

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0152
(The Oaks at Techridge, Lot 1B)

Z.A.P. DATE: October 7, 2014

ADDRESS: 14401 The Lakes Boulevard

OWNER/APPLICANT: Tech Ridge Spectrum B.C., L.P.

AGENT: Smith, Robertson, Elliott, Glen, Klein & Douglas, L.L.P. (David Hartman)

ZONING FROM: CS-CO **TO:** CS-MU-CO* **AREA:** 55.284 acres

*The applicant has stated that they only want to add MU (Mixed Use Combining) District zoning designation to the property and they propose to leave the existing Conditional Overlays from Ordinance No. 20050324-051 in the previous zoning case C14-03-0125 (Wagner Tract).

SUMMARY STAFF RECOMMENDATION:

The staff recommends CS-MU-CO, General Commercial Services-Mixed Use Combining District, zoning. The conditional overlay will 1) prohibit Art Workshop, Building Maintenance Services, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Kennels, Laundry Service, Pawn Shop Services, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities and Adult Oriented Businesses, 2) make conditional uses: Automotive Repair Services, Convenience Storage, Limited Warehousing and Distribution and 3) For an Automotive Repair use, a 400-foot wide building setback shall be established along the north and south property lines.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

10/07/14: Approved staff's recommendation of CS-MU-CO zoning on consent (7-0); P. Seeger-1st, G. Rojas-2nd.

DEPARTMENT COMMENTS:

The applicant is requesting CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining District, zoning for the property in question because they would like to have the ability to develop the site with mixed use in the future. The property will take access to The Lakes Boulevard, a commercial collector roadway.

The staff is recommending CS-MU zoning for the site because the property is located adjacent to CS-CO zoning to the south, MF-2 zoning to the east and CS-CO zoning to the north. The property meets the intent of the CS district as it will have access to a commercial collector roadway and will provide services to the multifamily and single family residential uses in the Northtown MUD to the east.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO	Undeveloped
<i>North</i>	CS-CO, SF-2, RR	Undeveloped, Cemetery (Cook-Walden/Capital Parks Memorial Hill Cemetery)
<i>South</i>	CS-CO, CS-MU	General Sales-General (Texas Leather, Star Furniture), Undeveloped
<i>East</i>	MF-2	Undeveloped
<i>West</i>	GR, GO	Interstate Highway-35,

AREA STUDY: N/A**TIA:** Waived**WATERSHED:** Walnut Creek, Harris Branch**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Austin Northwest Association
 Bike Austin
 Homeless Neighborhood Association
 North Growth Corridor Alliance
 Pflugerville Independent School District
 SELTEXAS
 Sierra Club, Austin Regional Group
 The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0124 (Oaks at Techridge, Lot 4B: 14400 The Lakes Boulevard)	MF-3to CS-MU	11/05/13: Approved staff's recommendation of CS-MU zoning by consent (7-0); C. Banks-1 st , P. Seeger-2 nd .	12/12/13: Approved CS-MU zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2012-0119 (The Oaks Phase III: 14233 The Lakes Boulevard)	CS-MU-CO to MF-2	11/06/12: Approved MF-2 zoning on consent (6-0, G. Rojas-absent); P. Seeger-1 st , C. Banks-2 nd .	12/06/12: Approved MF-2 zoning on consent on all 3 readings (7-0); M. Martinez-1 st , B. Spelman-2 nd .
C14-2012-0061 (The Oaks at Techridge Phase 2b: 14400 The Lakes Boulevard)	CS-CO to MF-3	8/07/12: Approved MF-3 zoning on consent (5-0, S. Baldrige and J. Meeker-absent); P. Seeger-1 st , G. Rojas-2 nd .	9/27/12: Approved MF-3 zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .

C14-05-0148 (SCI Tract: North IH-35 and West Howard Ln.)	I-RR to CS-MU	10/18/05: Approved staff's recommendation for CS-MU- CO zoning, with 2,000 vehicle trip limit, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	11/17/05: Approved ZAP Recommendation of CS-MU-CO zoning by consent (7-0); all 3 readings
C14-04-0212 (Dessau Park: 1000 West Howard Lane)	I-RR to MF-2, LI	3/29/05: Approved staff's recommendation for MF-2-CO zoning for Tract 1 and LI-CO zoning for Tract 2, w/ 2,000 vtpd limit, by consent (9-0)	4/28/05: Granted MF-2-CO for Tract 1 and LI-CO for Tract 2 (5-0-McCracken/Wynn-off the dais); all 3 readings
C14-03-0125 (Wagner Tract: 13801-14409 North IH-35 Service Road North Bound)	SF-2 to CS	6/1/04: Approved GR-CO zoning with the following prohibited uses: Automotive Repair Services; Drop-Off Recycling Collection Facility; Pawn Shop Services (8-0, Pinnelli-absent	6/17/04: Granted CS-CO as recommended by staff, with additional conditions agreed to between the applicant and the neighborhood association (7-0); 1 st reading 3/24/05: Approved CS-CO zoning, with a conditional overlay to 1) prohibit Art Workshop, Building Maintenance Services, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Kennels, Laundry Service, Pawn Shop Services, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities and Adult Oriented Businesses, 2) make conditional uses: Automotive Repair Services, Convenience Storage, Limited Warehousing and Distribution and 3) Require a 400-foot wide building setback shall be established along the north and south property lines for an Automotive Repair use, with TIA conditions in a public restrictive covenant; on 2 nd /3 rd readings (7-0)
C14-02-0111 (The Shops on Howard Lane: 1200 Block of West Howard Lane)	TR1: GR-CO to GR TR2: CS-CO to CS	10/15/02: Approved staff's rec. of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda- absent	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)

RELATED CASES: C14-03-0125 (Previous Zoning Case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic City of Austin traffic counts:
IH-35	300'	FWY-6	Freeway	158,000
The Lakes Boulevard	70'	48'	Commercial Collector	Not Available

CITY COUNCIL DATE: November 6, 2014

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

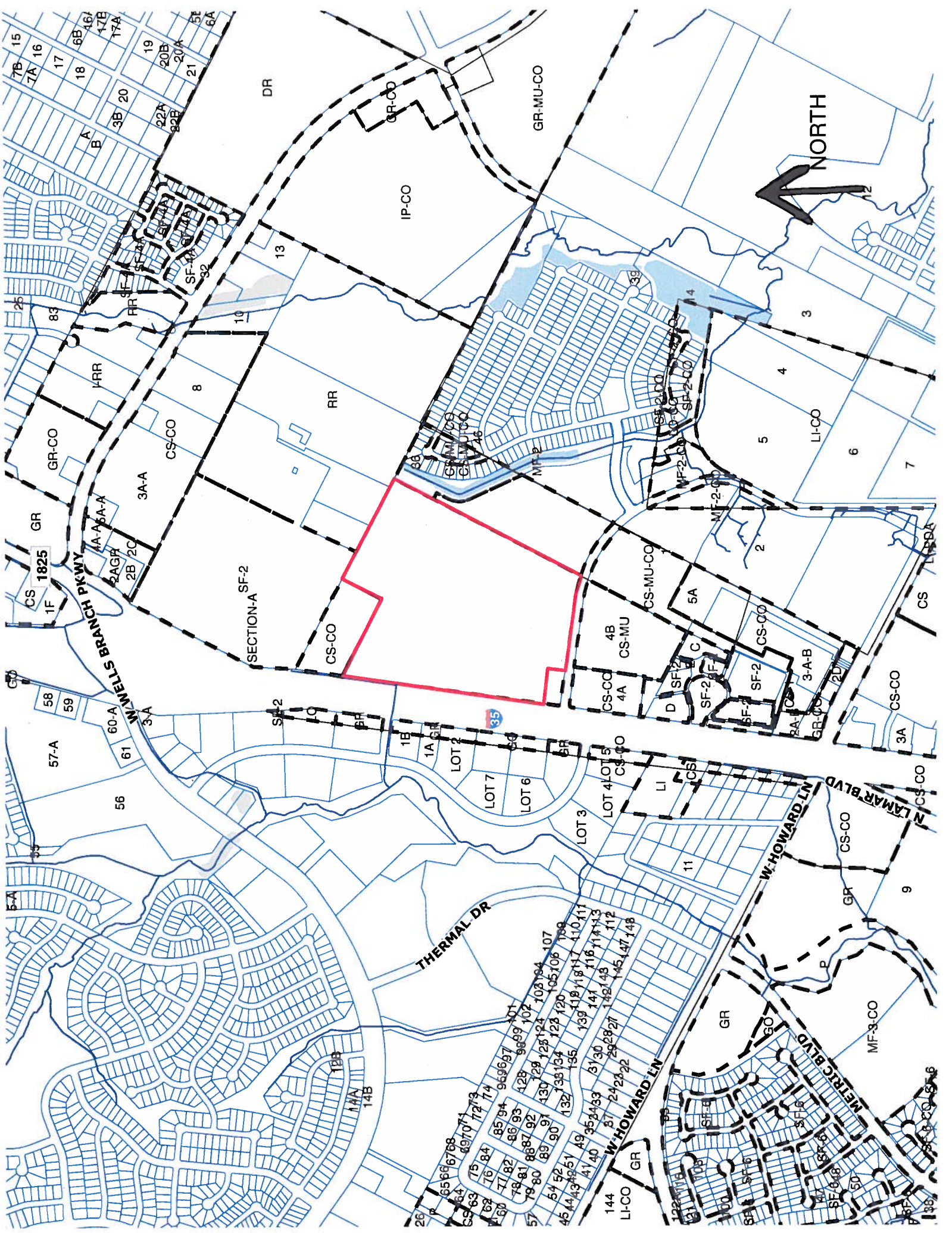
PHONE: 512-974-3057

sherri.sirwaitis@austintexas.gov



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$$1'' = 400'$$





STAFF RECOMMENDATION

The staff recommends CS-MU-CO, General Commercial Services-Mixed Use Combining District, zoning. The conditional overlay will 1) prohibit Art Workshop, Building Maintenance Services, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Kennels, Laundry Service, Pawn Shop Services, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities and Adult Oriented Businesses, 2) make conditional uses: Automotive Repair Services, Convenience Storage, Limited Warehousing and Distribution and 3) For an Automotive Repair use, a 400-foot wide building setback shall be established along the north and south property lines.

BASIS FOR RECOMMENDATION

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

The General Commercial Services (CS) zoning district is intended for commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

The CS-MU-CO zoning district would be compatible and consistent with the surrounding uses because there is CS-CO zoning to the north and CS-MU zoning to the south of the site under consideration.

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

The CS-MU-CO zoning district would allow for a fair and reasonable use of the site. The site exceeds the minimum size requirements for commercial development in the General Commercial Services district. The property has access to a commercial collector roadway, The Lakes Boulevard, and will provide services to the multifamily and single family residential uses in the Northtown MUD to the east.

EXISTING CONDITIONS

Site Characteristics

The property in question is a large undeveloped tract of land that front onto the IH-35 North Bound Service Road. The site is relatively flat and sparsely vegetated. There is a cemetery use (Cook-Walden Memorial Hill Cemetery) to the north, general retail sales-general uses (Texas Leather, Star Furniture) to the south, Interstate Highway-35 Northbound to the west and undeveloped land to the east.

Comprehensive Planning

CS to CS-MU-CO

This zoning case is located on the north side of The Lakes Boulevard and along the frontage road of IH-35, which is located to the west. The property is undeveloped, is 55 acres in size, and is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses includes vacant land and an office complex to the north, vacant land to the south, vacant land and a residential subdivision to the east, and a furniture store and IH-35 to the west. The proposed use is a mixed use development.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan, identifies this property as being just outside the boundaries of a Neighborhood Center, which is located to the south. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map. These centers are intended to have a more local focus, and “may be focused on a dense mixed-use core surrounded by a mix of housing.” (p. 105). The following IACP policies are also relevant to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a **compact and connected city** in line with the growth concept map.
- **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.**

Based on the property: (1) being adjacent to IH-35, a major commercial corridor; (2) being similar to other mixed use projects located along IH-35; and (3) immediately adjacent to a Neighborhood Center as identified on the Imagine Austin Growth Concept Map, which supports neighborhood serving mixed use projects, this project appears to be consistent with Imagine Austin.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek and Harris Branch Creek Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development 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.

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 CS zoning district would be 95%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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%

Note: The most restrictive impervious cover limit applies.

Site Plan

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the north and east property line, 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.
 - 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.
- 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 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 developed [LDC, Sec. 25-6-51 and 25-6-55]. No additional right-of-way is needed for The Lakes Blvd.

A traffic impact analysis (TIA) was waived for this case because a TIA was previously conducted with zoning case C14-03-0125 and the proposed Mixed Use development is not expected to increase the daily vehicle-trips previously allowed. If the requested zoning is granted, development should be limited through a conditional overlay to not exceed the vehicle trips per day previously allowed with case C14-03-0125. [LDC, 25-6-117]. Note: A TIA Addendum may be required during the site plan application.

The Lakes Blvd. is not classified in the Bicycle Plan. IH-35 NB Frontage Road is classified in the Bicycle Plan as Bike Route No. 421.

Capital Metro bus service is not available along The Lakes Blvd. Capital Metro bus service (Route No. 1082 NB) is available along IH-35.

There are existing sidewalks along The Lakes Blvd. There are no sidewalks along IH-35.

The Neighborhood Connectivity Division of the Public Works Dept. may provide additional comments regarding mobility enhancement and pedestrian facilities.

This case is being evaluated by the Bike Program Division with the Austin Transportation Dept. Additional comments may be generated.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
IH-35	300'	FWY-6	Freeway	158,000
The Lakes Blvd.	Varies	2 @ 24'	Collector	N/A

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.

ORDINANCE NO. 20050324-051

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 13801-14409 NORTH IH-35 SERVICE ROAD NORTHBOUND FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) 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 single family residence standard lot (SF-2) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-03-0125, on file at the Neighborhood Planning and Zoning Department, as follows:

A 73.465 acre tract of land, more or less, out of the L.C. Cunningham Survey No. 68, Abstract No. 163, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 13801-14409 North 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:

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

Art workshop
Campground
Drop-off recycling collection facility
Equipment sales
Laundry service
Vehicle storage
Maintenance and service facilities

Building maintenance services
Commercial blood plasma center
Equipment repair services
Kennels
Pawn shop services
Veterinary services
Adult-oriented businesses

FIELD NOTES
FOR
KARL WAGNER, JR.

EXHIBIT A

73.465 ACRE TRACT

PAGE 1 OF 2

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND, BEING A PORTION OF THE L.C. CUNNINGHAM SURVEY NO. 68, ABSTRACT NO. 163, TRAVIS COUNTY, TEXAS, BEING A PORTION OF TRACT ONE AND ALL OF TRACT TWO CONVEYED TO KARL B. WAGNER BY DEED RECORDED IN VOLUME 2249, PAGE 409 AND VOLUME 2249, PAGE 413, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pipe found at the Northeast corner of the said Tract 1 as conveyed to Karl B. Wagner by deed recorded in Volume 2249, Page 409, Deed Records, Travis County, Texas, being the Northwest corner of a 31.192 acre tract of land as conveyed to Capital Parks Land Investment, Inc. by deed recorded in Volume 9555, Page 325, Real Property Records, Travis County, Texas, being in the South line of that tract of land conveyed to Capital Parks Land Investments, Inc., by deed recorded in Volume 9511, Page 261, Real Property Records, Travis County, Texas, for the Northeast corner hereof;

THENCE with the East line of the said Wagner tract, being the West line of the said 31.192 acre Capital Parks Land investments, Inc. tract, S 29°29'00" W for a distance of 2740.08 feet to an iron pipe found at the Southeast corner of the said Tract 2, for the Southeast corner hereof, and from which iron pipe found, an iron pipe found at the Northeast corner of that tract of land conveyed to Memorial Hill Cemetery by deed recorded in Volume 1116, Page 63, Deed Records, Travis County, Texas, bears S 29°25' W at a distance of 16.88 feet;

THENCE, with the South line of the said Wagner Tract 2, N 60°06'55" W for a distance of 455.02 feet to an iron rod set, being in the East line of a 0.731 acre tract of land conveyed to Memorial Hill Cemetery by deed recorded in Volume 1561, Page 371 Deed Records, Travis County, Texas, for an inside corner hereof;

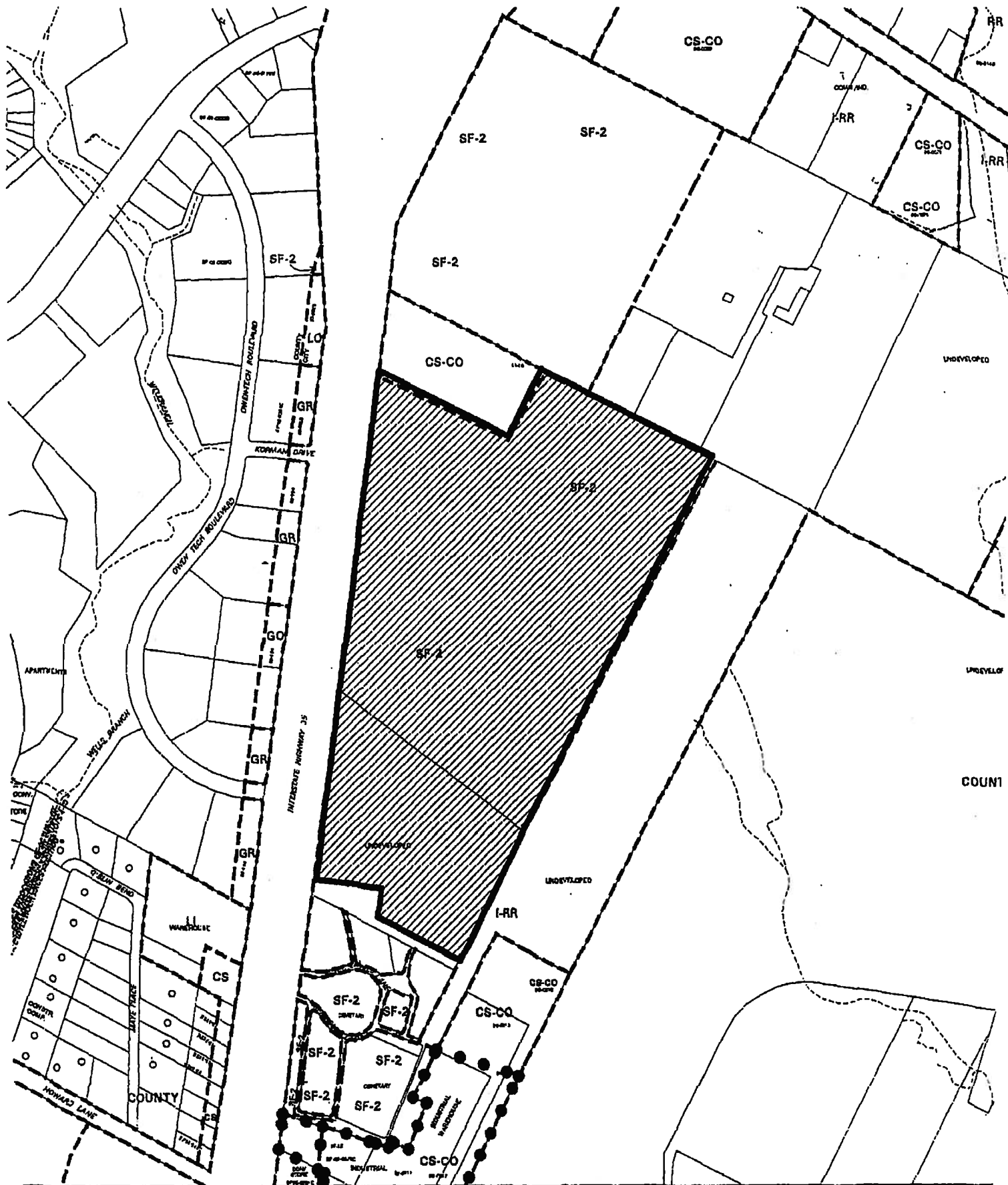
THENCE N 09°58'00" E for a distance of 139.06 feet to a 60-d nail found at an inside corner of the said Wagner Tract 2, being the Northeast corner of the said 0.731 acre Memorial Hill Cemetery tract, for an inside corner hereof;

THENCE N 79°57'26" W for a distance of 320.11 feet to an aluminum capped iron found, stamped Prejean & Co. Inc. #1820, being the Southwest corner of the said Wagner Tract 2, being the Northwest corner of the said 0.731 acre Memorial Hill Cemetery tract, being in the East r.o.w. line of Interstate Highway 35, for the Southwest corner hereof;

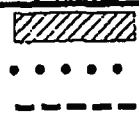
THENCE with the West line of the said Wagner tract, being the East r.o.w. line of Interstate Highway 35, N 09°56'18" E for a distance of 2493.54 feet to an iron rod found, being the Southwest corner of a 2.521 acre tract of land as conveyed to SCI Ohio Funeral Services, Inc. by deed recorded in Volume 12709, Page 1344, Deed Records, Travis County, Texas, being the Southwest corner of Lot 1, Block A, Cook-Walden Subdivision, recorded in Plat Book 98, Pages 78-79, Plat Records, Travis County, Texas, for the most Westerly Northwest corner hereof;

THENCE S 60°22'00" E for a distance of 705.55 feet to an iron rod found at the Southeast corner of the said Lot 1, Block A, Cook-Walden Subdivision, also being the Southeast corner of the said 2.521 acre SCI Ohio Funeral Services, Inc. tract, for an inside corner hereof;

THENCE N 29°37'49" E for a distance of 149.90 to an iron pipe found in the East line of the said Lot 1, Block A, Cook-Walden Subdivision, also being the Northeast corner of the said 2.521 acre SCI Ohio Funeral Services, Inc. tract, being the Southeast corner of a 3.994-acre tract of land conveyed to Capital Parks Land Investments, Inc. as described in Volume 11697, Page 1032, Real Property Records, Travis County, Texas;



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: S. GAGER



CASE #: C14-03-0125
 ADDRESS: N1 35 SVC RD NB
 SUBJECT AREA (approx): 73 ACR

ZONING EXHIBIT B

DATE: 03-08
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 M36 N36

September 30, 2014

Ms. Sherri Sirwaitis
City of Austin
Neighborhood Planning & Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

RE: Rezoning of approximately 55.284 acres, The Oaks at Techridge Lot 1B, 14401 The Lakes Boulevard, to "General Commercial Services-Mixed Use Combining District-Conditional Overlay" (CS-MU-CO) zoning; Rezoning Case No. C14-2014-0152

Dear Sherri:

I am writing to express the strong support of Techridge Office Phase 1 Partners LP, a Delaware limited partnership, for rezoning the property at 14401 The Lakes Boulevard (the "Property") to "General Commercial Services-Mixed Use Combining District-Conditional Overlay" (CS-MU-CO) as requested by the landowner.

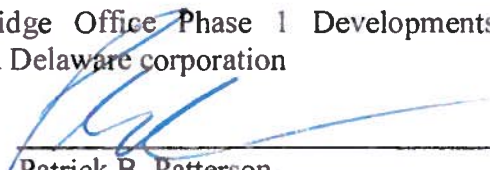
The undersigned owns an approximately 10.95 acre tract located at 14400 The Lakes Boulevard, which is the tract immediately to the south of and across the street from the Property, and we are proposing an office use on the land we own. We believe the proposed development of the Property provides a reasonable and fair project intensity that offers an appropriate, compatible land use transition from our office project and adjacent land uses. In addition, construction of a quality commercial and/or mixed use development would provide a much more desirable neighbor than the current situation that involves many of the negative consequences inherent in being located adjacent to the existing vacant land.

As one of the impacted adjacent landowners, we offer our strong support of the landowner's rezoning request. Please contact me with any questions you might have.

Sincerely,

TECHRIDGE OFFICE PHASE 1 PARTNERS LP,
a Delaware limited partnership

By: Techridge Office Phase 1 Developments
Inc., a Delaware corporation

By: 
Patrick B. Patterson,
Senior Vice President

September 30, 2014

Ms. Sherri Sirwaitis
City of Austin
Neighborhood Planning & Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

RE: Rezoning of approximately 55.284 acres, The Oaks at Techridge Lot 1B, 14401 The Lakes Boulevard, to "General Commercial Services-Mixed Use Combining District-Conditional Overlay" (CS-MU-CO) zoning; Rezoning Case No. C14-2014-0152

Dear Sherri:

I am writing to express the strong support of Oaks at Techridge Phase 3 Partners LP, a Delaware limited partnership, for rezoning the property at 14401 The Lakes Boulevard (the "Property") to "General Commercial Services-Mixed Use Combining District-Conditional Overlay" (CS-MU-CO) as requested by the landowner.

The undersigned owns an approximately 12.33 acre tract located at 14233 The Lakes Boulevard, which is the tract immediately adjacent and to the east of the Property, and we are proposing a multi-family use on the land we own. We believe the proposed development of the Property provides a reasonable and fair project intensity that offers an appropriate, compatible land use transition from our multi-family project and adjacent land uses. In addition, construction of a quality commercial and/or mixed use development would provide a much more desirable neighbor than the current situation that involves many of the negative consequences inherent in being located adjacent to the existing vacant land.

As one of the impacted adjacent landowners, we offer our strong support of the landowner's rezoning request. Please contact me with any questions you might have.

Sincerely,

OAKS AT TECHRIDGE PHASE 3 PARTNERS
LP, a Delaware limited partnership

By:


Pat B. Patterson, Senior Vice President