

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0118 – NL Land Holdings, Ltd. **Z.A.P. DATE:** August 19, 2014
September 16, 2014

ADDRESS: 9101 – 9201 South IH 35 Service Road Northbound

OWNER: NL Land Holdings, Ltd.
(Jimmy Nassour)

AGENT: Alice Glasco Consulting
(Alice Glasco)

ZONING FROM: CS-CO; I-RR **TO:** MF-4, as amended **AREA:** 15.994 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-moderate high – conditional overlay (MF-4-CO) combining district zoning. The Conditional Overlay prohibits vehicular access from the property to Oak Hill Lane until it is improved to City standards, requires a 15-foot wide vegetative buffer along the western property line, and limits the number of daily vehicle trips to 2,000.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

August 19, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO
SEPTEMBER 16, 2014*

[P. SEEGER; R. MCDANIEL – 2ND] (5-0) C. BANKS; G. ROJAS – ABSENT

September 16, 2014: *APPROVED MF-4-CO DISTRICT ZONING, AS STAFF
RECOMMENDED, BY CONSENT*

[R. MCDANIEL; B. BAKER – 2ND] (6-0) P. SEEGER – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject zoning area is located on the northbound IH 35 service road at its intersection with a private 40-foot wide roadway easement known as Oak Hill Lane. The Applicant owns the roadway easement and it is included with the zoning area, and also serves as the access for a few businesses and single family residences. A 1.88 acre area along the IH 35 frontage road has had general commercial services – conditional overlay (CS-CO) district zoning since March 2001, with modifications to the Conditional Overlay approved in August 2013. The Conditional Overlay prohibits vehicular access to Oak Hill Lane until it is improved in accordance with the City's Transportation Criteria Manual, requires a 15-foot wide vegetative buffer along the IH 35 frontage, and prohibits several uses. The southeast corner

was annexed in 2002 and the remainder of the property was annexed in October 2013, and has interim – rural residence (I-RR) district zoning.

To the north there are convenience storage and equipment rental uses, and an undeveloped tract (CS-CO; I-RR), to the east there are a few single family residences, two auto repair shops, a telecommunications tower, and a trucking company, all of which take access to Oak Hill Lane (County), and to the south is a TXDOT-maintained drainage easement (SF-2) and an undeveloped tract that is proposed for general commercial services – conditional overlay (CS-CO) zoning. Residential lots within the Crossing at Onion Creek subdivision share the common southeast property line (SF-4A). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (2013 Rezoning Ordinance).

The Applicant proposes to zone the entire acreage to the multi-family residence – moderate density (MF-4) district for the potential to develop the property with up to 308 dwelling units. Please refer to Exhibit C. The Applicant is agreeable to carrying over portions of the existing Conditional Overlay, including the 2,000 trip limit, vehicular access limitation from the property to Oak Hill Lane until it is improved to City standards, and vegetative buffer along IH 35 to the entire property.

Staff believes the zoning request is appropriate in the context of the surrounding land uses and roadway. The property has access to a major arterial roadway and there are also other properties zoned for multi-family residential uses that take access to IH 35 north of Slaughter Lane. Oak Hill Lane will need to be improved with any development of this tract, because TxDOT will not approve an additional driveway along the IH 35 service road due to the drainage infrastructure on the property's frontage, and because the tract is not wide enough to meet driveway separation requirements for a second driveway. Hence, the Conditional Overlay (CO) that prohibits vehicular access from the property to Oak Hill Lane until this street is improved to City standards will be carried over, as will the vegetative buffer along the IH 35 frontage road and the 2,000 vehicle trip limit. These COs are consistent with that placed on the adjacent property to the north that is developed with a convenience storage and truck rental business, and to the south that is proposed for an equipment sales and repair business.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO; I-RR	Undeveloped
<i>North</i>	CS-CO; I-RR; County	Convenience storage; Truck rental; Undeveloped; A couple of single family residences; Two auto repair businesses; Telecommunications tower; Trucking company; Apartments
<i>South</i>	SF-2; LI-CO	Drainage easement (TxDoT); Undeveloped (proposed for CS); Equipment sales and repair
<i>Southeast</i>	SF-4A	Single family residences in the Crossing at Onion Creek subdivision

West	N/A	IH-35 Northbound service road and main lanes
------	-----	--

AREA STUDY: N/A**TIA:** Is not required**WATERSHED:** Onion Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association
 96 – Southeast Corner Alliance of Neighborhoods 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association 742 – Austin Independent School District
 1037 – Homeless Neighborhood Association 1075 – Bike Austin
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1228 – Sierra Group, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc. 1258 – Del Valle Community Coalition
 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas
 1408 – Go! Austin/Vamos! Austin – Dove Springs 1424 – Preservation Austin
 1431 – Indian Hills Neighborhood Watch 1438 – Dove Springs Neighborhood Association
 1441 – Dove Springs Proud 1447 – Friends of the Emma Barrientos MACC

SCHOOLS:

An Educational Impact Statement is required and is provided as Attachment A.

Blazier Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0121 – Holt Cat South Austin – 9200-9500 S IH 35 Srvc Rd NB	SF-2 to LI	To Grant CS-CO w/CO for list of prohibited uses, 15' vegetative buffer along west property line and 2,000 trips per day	Scheduled for October 16, 2014
C14-2013-0053 – Still Waters – 515 E Slaughter Ln	MF-2-CO to MF-3-CO	To Grant MF-3-CO w/CO for max. 517 units and Restrictive Covenant for conds of the Neighborhood Traffic Analysis	Apvd MF-3-CO as Commission recommended (08-22-2013).
C14-02-0120a.SH – Crossing at Onion Creek – E Slaughter Ln at Brandt Rd	I-RR to GR; SF-4A	To Grant GR and SF-4A with a Restrictive Covenant for the Traffic Impact Analysis	Apvd GR for Tract One and SF-4A for Tract 2 and a Restrictive Covenant

			for the TIA (11-20-2003).
C14-02-0082.SH – Stone Creek Ranch Apartments- SMART Housing – 333 E Slaughter Ln	I-RR to MF-3-CO, as amended	To Grant MF-3-CO w/CO for max. 198 d.u. and all MF-2 dev't standards	Apvd (9-26-2002).
C14-02-0070 – Home Depot #6563 at Slaughter Lane – 8801 S. IH 35 and 100-200 E. Slaughter Ln	I-RR to CS	To Grant CS-CO with CO for list of prohibited uses	Apvd CS-CO (7-11-2002).
C14-97-0081 – IH 35 South at Slaughter Lane – 9000-9100 Block of S IH 35 Service Road Northbound	SF-2 to CS	To Grant CS-CO	Apvd CS-CO w/CO for 2,000 trips, list of prohibited uses, no vehicular access to Oak Hill Ln. until improved to City standards, 45' height limit for structures, 40' wide setback for structures from IH 35 r-o-w (10-16-1997).
C14-96-0086 – South Bend – Northeast corner of IH 35 and E Slaughter Ln.	DR to CS	To Grant CS for two tracts; RR for one tract	Apvd CS with Restrictive Covenant for the conditions of the TIA (10-10-1996).

RELATED CASES:

Annexation

A 1.88 acre tract adjacent to IH 35 frontage road was annexed into the full-purpose City limits on June 3, 1982 (C7a-80-023 – Ordinance No. 820603-P). The 2.358 flag-like tract that extends to the southeast corner of the zoning area was annexed into the full purpose City limits on April 15, 2002 (C7a-02-003). The approximate 13 acre area between these two tracts was annexed into the full-purpose City limits on October 24, 2013 (C7a-2013-0009).

Rezoning / Restrictive Covenant

A 1.88 acre tract comprising the IH-35 frontage road was first rezoned from SF-2 to CS-CO on March 1, 2001 (C14-99-0132 – Oak Hill Lane 6 Ac.). The Conditional Overlay: 1) establishes a 2,000 trips per day limit; 2) prohibits auto rentals, repair services, sales, washing (of any type), adult-oriented uses, commercial off-street parking, drop-off recycling collection facility, pawn shops and residential treatment; 3) limits height of signage to 35 feet above ground level; 4) prohibits access to Oak Hill Lane and 5) requires a 15-foot wide

vegetative buffer along the IH 35 frontage. A Restrictive Covenant subjected the property to a rollback to the warehouse/limited office (W/LO) district if a CS use is discontinued for 90 consecutive days.

In 2013, a rezoning case was filed on the 1.88 tract to remove the provisions which limit signage and prohibit access to Oak Hill Lane (C14-2013-0009 – Prosperity Business Park). Council approval on August 8, 2013 modified the vehicular access provision to Oak Hill Lane and prohibits such access until the street is improved in accordance with the Transportation Criteria Manual, and continued the vegetative buffer requirement along IH 35 and the list of prohibited uses. The 2013 rezoning case was accompanied by a Restrictive Covenant Termination (C14-99-0132(RCT) – Prosperity Business Park) for the rollback to the W/LO district.

Subdivision

The subject zoning/rezoning area was formerly in the subdivision review process for six lots on a total of 15.995 acres and included the platting of Oak Hill Lane (C8J-2012-0170 – Prosperity Business Park Preliminary Plan). The subdivision has since expired. There are no site plan applications approved or in process on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Oak Hill Lane	40 feet	20 feet	Private	No	No	No
IH 35 Northbound Service Road	720 feet; Varies	150 feet	Freeway, 6 lanes	No	No	No

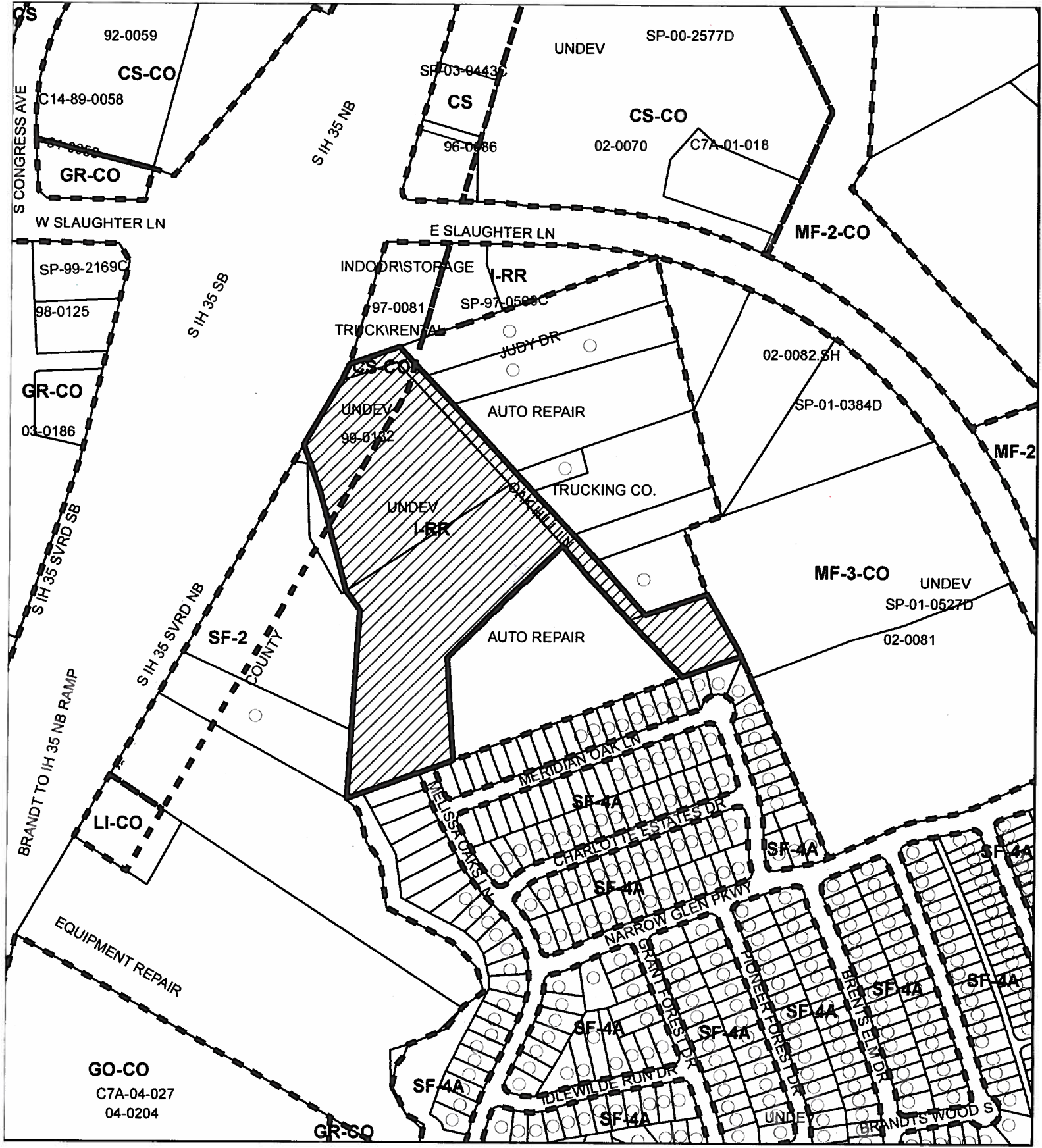
CITY COUNCIL DATE: September 25, 2014 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE
C14-2014-0118

Exhibit A

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.





ORDINANCE NO. 20130808-095

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9101-9201 SOUTH IH 35 SERVICE ROAD NORTHBOUND FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-conditional overlay (CS-CO) combining district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2013-0009, on file at the Planning and Development Review Department, as follows:

A 2.16 acre tract of land, more or less, out of the Santiago Del Valle Ten League Grant the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 9101-9201 South IH 35 Service Road Northbound in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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

- A. Vehicular access from the Property to Oak Hill Lane is prohibited until the street is improved in accordance with the Transportation Criteria Manual. Until said improvements have been completed, all vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- B. A 15-foot wide vegetative buffer shall be provided and maintained along the western property line adjacent to IH 35. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

C. The following uses are prohibited uses of the Property:

Adult-oriented businesses	Automotive rentals
Automotive sales	Automotive washing (of any type)
Automotive repair services	Commercial off-street parking
Drop-off recycling collection facility	Pawn shop services
Residential treatment	

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on August 19, 2013.

PASSED AND APPROVED

August 8, 2013 §
§
§
Lee Jeffingwell
Mayor

APPROVED: Karen M. Kennard
City Attorney

ATTEST: Jannette S. Goodall
City Clerk



Exhibit B

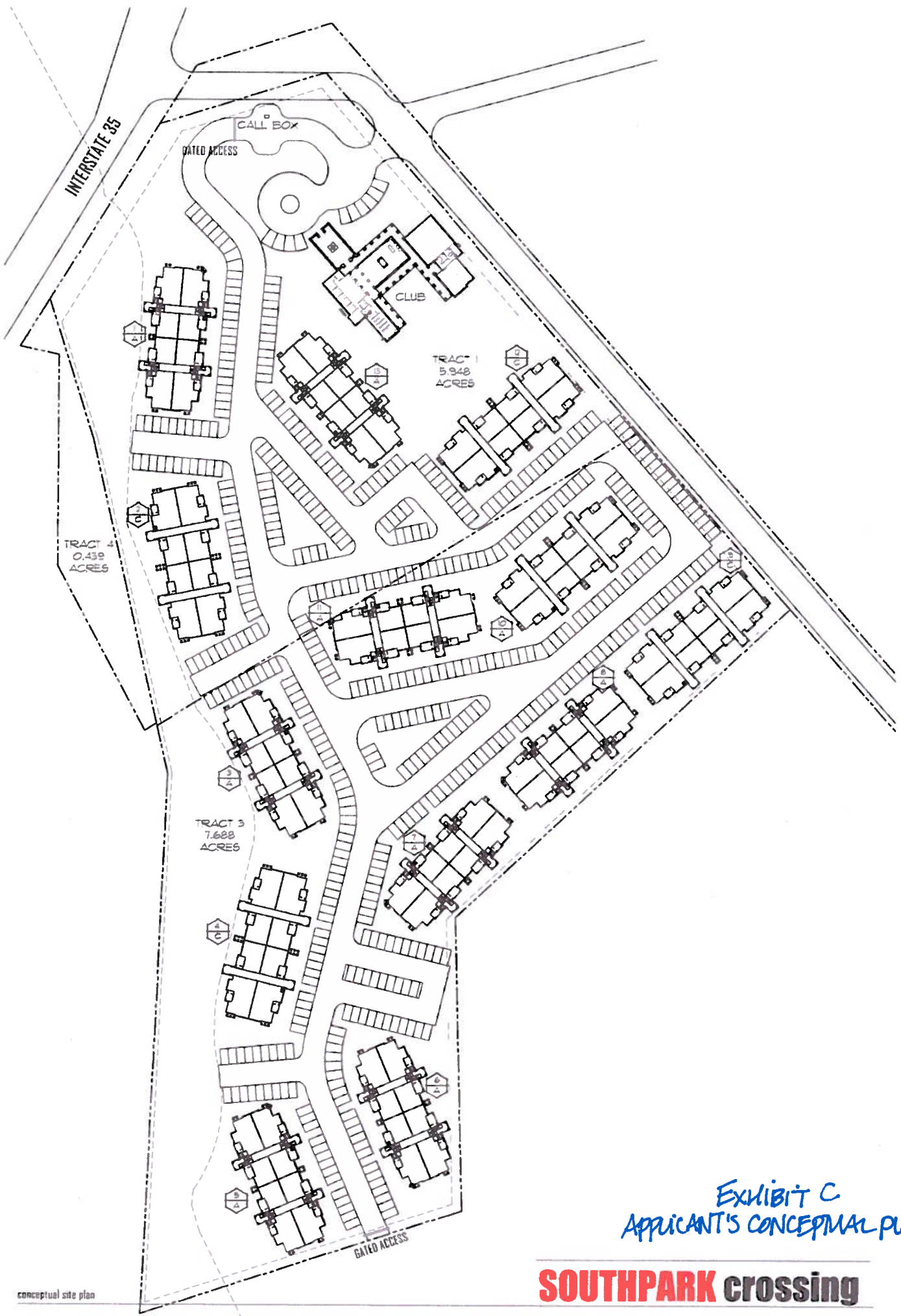


EXHIBIT C
APPLICANT'S CONCEPTUAL PLAN

C14-204-0118
9101-9201-S.I.H.35
SERVICE RD. N13
8/13/14



EXHIBIT VIII

EDUCATIONAL IMPACT STATEMENT (EIS) DETERMINATION

PART A

If your project is located in one or more of the following school districts, and requires Land Use Commission review; and meets one of the requirements listed below, an Educational Impact Statement is required.

☐ YES	☒ NO	100 or more single family units are proposed
☒ YES	☐ NO	200 or more multifamily units are proposed
☐ YES	☒ NO	100 or more multifamily units are proposed and a tax credit is requested
☐ YES	☒ NO	project will demolish more than 50 residential existing units in a structure more than 20 years old

Please check the appropriate school district(s).

- ☒ Austin Independent School District
- ☐ Leander Independent School District
- ☐ Pflugerville Independent School District
- ☐ Hays County Independent School District
- ☐ Del Valle Independent School District
- ☐ Round Rock Independent School District
- ☐ Manor Independent School District

If an Educational Impact Statement (EIS) is required, please complete the Educational Impact Analysis (EIA) Part B.

ATTACHMENT A

ZONING



EDUCATIONAL IMPACT ANALYSIS FORM Part B

OFFICE USE ONLY

CASEMANAGER: WENDY RHOADES
APPLICANT/AGENT: ALICE GLASCO CONSULTING (ALICE GLASCO)
CASENUMBER: C14-2014-0118
PROJECTNAME: NL LAND HOLDINGS, LTD. (JOHN LEWIS)
PROJECTADDRESS: 9101-9201 SOUTH IH-35 SERVICE ROAD NORTHBOUND
PROPOSEDUSE: MIXED USE W/UP TO 308 MULTIFAMILY DWELLING UNITS

EXISTING RESIDENTIAL UNITS

ExistingNumberofResidentialUnits: NONE
Numberofexistingresidentialunitstobedemolished: N/A
Ageofunitstobedemolished: N/A

PROPOSED DEVELOPMENT

GrossProjectAcreage: 15.994
Numberoflots: 3
Lotsperacre: N/A

PROPOSED RESIDENTIAL UNITS

ProposednumberofResidentialUnits: 308 units
Sizeofproposedunitsinsquarefeet(specifyrange): 600-1000 for 1 Bedroom/1180-1500 for 2 Bedrooms
Numberofbedroomspereunit: 1 & 2 Bedrooms per unit

ZONING

ESTIMATED SELLING / RENTAL PRICE (EXISTING AND PROPOSED)

Estimated selling price of units (specify range): N/A

Estimated rental rates (if applicable): \$830-\$1,800 - approximately

Range of monthly rental rates to be demolished: N/A

to

Estimated increase in rental rates (specify percentage of increase): Not Known

If project is multifamily, will a tax credit be applied for as part of the Smart Housing™ Program? N/A

Number of Certified Affordable Dwelling Units (Proposed or Existing): N/A

OFF-SITE FAMILY AMENITIES EXISTING WITHIN ONE MILE OF PROJECT (Open to the public – attach location plan)

Parks/Greenbelts: N/A

Recreation Centers: Unknown

Public Schools: Blazier Elementary/Bedichek MS/Crockett HS

PARKLAND DEDICATION

Parkland dedication required? ☒ YES ☐ NO

If yes, please indicate if applicant plan to request fee in lieu or provide parkland.

Fee: ☒ YES ☐ NO

Land: ☐ YES ☐ NO

ON-SITE FAMILY AMENITIES PROPOSED

Will space be provided for child care services? ☐ YES ☐ NO ☒ Unknown at this time

Amount of open space required in acres: Unknown at this time

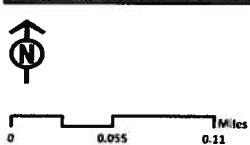
Amount of open space provided in acres: Unknown at this time

Other proposed amenities: (pools, clubhouse, recreation area): Unknown at this time

TRANSPORTATION LINKAGES

Closest Public Transit Location: West Slaughter Lane and I.H 35 South

Pedestrian/Bike Routes: Not known



SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-moderate high – conditional overlay (MF-4-CO) combining district zoning. The Conditional Overlay prohibits vehicular access from the property to Oak Hill Lane until it is improved to City standards, requires a 15-foot wide vegetative buffer along the western property line, and limits the number of daily vehicle trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The multi-family residence – moderate / high density (MF-4) district is intended for residential and multi-family use with a maximum density of up to 54 units per acre, depending on unit size and mix. This district is appropriate for multi-family residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas.

The property has frontage on the northbound service road of IH-35.

2. *Intensive multi-family zoning should be located on major arterials and highways.*

Staff believes the zoning request is appropriate in the context of the surrounding land uses and roadway. The property has access to a major arterial roadway and there are also other properties zoned for multi-family residential uses that take access to IH 35 north of Slaughter Lane. Oak Hill Lane will need to be improved with any development of this tract, because TxDOT will not approve an additional driveway along the IH 35 service road due to the drainage infrastructure on the property's frontage, and because the tract is not wide enough to meet driveway separation requirements for a second driveway. Hence, the Conditional Overlay (CO) that prohibits vehicular access from the property to Oak Hill Lane until this street is improved to City standards will be carried over, as will the vegetative buffer along the IH 35 frontage road and the 2,000 vehicle trip limit. These COs are consistent with that placed on the adjacent property to the north that is developed with a convenience storage and truck rental business, and to the south that is proposed for an equipment sales and repair business.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area is undeveloped, sparsely vegetated and relatively flat. The property slopes to the south, towards Onion Creek.

Impervious Cover

The maximum impervious cover allowed by the MF-4 district would be 60% and the amount of impervious cover shown on the approved site plan is 29.6%. The watershed impervious

cover listed below is more restrictive than the zoning district's allowable impervious cover, and therefore, the impervious cover is limited by the watershed regulations.

Comprehensive Planning

This zoning case is located on the south side of the Oak Hill Lane, located off of the IH 35 frontage road in South Austin. The property is approximately 15.9 acres in size and is undeveloped. Surrounding land uses includes vacant land, housing and commercial property to the north, a single family subdivision to the south, vacant land to the west, and a mixture of commercial and residential properties to the east. The proposed use is mixed use.

Imagine Austin

The property is located within the boundaries of a **Regional Center**, as identified on the Imagine Austin's Growth Concept Map. These centers are intended for retail, cultural, recreational, and entertainment destinations for Central Texas and are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The following Imagine Austin policies are applicable to this case.

- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Based upon: (1) the property being located within a Regional Center, which supports a variety of land uses, including mixed use; and (2) the Imagine Austin policies above that supports a variety of uses within Regional Centers, including mixed use, staff believes that this proposed commercial development promotes the Imagine Austin Comprehensive Plan.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Onion 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.

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%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location. However, COA GIS shows a critical water quality zone located along the entire western boundary of the site. Construction within the critical water quality zone is limited per LDC 25-8.

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

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.

Transportation

At the time of site plan, Oak Hill Lane is to be improved in accordance with the Transportation Criteria Manual.

A vehicular, pedestrian and bicycle connection is required from the existing stub-out at Melissa Oaks Lane.

FYI only: The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for IH 35. TXDoT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [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].

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. Suitable water and wastewater service is not currently available to all lots at their ROW frontage.

Depending on the development plans submitted, water and or wastewater service extension requests will most likely 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.

Site Plan and Compatibility Standards

Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*. Additional Subchapter E requirements will be provided upon submittal of the site plans.

This site is adjacent to property zoned SF-5 or more restrictive, and therefore compatibility standards are in effect. Along the southeast property lines, 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.

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:
<http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2014-0118

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: August 19, 2014, Zoning and Planning Commission
September 25, 2014, City Council**

Tommy C. Jarve
Your Name (please print)

8101-92016 bound 135
Your address(es) affected by this application

Are
Signature

8-13-14
Date

Daytime Telephone: *210-602-8201*

Comments: *I sold this land to
NL Land Holdings Ltd John
Levis 512-474-7011
in January 2014*

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

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