 80-948  
LO  
GO-CO

83-147  
LO  
GO-CO

94-154  
OFFICE

84-002 RC  
OFFICE

RZ85-056

78-50

83-242  
GO-CO

00-2700  
LO-CO

CONDOs.

SF-6

1

SF-3

LO

LO-CO

SF-3

A LO

82 83 84 85

C814-85-024

VALBURN CT

92

93-A

94-A PUD 88

96-A

87

86

11

12

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286

104

106

PUD

C814-85-024

86-286







## **STAFF RECOMMENDATION**

The staff recommends GO-CO, General Office-Conditional Overlay District, zoning. The conditional overlay will limit the development intensity to less than 2,000 vehicle trips per day, limit building height to a maximum of 40 feet, limit impervious cover on the site to a maximum of 70% and limit building coverage on the site to a maximum of 50%.

In addition, 70 feet of right-of-way should be dedicated from the centerline of Spicewood Springs through a street deed to the City of Austin in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).\*

## **BASIS FOR RECOMMENDATION**

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

General office (GO) district is the designation for an office or commercial use that serves community and city-wide needs. A building in a GO district may contain one or more different uses.

The property under consideration is accessible from Spicewood Springs Road, a major arterial roadway. The proposed zoning will permit the applicant to develop office uses adjacent to other office developments located to the north, south and west that will provide services to the nearby residential areas.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning will promote consistency and orderly planning because there is existing office zoning (LO, LO-CO) located to the south and west of the site under consideration.

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

The zoning district would allow for a fair and reasonable use of the site because it would allow the applicant to have additional permitted uses to redevelop a site that fronts onto a major arterial roadway.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration consists of a vacant tract of land that is located adjacent to two existing office developments fronting onto Spicewood Springs Road.

### **Comprehensive Planning**

SF-2 to GO (General Office)

This zoning case is located on the east side of Spicewood Springs Road and is not located within the boundaries of a neighborhood planning area. This vacant 4.2 acre parcel is surrounded by vacant land to the north, east and west, and a small office building to the south. The proposed use is an office building.

## **Imagine Austin**

The comparative scale of the site relative to nearby residential and commercial uses along Spicewood Spring Road, as well as the site not being located along an Activity Corridor or within an Activity Center, falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning. However, due to the site's location over the Edwards Aquifer, an environmentally sensitive area, there will be during the site planning stage an environmental review to determine if any critical environmental features are located on the site. If any are located on the site, mitigation and setbacks necessitated by the land development code will be required.

## **Environmental**

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

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.

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

## **Impervious Cover**

The maximum impervious cover allowed by the GO zoning district would be 80%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Note: The most restrictive impervious cover limit applies.



### **Site Plan**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the property line adjacent to SF-2 or single-family use, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 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.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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

### **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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Transportation**

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Spicewood Springs. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the centerline of Spicewood Springs in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

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]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Spicewood Springs	118'	28'	Arterial	No	No	No

**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, 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.



P E T I T I O NDate: 5/05/2014File Number: C14-2014-0047

Address of

Rezoning Request: 4920 Spicewood Springs  
Road, Austin, TX 78759

To:: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3 or LO with attached Conditional Overlay.

D.W.

**REASONS FOR PROTEST**

Height above 2 story would impact ambiance of the neighborhood. The property in front of ours is rated LO CO. This was supported by the City Council after previous petition. The current structure appears more residential than commercial. See attachment for Conditional Overlay. Change to a commercial appearance will impact our home values.

The area is of high value due to both location and rural natural appearance. A commercial building will impact future home sales.

A GO structure will increase traffic congestion which is already excessive on Spicewood Springs.

Increased traffic volume will add to noise pollution, which will have a great impact on current suitability.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress

	Bill Bolger	4813 Spicewood Springs Rd, Austin, TX 78759
	Chantel Bolger	" "
	Kyle Read	4817 "
	Leanne Read	" "
	Ron Gandy	4819 "
	Dennis Watts	4821 "
	Mary Watts	4821 "
	Manuel Ramirez	4823 "
	Matt Murphy	4825 "
	Alicia Murphy	4825 "
	Lisa Rother	4827 "
	Robert Radebaugh	4926 "
	JACK HOLFORD	4833 "
	JAMES E. ROBERTSON	4901 SPICEWOOD 78759
	JOHN HARLAN	4900 "
	MARK A. Gordin	4810 Spicewood Springs Rd 78759

Edward H. Soltz III Edward H. Soltz III 4810 Spicewood Springs Rd. #150  
Ken Royce F. Richards Call 4807 Spicewood Springs #30

---

---

Date: 7-3-14

Contact Name: **Dennis Watts**

Phone: 512-497-8690



**Conditional Overlay (CO) for the**  
**Property at 4920 Spicewood Springs Described in File C14-2014-0047**

- 1) Development of the Property shall not exceed 10,500 Square feet of gross floor area. The impervious cover is limited to 32% of the net site service area.
- 2) The following uses of the Property are prohibited:
  - Bed & Breakfast Group 1 & 2.
  - Communications Services
  - Cultural Services
  - Special Use Historic
  - Club or Lodge
  - College or University Facilities
  - Communication Service
  - Community Recreation (Private)
  - Community Recreation (Public)
  - Community Events
  - Congregate Living
  - Convalescent Services
  - Art Gallery
  - Art Workshop
  - Medical Offices > 5000 sq. feet
  - Convention Center
  - Off Site Parking
  - Personal Services
  - Printing and Publishing
  - Day Care Services (Limited)
  - Day Care Services (General)
  - Day Care Services (Commercial)
  - Hospital Services (Limited)
  - Local Utility Services
  - Private Primary Educational Facilities
  - Private Secondary educational Facilities
  - Public Primary Educational facilities
  - Public Secondary Educational Facilities
  - Residential Treatment
  - Safety Services
  - Telecommunications Services
  - Urban Farm

**Restrictive Covenant for the**

**Property at 4920 Spicewood Springs Described in File C14-2014-0047**

- 1) Signage on the Property shall be restricted to location on a berm and shall be freestanding only, without rotational capabilities. Signage dimensions shall not exceed three feet high by eight feet wide. Signage lighting is limited to steady lighting only.
- 2) Per the standards that require a 7 foot deep planting zone from the curb across the length of the property with at least 5 large growth trees with trunk diameters of greater than 12."



Case Number:

**C14-2014-0047****PETITION**

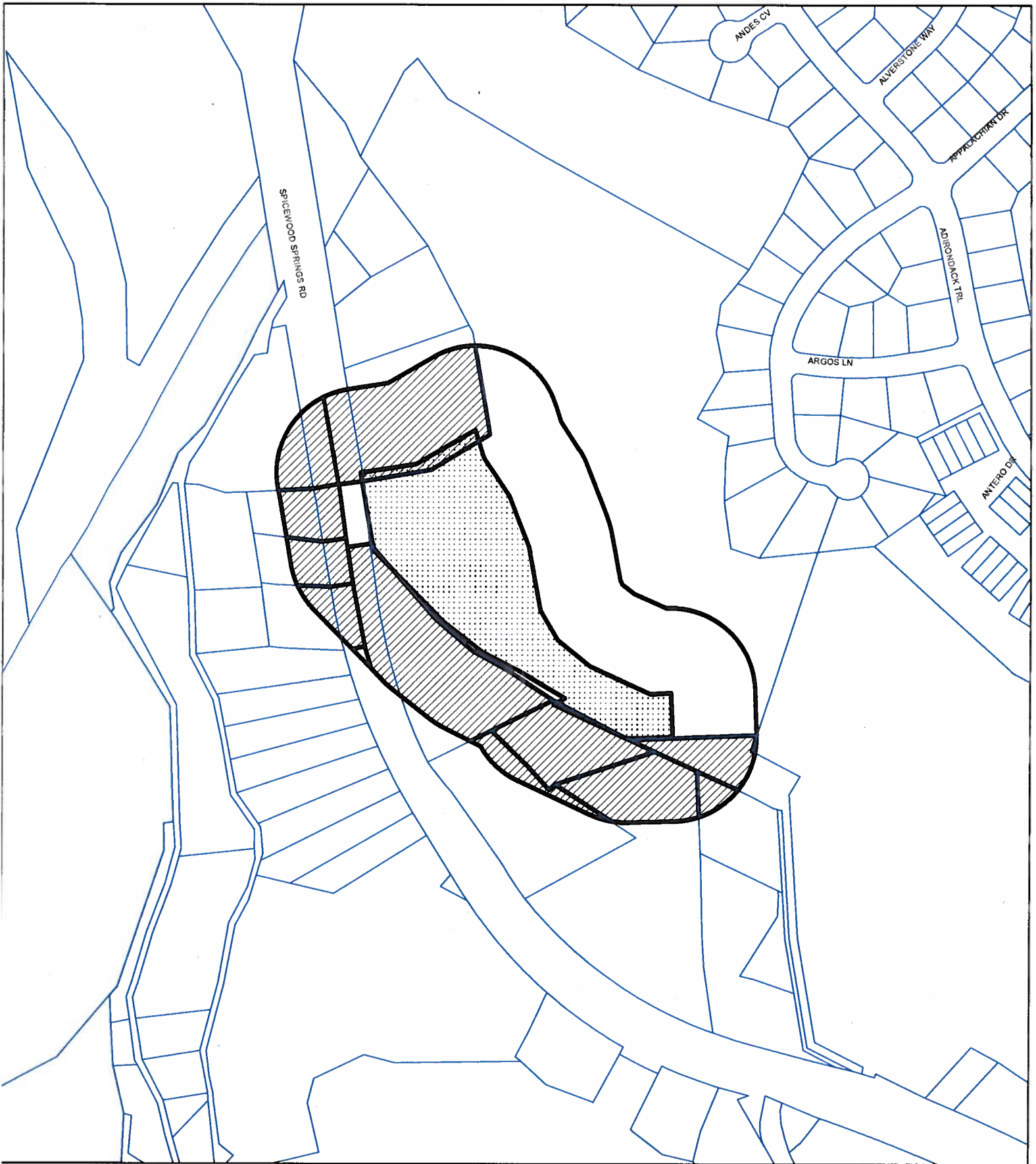
Date: 7/22/2014

Total Square Footage of Buffer: 588206.2661

Percentage of Square Footage Owned by Petitioners Within Buffer: 42.31%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0147050205	4926 SPICEWOOD SPRINGS RD 78759	4926 SPICEWOOD JOINT VENTURE	yes	85863.36	14.60%
0145050201	4800 SPICEWOOD SPRINGS RD 78759	BRUECKL NORMAN E J	no	38789.57	0.00%
0147030374	SPICEWOOD SPRINGS RD 78759	BURKE KATHRYN M REVOCABLE TRUS TRUST & PATRICIA A WILSON TRUST	no	5822.76	0.00%
0147050105	4937 SPICEWOOD SPRINGS RD 78759	CROWN CASTLE GT COMPANY LLC	no	22578.97	0.00%
0145030610	4612 SPICEWOOD SPRINGS RD 78759	JOHNSTON LESLIE ANN MILLER	no	20354.62	0.00%
0147050213	4810 1 SPICEWOOD SPRINGS RD 78759	MULTIPLE OWNERS	no	11513.49	0.00%
0147030373	8200 161 NEELY DR 78759	MULTIPLE OWNERS	no	181.50	0.00%
0147050107	SPICEWOOD SPRINGS RD 78759	RATCLIFF JOSEPH N	no	15280.20	0.00%
0147050106	4901 SPICEWOOD SPRINGS RD 78759	ROBERSON JAMES E & MONTA JANE MONTA JANE AKIN	yes	17630.89	3.00%
0147050203	4900 SPICEWOOD SPRINGS RD 78759	SKY BLUE AUSTIN LLC	yes	92201.73	15.68%
0147050202	4810 B SPICEWOOD SPRINGS RD 78759	SOLTER EDWARD H III & SCOTT MORLEDGE & BRUCE WENCEL & JAMES COOK	yes	40031.22	6.81%
0147050108	4833 SPICEWOOD SPRINGS RD 78759	SPICEWOOD CANYON PARTNERSHIP	yes	13162.11	2.24%
<b>Total</b>				<b>363410.43</b>	<b>42.31%</b>



N



BUFFER

PROPERTY\_OWNER

SUBJECT\_TRACT

## PETITION

CASE#: C14-2014-0047



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

" = 300 '

**Sirwaitis, Sherri**

---

**From:** D Bailey [REDACTED]  
**Sent:** Sunday, April 27, 2014 4:32 PM  
**To:** Sirwaitis, Sherri  
**Subject:** Case Number C14-2014-0047

Sherri,

I am writing to you to ask you not to approve the zoning change requested for case number C14-2014-0047 at 4920 Spicewood Springs Road. As the acting President of the Balcones Civic Association I request the zoning be left as is, SF2-Single Family Residence.

Please let me know when there will be a hearing before zoning committee as I would like to attend.

Thank you,

Debra Bailey  
(512) 751-6157

[www.baileysolutions.com](http://www.baileysolutions.com)



**Sirwaitis, Sherri**

---

**From:** Karen Sironi <kesironi@aol.com>  
**Sent:** Wednesday, April 30, 2014 8:58 PM  
**To:** Sirwaitis, Sherri  
**Subject:** Spicewood Springs Road

Having been on the NWACA for years we fought to retain all restrictions on the properties on this road. One of the taller buildings actual got an approval by lying to City Staff that we had agreed which we had not to their site plans. I am against rezoning anything on Spicewood Springs Road.

Former NWACA Board member and former President of the North Cat Neighborhood Association.

Karen Sironi

Sent from my iPhone

**Sirwaitis, Sherri**

---

**From:** Jay Sands [REDACTED]  
**Sent:** Friday, May 02, 2014 9:17 AM  
**To:** Sirwaitis, Sherri  
**Subject:** case # C14-2014-0047

Sherri,

I'm contacting you about the proposed zoning change for 4920 Spicewood Springs Road. I live at 8306 Appalachian Drive, backing up to the subject property.

I purchased my house last year, with the knowledge that the raw property between my house and Spicewood Springs Road could ultimately be developed (although, I would hope, with care as it's full of wildlife, including deer and coyote, hawks, etc.). However, I relied on the fact that it was zoned for single family. Now, I'm faced with the possibility of having an office building directly facing the deck of my house, which would clearly have a significant impact on my property value.

I fail to understand how an Austin resident can purchase a property under one set of rules, and then, because a developer believes they can make more money by simply changing the rules, can end up in a position where they suffer because of the developer's greed.

This zoning request is unfair to all of those owning property adjoining the subject property. Additionally, it's unfair to all living in this area who rely on Spicewood Springs Road for access between 360 and Mopac. This is a one-lane street and cannot handle the traffic of an office building. Additionally, the left-turn from 360 South onto Spicewood Springs cannot handle the current traffic load. At times, today, you have to sit through 2-3 lights backed up onto 360 in order to make the turn. This development will make it impossible for the residents to get back to their homes during rush hours.

I sincerely hope that the Commission takes into account the explicit cost to neighboring properties both in terms of property value and quality of life when ruling on this request. The owner of this property purchased it knowing the zoning status. They should not be allowed to change this status in order to maximize their profit at the expense of the homeowner.

Thank you for your consideration.

Sincerely,

Jay Sands

8306 Appalachian Drive  
Austin, Tx. 78759  
512-519-9090

## 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.austintexas.gov](http://www.austintexas.gov)

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: C14-2014-0047**

**Contact: Sherri Sirwaitis, 512-974-3057**

**Public Hearing: May 20, 2014, Zoning and Platting Commission  
June 12, 2014, City Council**

Your Name (please print)

Ronnie Gannay

Your address(es) affected by this application

4819 Spicewood Springs 5/12/14

Signature

Date

Daytime Telephone: 512-750-1193

Comments:

Feel due to neighborhood traffic and other concerns that lot should remain SFZ or possibly LCO.

Please provide available info to rdgannay@delphigruppe.com

Thank you

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810



Sherri,  
Please share this with the Zoning and Platting Commission prior to it's scheduled May 20th meeting.  
Thanks,  
Sandra Wright

Sandra Wright  
8200 Neeley Drive #119  
Austin, TX 78759

RE: Case #C14-2014-0047  
Contact: Sherry Sirwaitis, 512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)  
Public Hearing: May 20, 2014, Zoning & Platting Commission  
June 12, 2014, City Council

To Whom It May Concern:

Please consider this letter as my OBJECTION to the rezoning request by Civile LLC regarding 4920 Spicewood Springs Rd. (Case #C14-2014-0047).

I object to this request to change the SF-2 zoning to GO zoning for these reasons:

1. When I purchased my condo, Neely's Canyon was a wooded "oasis", although convenient to necessities and all that Austin has to offer. With the onset of construction and businesses along Spicewood Springs Road traffic congestion has drastically increased, thus, reducing my quality of life by making it more difficult for me to come and go as I need to. I do not want the zoning changed to further aggravate this problem!
  2. Secondly, As a constant observer of wildlife in Neely's Canyon, I've become aware of the negative impact these businesses have on our wild animals, for example, more animals are getting hit by cars and I've found two deer on different occasions caught in fences. These additional buildings definitely are infringing on our wildlife's habitats and endangering them. Each new building approved and built exacerbates this problem.
  3. Third, but not of least importance, I am certain that my property value is decreasing as more businesses are developed along this corridor that happens to be the entrance to my home. As a retired teacher on a fixed income, this financial aspect is of utmost concern to me and quite alarming that the zoning committee would not be considering this fact. The zoning committee continues to approve rezoning requests and allow more businesses to be built.
- In summary, our neighborhood should not have to absorb any more businesses for the reasons that I've delineated above. Therefore, I strongly encourage you not to approve this rezoning request (#C14-2014-0047).

Sincerely,

Sandra Wright  
President of Neely's Canyon HOA.

Rusty Martin  
8200 Neely Drive, #156  
Austin, TX 78759

RE: Case Number: C14-2014-0047  
Contact: Sherry Sirwaitis, 512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)  
Public Hearing: May 20, 2014, Zoning and Platting Commission  
June 12, 2014, City Council

To Whom It May Concern:

Please consider this my **OBJECTION** to the rezoning request by Civile LLC regarding 4920 Spicewood Springs Road (Case #C14-2014-0047).

The above-described request would change the property from its current SF-2 zoning to GO zoning. I object to this change for the following reasons:

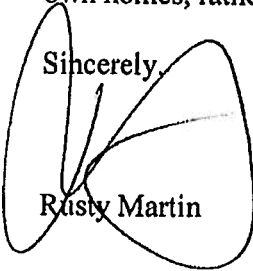
- Spicewood Springs is already a heavily congested road, particularly during the morning and evening rush hours, and this project will only add to the congestion. My understanding is that a traffic study by the City has been deemed unnecessary. That decision is difficult to believe and/or comprehend. Heavy traffic is not good for my quality of life or my property value.
- There is already a large, multi-story office building under construction by the Texas Real Estate Association that is located on the same side of Spicewood Springs between my condo in Neely's Canyon and the proposed project site. The noise is incessant from their equipment constantly pounding into the rock, along with all the other associated construction noises. Traffic routinely backs up due to the in-and-out of heavy construction equipment. The construction site itself is a disgusting eyesore that I and all of my guests have to endure every time we drive by it. Many trees have been removed and wildlife in the canyon has been displaced; there are long lines of dirty construction vehicles and pickups parked along the side of Spicewood Springs for about 100 yards every day; and it's created a dirty, muddy, ugly scar on the landscape AND the community itself. It will be like this for about 18 months in total. And now this proposed project would extend this period of noise and disgust for another 18 months, at least. A filthy construction site right next door to my condo complex is not good for my quality of life nor for my property value.
- This area was supposed to be a residential area. That was the original plan, and that is one of the reasons that I bought my condo in Neely's Canyon. I didn't want to be surrounded by office buildings, with all the traffic and hustle-and-bustle of everyday commerce. What purpose is there in changing the zoning now? What "community needs" will be addressed by allowing this project to proceed? (The same question can be and should have been asked about the TREA

project that is under construction now.) Our community doesn't "need" another office building or any other type of commercial enterprise on Spicewood Springs. Office buildings or other types of commercial enterprises located next to my condo complex is not good for my quality of life nor for my property value.

In summary, the proposed project is going to: (1) increase traffic in an already heavily-congested area; (2) blight the landscape and create filth and noise for a long period of time; (3) displace even more local wildlife; and (4) provide no value to the community. All of these things degrade the quality of life for myself and my neighbors in Neely's Canyon and Stillhouse, as well as negatively affect our property values.

Therefore, I strongly urge you to disapprove this particular zoning request (#C14-2014-0047). If it's such a good project, then I suggest the developers build it next door to their own homes, rather than next to mine.

Sincerely,

A handwritten signature in black ink, appearing to be "Rusty Martin", written over the printed name. The signature is stylized with a large, looping initial "R".

Rusty Martin

Carolyn Wright  
4711 Spicewood Springs Road, #226  
Austin, TX 78759  
Stillhouse Canyon Condomiums

May 18, 2014

RE: Case Number: C14-2014-0047 aka SP-2014-0141C  
Contact: Sherry Sirwaitis, 512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)  
Public Hearing: May 20, 2014, Zoning and Platting Commission  
June 12, 2014, City Council

Dear Commission and Council Members:

Please consider this my **OBJECTION** to the rezoning request by Civile LLC regarding 4920 Spicewood Springs Road (Case #C14-2014-0047 and/or SP-2014-0414C).

The above-described request would change the property from its current SF-2 zoning to GO zoning.

I am President of the Stillhouse Canyon Condominium Board of Directors. Stilhouse Canyon Condos have 180 units in 16 buildings and about 225 residents. The 180 units have been here since 1985. On behalf of the Condominium Association, I object to this proposed zoning change for the following reasons:

- Spicewood Springs is already a heavily congested road, particularly during the morning and evening rush hours, and this project will only add to the congestion. The City's decision to not have a traffic study is difficult to comprehend. Additional heavy traffic is bad for residents and office space already situated along Spicewood Springs Road and for the many commuters who already use that heavily travelled road. Left hand turns with no dedicated lanes or lights are already exceedingly difficult and will only become more so.
- There is already a 6-story office building under construction by the Texas Real Estate Association on the same side of Spicewood Springs as the proposed GO site. The noise is incessant from their equipment constantly pounding into the rock, along with all the other associated construction dust/traffic. Traffic routinely backs up due to the in-and-out of heavy construction equipment. It will be like this for about 18 months in total. And now this proposed project would extend this period of noise and construction traffic/dust for another 18 months, at least. This new project will result in about three years of construction inconvenience for residents of Stillhouse followed by serious traffic for the indefinite future.
- This area is zoned and should remain primarily residential. Many residents bought into Stillhouse Canyon and Neely's Canyon (across Spicewood Springs Road and adjacent to the proposed GO project) based on the residential, natural setting of this area. We ask the Commission/Council to explain why so much



rezoning from residential to GO commercial buildings is a good idea for this neighborhood.

In summary, the proposed project is going to: (1) increase traffic in an already heavily-congested area; (2) blight the landscape and create dirt and noise for a long period of time; (3) displace even more local wildlife; and (4) decrease property values and quality of life for residents and businesses already located along Spicewood Springs Rd. All of these items degrade the quality of life for the hundreds of residents and voters in Stillhouse and Neely's Canyons Condominiums as well as numerous other residential units along the way Mesa Village and the Marquise at Caprock Canyon.

Therefore, I strongly urge you to do the following:

1. Disapprove this particular zoning request.
2. Alternatively, modify the rezoning from a proposed General Office to Limited Office designation which lowers the building from six stories to four stories.
3. Undertake a traffic study and begin work now to widen Spicewood Springs Road to accommodate a serious traffic situation—about to become more serious.
4. ASAP: Install one or more left hand turn lanes into the new buildings and into Stillhouse Canyon Condominiums.
5. ASAP: Complete sidewalks and bike lanes along Spicewood Springs Road on the north and south sides from Mesa to Hwy-360.

Sincerely,

Carolyn Wright

CC: Stillhouse Canyon HOA and Board of Directors

Raymond McLeod  
8200 Neely Drive, No. 227  
Austin, TX 78759  
Neely's Canyon Condomiums

May 19, 2014

RE: Case Number: C14-2014-0047 aka SP-2014-0141C  
Contact: Sherry Sirwaitis, 512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)  
Public Hearing: May 20, 2014, Zoning and Platting Commission  
June 12, 2014, City Council

Dear Commission and Council Members:

Please consider this my Objection to the rezoning request by Civile LLC regarding 4920 Spicewood Springs Road (Case #C14-2014-0047 and/or SP-2014-0414C).

The above-described request would change the property from its current SF-2 zoning to GO zoning.

I have been a proud resident of Neely's Canyon Condos since 2003. I selected Neelys as a residence primarily for its location. It overlooks a nature preserve, and I can look out my window and not see a single car. If I walk the half-block to the Spicewood Springs Drive entrance, however, it is an entirely different situation. As the traffic has grown heavier since my arrival, the cars are almost bumper-to-bumper during the rush hours. In fact, around 5:30 p.m. the cars actually have to stop because the traffic is so heavy.

Because of our location, sitting above the preserve, we have a lot of wildlife:

**Cottontail Rabbits** Just the other day, I was walking near our mailboxes and a tiny (no more than 4 inches long) cottontail bunny darted in front of me. It stopped long enough for me to admire it before scampering under a bush.



**Deer** The deer enjoy the wooded areas. One morning recently, I looked out my front window and saw seven deer in the wooded area across from my unit.

**Feral Cats** I have been feeding feral cats for about the past four years. They have their own hiding places, but often rest on our doorsteps to get out of the heat.

**Coyotes** We hear the coyotes a lot—they make yipping noises like dogs. We rarely see them, but it does happen. Although they are entitled to live in this area since they were here long before us residents, they pose a problem for the feral cats. But, that's the nature of wildlife.

**Squirrels** We have several varieties of squirrels. My favorite is the blackish one. I think it is called a Rock Squirrel. All of the squirrels enjoy zipping up and down the many trees on the property, and living in the rock walls made of large limestone boulders from the construction.

As more and more construction takes place, the traffic increases and the wildlife has less chance to enjoy the safety of its natural habitat. I walk a lot in the neighborhood, very often crossing Spicewood Springs Road. I am 81 years old and do not move as quickly as I once did. Sometimes, it is all I can do to make it safely across the road. On behalf of myself and the behalf of my neighbors—both human and animal—I ask that this planned zoning change be refused.

Please take the following action:

- Disapprove this particular zoning request.
- Alternatively, modify the rezoning from a proposed General Office to Limited Office designation which lowers the building from six stories to four stories.
- Undertake a traffic study and begin work now to widen Spicewood Springs Road to accommodate a serious traffic situation—about to become more serious.
- As soon as possible, complete sidewalks and bike lanes along Spicewood Springs Road on the north and south sides from Mesa to Hwy-360.

Sincerely,

Raymond McLeod

Jane N. Reynolds  
8200 Neely Drive, #113  
Austin, TX 78759

RE: Case Number: C14-2014-0047  
Contact: Sherry Sirwaitis, 512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)  
Public Hearing: May 20, 2014, Zoning and Platting Commission  
June 12, 2014, City Council

To Whom It May Concern:

Please consider this my objection to the rezoning request by Civile LLC regarding 4920 Spicewood Springs Road (Case #C14-2014-0047).

The above-described request would change the property from its current SF-2 zoning to GO zoning. I object to this change for the following reasons:

- Spicewood Springs is already a heavily congested road, particularly during the morning and evening rush hours, and this project will only add to the congestion.
- There is already a large, multi-story office building under construction by the Texas Real Estate Association that is located on the same side of Spicewood Springs between my condo in Neely's Canyon and the proposed project site. The noise is incessant. Trees have been removed and wildlife in the canyon has been displaced. It will be like this for about 18 months in total. And now this proposed project would extend this period for another 18 months, at least.
- This area was supposed to be a residential area. That was the original plan, and that is one of the reasons that I bought my condo in Neely's Canyon in 1992. Spicewood Springs Road cannot handle another large office building or any other type of commercial enterprise

The proposed project is going to increase traffic, displace even more local wildlife; and lower property value of residential property owners.

Please disapprove of this zoning request or modify the rezoning from a proposed General Office to Limited Office which lowers the height of the building. Begin widening Spicewood Springs to include a left turn lane, bike lanes and sidewalks.

I strongly urge you to disapprove this particular zoning request (#C14-2014-0047).

Sincerely,

*Jane N. Reynolds*



**Sirwaitis, Sherri**

---

**From:** Rachel Robillard [REDACTED]  
**Sent:** Monday, May 19, 2014 5:11 PM  
**To:** Sirwaitis, Sherri  
**Cc:** linda gamst; Bob Dobyns; Jennifer Carter; Brad Gerber; Michelle Cross; Stephen Dai  
**Subject:** Case # C14-2014-0047

Dear Ms. Sirwaitis-

This is in reference to the application for rezoning behind our office building. We are all mental health professionals in our building, and require a peaceful, calm surrounding to best conduct our business. Much of the reason we all just renewed our contract to lease this space for the next 5 years had to do with the fact that the land behind us was not zoned for development.

With the Austin Board of Realtors already building on the other side of our building- we are anticipating even greater traffic than what we have presently on Spicewood Springs Road, and it is already extremely difficult to get in and out of our parking lot. I cannot imagine how much a development on the other side of us would exacerbate that problem. Additionally, we have a wet-weather creek behind us that is in the area you have slated for re-zoning, I believe this will greatly impact that environment as well as cause the removal of many mature trees that are on that tract.

I am completely opposed to any type of rezoning behind our building, and also concerned that I did not receive notice about this, but my colleague who also offices here did, and shared your information with me. I hope that you are able to convey how very much we disagree with this re-zoning proposal to your board.

Thank you-  
Rachel Robillard

Rachel Robillard, PhD, LSSP  
4810 B Spicewood Springs Road  
Austin, Texas 78759  
(512) 934-7858 \* (512) 346-8509 (fax)

The best way to find yourself is to lose yourself in the service of others.  
Mohandas Gandhi

Rosemary Merritt

8200 Spicewood Springs Road, #217

Austin, TX 78759

Neely's Canyon Condos

May 18, 2014

RE: Case Number: C14-2014-0047 aka SP-2014-0141C

Contact: Sherry Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov

Public Hearing: May 20, 2014, Zoning and Platting Commission

June 12, 2014, City Council

Dear Commission and Council Members:

Please consider this my **OBJECTION** to the rezoning request by Civile LLC regarding 4920 Spicewood Springs Road (Case #C14-2014-0047 and/or SP-2014-0414C).

The above-described request would change the property from its current SF-2 zoning to GO zoning.

I am President of the Stillhouse Canyon Condominium Board of Directors. Stillhouse Canyon Condos have 180 units in 16 buildings and about 225 residents. The 180 units have been here since 1985. On behalf of the Condominium Association, I object to this proposed zoning change for the following reasons:

- Spicewood Springs is already a heavily congested road, particularly during the morning and evening rush hours, and this project will only add to the congestion. The City's decision to not have a traffic study is difficult to comprehend. Additional heavy traffic is bad for residents and office space already situated along Spicewood Springs Road and for the many commuters who already use that

heavily travelled road. Left hand turns with no dedicated lanes or lights are already exceedingly difficult and will only become more so.

- There is already a 6-story office building under construction by the Texas Real Estate Association on the same side of Spicewood Springs as the proposed GO site. The noise is incessant from their equipment constantly pounding into the rock, along with all the other associated construction dust/traffic. Traffic routinely backs up due to the in-and-out of heavy construction equipment. It will be like this for about 18 months in total. And now this proposed project would extend this period of noise and construction traffic/dust for another 18 months, at least. This new project will result in about three years of construction inconvenience for residents of Stillhouse followed by serious traffic for the indefinite future.
- This area is zoned and should remain primarily residential. Many residents bought into Stillhouse Canyon and Neely's Canyon (across Spicewood Springs Road and adjacent to the proposed GO project) based on the residential, natural setting of this area. We ask the Commission/Council to explain why so much rezoning from residential to GO commercial buildings is a good idea for this neighborhood.

In summary, the proposed project is going to: (1) increase traffic in an already heavily-congested area; (2) blight the landscape and create dirt and noise for a long period of time; (3) displace even more local wildlife; and (4) decrease property values and quality of life for residents and businesses already located along Spicewood Springs Rd. All of these items degrade the quality of life for the hundreds of residents and voters in Stillhouse and Neely's Canyons Condomiums as well as numerous other residential units along the way Mesa Village and the Marquise at Caprock Canyon.

Therefore, I strongly urge you to do the following:

1. Disapprove this particular zoning request.
2. Alternatively, modify the rezoning from a proposed General Office to Limited Office designation which lowers the building from six stories to four stories.

3. Undertake a traffic study and begin work now to widen Spicewood Springs Road to accommodate a serious traffic situation—about to become more serious.
4. ASAP: Install one or more left hand turn lanes into the new buildings and into Stillhouse Canyon Condominiums.
5. ASAP: Complete sidewalks and bike lanes along Spicewood Springs Road on the north and south sides from Mesa to Hwy-360.

Sincerely,

Rosemary Merritt

CC: Neely's Canyon Condos HOA and Board of Directors



John Garcia

8200 Spicewood Springs Road, #217

Austin, TX 78759

Neely's Canyon Condos

May 18, 2014

RE: Case Number: C14-2014-0047 aka SP-2014-0141C

Contact: Sherry Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov

Public Hearing: May 20, 2014, Zoning and Platting Commission

June 12, 2014, City Council

Dear Commission and Council Members:

Please consider this my **OBJECTION** to the rezoning request by Civile LLC regarding 4920 Spicewood Springs Road (Case #C14-2014-0047 and/or SP-2014-0414C).

The above-described request would change the property from its current SF-2 zoning to GO zoning.

I am President of the Stillhouse Canyon Condominium Board of Directors. Stillhouse Canyon Condos have 180 units in 16 buildings and about 225 residents. The 180 units have been here since 1985. On behalf of the Condominium Association, I object to this proposed zoning change for the following reasons:

- Spicewood Springs is already a heavily congested road, particularly during the morning and evening rush hours, and this project will only add to the congestion. The City's decision to not have a traffic study is difficult to comprehend. Additional heavy traffic is bad for residents and office space already situated along Spicewood Springs Road and for the many commuters who already use that

heavily travelled road. Left hand turns with no dedicated lanes or lights are already exceedingly difficult and will only become more so.

- There is already a 6-story office building under construction by the Texas Real Estate Association on the same side of Spicewood Springs as the proposed GO site. The noise is incessant from their equipment constantly pounding into the rock, along with all the other associated construction dust/traffic. Traffic routinely backs up due to the in-and-out of heavy construction equipment. It will be like this for about 18 months in total. And now this proposed project would extend this period of noise and construction traffic/dust for another 18 months, at least. This new project will result in about three years of construction inconvenience for residents of Stillhouse followed by serious traffic for the indefinite future.
- This area is zoned and should remain primarily residential. Many residents bought into Stillhouse Canyon and Neely's Canyon (across Spicewood Springs Road and adjacent to the proposed GO project) based on the residential, natural setting of this area. We ask the Commission/Council to explain why so much rezoning from residential to GO commercial buildings is a good idea for this neighborhood.

In summary, the proposed project is going to: (1) increase traffic in an already heavily-congested area; (2) blight the landscape and create dirt and noise for a long period of time; (3) displace even more local wildlife; and (4) decrease property values and quality of life for residents and businesses already located along Spicewood Springs Rd. All of these items degrade the quality of life for the hundreds of residents and voters in Stillhouse and Neely's Canyons Condomiums as well as numerous other residential units along the way Mesa Village and the Marquise at Caprock Canyon.

Therefore, I strongly urge you to do the following:

1. Disapprove this particular zoning request.
2. Alternatively, modify the rezoning from a proposed General Office to Limited Office designation which lowers the building from six stories to four stories.

3. Undertake a traffic study and begin work now to widen Spicewood Springs Road to accommodate a serious traffic situation—about to become more serious.
4. ASAP: Install one or more left hand turn lanes into the new buildings and into Stillhouse Canyon Condominiums.
5. ASAP: Complete sidewalks and bike lanes along Spicewood Springs Road on the north and south sides from Mesa to Hwy-360.

Sincerely,

John Garcia

CC: Neely's Canyon Condos HOA and Board of Directors

## Sirwaitis, Sherri

---

**From:** Robert Dobyns [REDACTED]  
**Sent:** Monday, May 19, 2014 10:50 PM  
**To:** Sirwaitis, Sherri  
**Cc:** Rachel Robillard; Linda Gamstjaska; Michelle Cross; Jennifer Carter; Steve Dai  
**Subject:** Case # C14-2014-0047

Dear Ms. Sirwaitis,

I am a child, adolescent, and adult psychiatrist. I have been in practice in Northwest Hills since 1984.  
I have had an office at 4810 B Spicewood Springs since 2005.

Each year the traffic on Spicewood Springs has become more congested. More development as described in the proposed zoning change will make a bad traffic situation untenable and unsafe.

Developing this tract makes no more sense than UT Austin tearing up the Brackenridge Tract and Lions Municipal Golf Course.

Therefore I am opposed to the proposed zone change.

Respectfully submitted,

Robert F Dobyns, MD

Sent from my iPhone



**Sirwaitis, Sherri**

---

**From:** Linda Gamst [REDACTED]  
**Sent:** Tuesday, May 20, 2014 10:30 AM  
**To:** Sirwaitis, Sherri  
**Subject:** Case # C14-2014-0047, and Case # SP-2014-0141C

Dear Ms. Sirwaitis:

My colleagues and I office out of 4810 B Spicewood Springs Rd. Austin TX. 78759. We are all mental health professionals who have chosen this location to practice out of because of its peaceful, tranquil surroundings. We are very concerned about the applications we have received to propose both an office building and also a single family residential use project. Case # SP-2014-0141C ; Case #C14-2014-0047

We are concerned that the buildings will destroy the greenbelt view from our windows, the gorgeous mature trees as well as to disrupt the wildlife that surrounds us. We just resigned a 5 year lease because of this natural habitat surrounding which provides an environment that is conducive to both our patients and our own mental health.

The traffic flow has also become a major problem on Spicewood Springs Rd. that already impacts the safety and efficiency of entering and exiting our office buildings. The addition of more buildings would only increase these hazards.

We are writing to express our concerns and to oppose these projects.

Thank you for your time and consideration.  
Sincerely,

Linda Gamst MA,LPC,

Michael VanSickle

8200 Neely Dr. #219 • Austin, TX 78759  
Phone: 512-773-3006 • E-Mail: [mvansickle@eightounce.com](mailto:mvansickle@eightounce.com)

Date: May 18, 2014

City of Austin  
Planning & Development Review Department  
Sherri Sirwaitis  
P.O. Box 1088  
Austin, TX 78767-8810

RE: Case Number: C14-2014-0047

To Whom It May Concern:

I am writing to you today to express my objection to the rezoning request by Civile, LLC for the property located at 4920 Spicewood Springs Road. This rezoning request would change the zoning of the specified tract from SF-2 (Single Family Residence) to GO (General Office). I object to this change because:

Spicewood Springs Road is already heavily congested and this project will exacerbate the congestion particularly during the morning and evening rush periods. There is currently a new office building being built in the same area on Spicewood Springs Road and the traffic congestion will only get worse when that building is opened. The increased traffic also introduces an elevated level of noise pollution that we did not have previously.

I understood that this area was to be a residential area of Austin and this was one of the considerations that influenced my decision to purchase in Neely's Canyon. I liked the quiet and peaceful environment of Neely's Canyon condominiums. The construction of this building will continue the change of this area to commercial use and that will reduce the property values.

The continued commercial development in the area will negatively impact the wildlife that thrives in the canyon and area. We are continuing to displace the animals from their natural habitats and forcing them into the residential areas where they destroy plants in order to survive.

To recap, I object to this construction due to increased traffic in a congested area, increased noise pollution, displacement of wildlife and negative impact on neighborhood property values. Therefore, I urge you to reject this zoning change request.

Sincerely,



Michael VanSickle

## 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.austintexas.gov](http://www.austintexas.gov)

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: C14-2014-0047**

**Contact: Sherri Sirwaitis, 512-974-3057**

**Public Hearing: May 20, 2014, Zoning and Platting Commission**

**June 12, 2014, City Council**

Summer Smith

*Your Name (please print)*

820 Neely Dr #103 78759

*Your address(es) affected by this application*

[Signature]

*Signature*

5/19/14

*Date*

Daytime Telephone: 512-777-3811

Comments: \_\_\_\_\_

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

## PUBLIC HEARING INFORMATION

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

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

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

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

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

[www.austintexas.gov](http://www.austintexas.gov)

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: C14-2014-0047

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 20, 2014, Zoning and Platting Commission

June 12, 2014, City Council

Pamela Clift

Your Name (please print) Austin 78759

8200 Neely Dr. # 232

Your address(es) affected by this application

Pamela Clift

Signature

4/15/14

Date

Daytime Telephone: 512-497-6786

Comments:

Traffic on Spicewood Spring Rd. between 360 & Mesa is bad enough as it is because of ~~men~~ rush hour traffic driving children to school and those office workers attempting to make left hand turns into office parking lots. The ARBOR building and the new office building ~~are~~ going to cause major problems.

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

## Sirwaitis, Sherri

---

**From:** Jeana Townsend <jtownsend@tradewindgroup.com>  
**Sent:** Monday, June 02, 2014 10:07 AM  
**To:** Sirwaitis, Sherri  
**Subject:** Overlook at Spicewood Springs

I would like to register my opposition to the zoning change for case # SP-2014-0141C and ask that the zoning change not be approved.

I am a homeowner on Appalachian Drive and my home overlooks the site. This is a beautiful, natural, green area of Austin and commercial development in this area would not be advantageous to this neighborhood or our city. My reasons for opposition are:

- **Traffic concerns:** Spicewood Springs road is not designed to handle the amount of traffic that already exists on the road, much less the increased traffic that will come with commercial development. The road is narrow, with several limited sight line curves and hills. It is already a heavily used street to connect Mopac and 360. Traffic is heavy during rush hours as well as school start/stop hours. Anderson High School is very close to Spicewood Springs and many young, inexperienced drivers are using this road every day. This road is already dangerous and will become more dangerous if traffic increases due to commercial development.
- **Watershed / habitat concerns:** Neely Canyon is a beautiful, natural, green area of Austin. It is a natural run off area and is home to many wild animals and birds. Further commercial development on the Spicewood Springs rim of the canyon is likely to have an adverse impact on this ecosystem.
- **Property value concerns:** Property values of homes on Adirondack Trail, Antero Drive, Appalachian Drive, Andes Cove, and Andreas Cove will all be adversely impacted by further commercial development on Spicewood Springs Road. A large part of what makes the homes on these streets so special is the views they have onto Neely Canyon. Spicewood Springs Road is on the opposite rim and, as is being proven with the current construction on Spicewood Springs Road, that view can easily be destroyed with commercial development.

Thank you for your consideration,

Jeana Townsend

***Jeana Townsend***

Partner  
The Tradewind Group  
8302 Appalachian Drive  
Austin, TX 78759  
office: 512-383-5997  
fax: 512-518-3654  
mobile: 513-503-7860

jtownsend@tradewindgroup.com  
www.tradewindgroup.com