

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2015-0007 – Alice Mae Rezoning

**Z.A.P. DATE:** February 17, 2015  
March 3, 2015

**ADDRESS:** 9500 Alice Mae Lane

**DISTRICT AREA:** 5

**OWNER:** SP Meadows West, Ltd.  
(David Roche)

**AGENT:** Armbrust & Brown, LLC  
(Richard T. Suttle, Jr.)

**ZONING FROM:** GR-CO

**TO:** GR-MU-CO

**TOTAL AREA:** 8.179 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: drop-off recycling collection facility, pawn shop services, residential treatment, and service station.

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

February 17, 2015: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO MARCH 3, 2015*

*[G. ROJAS; S. COMPTON – 2<sup>ND</sup>] (6-0) J. GOODMAN – NOT YET ARRIVED*

March 3, 2015: *APPROVED GR-MU-CO DISTRICT ZONING AS STAFF RECOMMENDED, WITH ADDITIONAL CONDITIONAL OVERLAYS: 1) MAXIMUM OF 166 DWELLING UNITS; 2) TO PROHIBIT ALTERNATIVE FINANCIAL SERVICES, AUTOMOTIVE SALES, BAIL BOND SERVICES, FUNERAL SERVICES AND EXTERMINATING SERVICES*

*[P. SEEGER; J. GOODMAN – 2ND] (6-0) G. ROJAS – ABSENT*

### **ISSUES:**

The Applicant met with residents of the Reserve at Southpark Meadows on February 16, 2015. A private Restrictive Covenant between residents and the property owner addresses a traffic circle, age-restriction for a multifamily residential use, compatibility standards, landscaping and building and landscaping plans. Please refer to attachment at the back of this packet.

**DEPARTMENT COMMENTS:**

The subject portion of a platted lot is undeveloped and zoned community commercial – conditional overlay (GR-CO) by way of a 2005 rezoning case. The Conditional Overlay that applies to this rezoning area prohibits drop-off recycling collection facility, pawn shop services, residential treatment, and service station. Access is taken from Taft Lane and Alice Mae Lane, both private streets that intersect South 1<sup>st</sup> Street and West Slaughter Lane, respectively. There is undeveloped land on the opposite side of Alice Mae Lane and the South Park Meadows shopping center is further to the east (GR-CO); apartments, single family residences and a convalescent services facility to the south (GR-MU-CO; SF-6; MF-4-CO); a single family residential subdivision that includes completed and in progress construction to the west (SF-4A), and undeveloped land to the north (GR-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), B (2005 Rezoning Ordinance) and C (Recorded Plat).

The Applicant is proposing to rezone the property to add a mixed use (–MU) overlay for the purposes of developing 161 multi-family residential units.

Staff recommends the Applicant's request based on the following considerations of the property: 1) access to a major arterial roadway; 2) multi-family residential development is less intense than that commercial development that could be developed on this property; and 3) it is across from similarly zoned properties and continues to prohibit the commercial uses established by the 2005 rezoning case.

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR-CO	Undeveloped
<i>North</i>	GR-CO	Undeveloped (approved for a 3-story, 89,590 square foot senior living facility, a congregate living use)
<i>South</i>	MF-4-CO; SF-6; GR-MU-CO	Convalescent services; Single family residences; Apartments; Commercial shopping center
<i>East</i>	GR-CO	Undeveloped; Commercial shopping center
<i>West</i>	SF-4A	Single family residences (under construction)

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association

242 – Slaughter Lane Neighborhood Association

627 – Onion Creek Homeowners Association

1228 – Sierra Club, Austin Regional Group

1363 – SEL Texas

742 – Austin Independent School District

1340 – Austin Heritage Tree Foundation

1374 – Friends of Williams Elementary

**SCHOOLS:**

Williams Elementary School

Paredes Middle School

Akins High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2009-0007 – Regency Nursing & Rehabilitation Center – 9901 South 1 <sup>st</sup> Street	SF-6 to MF-4	To Grant MF-4-CO w/CO limited to 40' height and a Restrictive Covenant addresses an update to the Traffic Impact Analysis	Apvd MF-4-CO with Restrictive Covenant as Commission recommended (05-14- 2009).
C14-05-0014 – Harrell Tract – 9900 South 1 <sup>st</sup> Street	I-RR to SF-2	To Grant SF-2 w/ conditions of the Traffic Impact Analysis	Apvd SF-2 with a Restrictive Covenant for the conditions of the TIA (5-12-2005).
C14-05-0002 – Quick Tract – 9420 Cullen Ln	RR to CS	Approved GR-CO w/ CO for list of prohibited and conditional uses. Restrictive Covenant for the Traffic Impact Analysis.	Approved GR-CO as recommended by ZAP. Restrictive Covenant is for the TIA (3-10- 2005).
C14-04-0075 – Southpark Meadows – 9600 S I 35 Service Rd SB	LO-CO; CS-1- CO to GR	To Grant GR-CO w/CO for list of prohibited uses and a Restrictive Covenant for the TIA	Approved CS-CO with a Restrictive Covenant for the TIA, as recommended by ZAP (10-21-2004).
C14-04-0124 – Harrell Tract #1 – 10116 South IH 35 Service Road Southbound; 9800- 10000 South 1 <sup>st</sup> Street	I-RR to GR	To Grant GR-MU-CO for Tract One-A; CS- CO for Tract One-B, w/CO for prohibited uses on both tracts, with the conditions of the Traffic Impact Analysis	Apvd GR-MU-CO for Tract One-A; CS-CO for Tract One-B with a Restrictive Covenant for the conditions of the TIA (12-2-2004).

**RELATED CASES:**

The subject property is a portion Tract 5 and part of a total of five tracts zoned as part of the The Grove at Southpark Meadows case approved by City Council on May 18, 2006 (C14-05-0171 – The Grove at Southpark Meadows (AKA Saunders 143)).

The property is platted as represents a portion of Lot 2, Block A of the Resubdivision of Lot 28, Block A Southpark Meadows Subdivision recorded in August 15, 2007 (C8-2013-0193.0A – SPM Block A Lot 28; Resubdivision). Please refer to Exhibit B (Recorded Plat).

There are no site plans in the review process at this time.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
South 1st Street	127 feet	85 feet	Major Arterial	Yes	Yes	No
Slaughter Lane	109 feet	90 feet	Major Arterial	Yes	Yes	Yes

**CITY COUNCIL DATE:** March 26, 2015

**ACTION:**

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

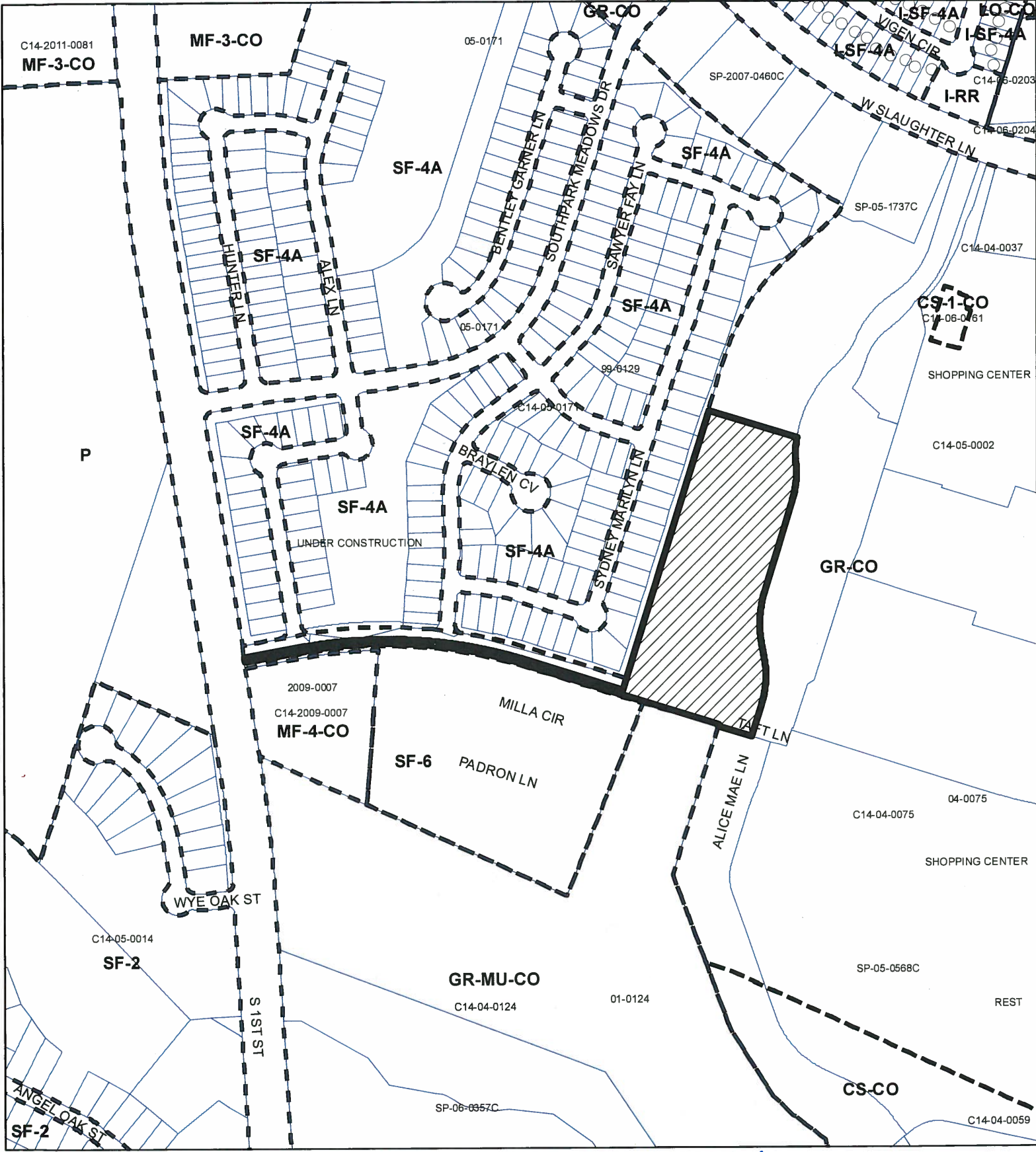
2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

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

**PHONE:** 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
CASE#: C14-2015-0007

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. 20060518-046**

**AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 301 WEST SLAUGHTER LANE AND 9501 SOUTH FIRST STREET AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT, LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT, AND GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT FOR TRACTS ONE AND TWO, TOWNHOUSE AND CONDOMINIUM RESIDENCE (SF-6) DISTRICT FOR TRACT THREE, SINGLE FAMILY RESIDENCE SMALL LOT (SF-4A) DISTRICT FOR TRACT FOUR AND COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT FIVE.**

**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 districts on the property described in Zoning Case No. C14-05-0171, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From general commercial services-conditional overlay (CS-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

A 5.867 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From interim rural residence (I-RR) district and limited office-conditional overlay (LO-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

A 4.616 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

EXHIBIT B  
2006 ZONING ORDINANCE

Tract Three: From interim rural residence (I-RR) district and limited office-conditional overlay (LO-CO) combining district to townhouse and condominium residence (SF-6) district.

A 14.017 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Tract Four: From interim rural residence (I-RR) district and limited office-conditional overlay (LO-CO) combining district to single family residence small lot (SF-4A) district.

A 79.684 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Five: From interim rural residence (I-RR) district and limited office-conditional overlay (LO-CO) combining district to community commercial-conditional overlay (GR-CO) combining district.

A 39.023 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 301 West Slaughter Lane and 9501 South First Street, 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 on Tract One and Tract Two:

Automotive sales  
Drop-off recycling collection facility  
Pawn shop services

Bail bond services  
Exterminating services  
Residential treatment



2. The following applies to Tract Five.

a) For a lot with frontage on Slaughter Lane, the following development regulations apply:

1. the maximum height is 40 feet from ground level;
2. the maximum height is three stories;
3. the minimum street side yard is 15 feet;
4. the maximum building coverage is 50 percent;
5. the maximum impervious cover is 80 percent; and
6. the maximum floor-to- area ratio (FAR) is 0.5 to 1.0.

b) The following uses are prohibited uses:

Drop-off recycling collection facility  
Residential treatment

Pawn shop services  
Service station

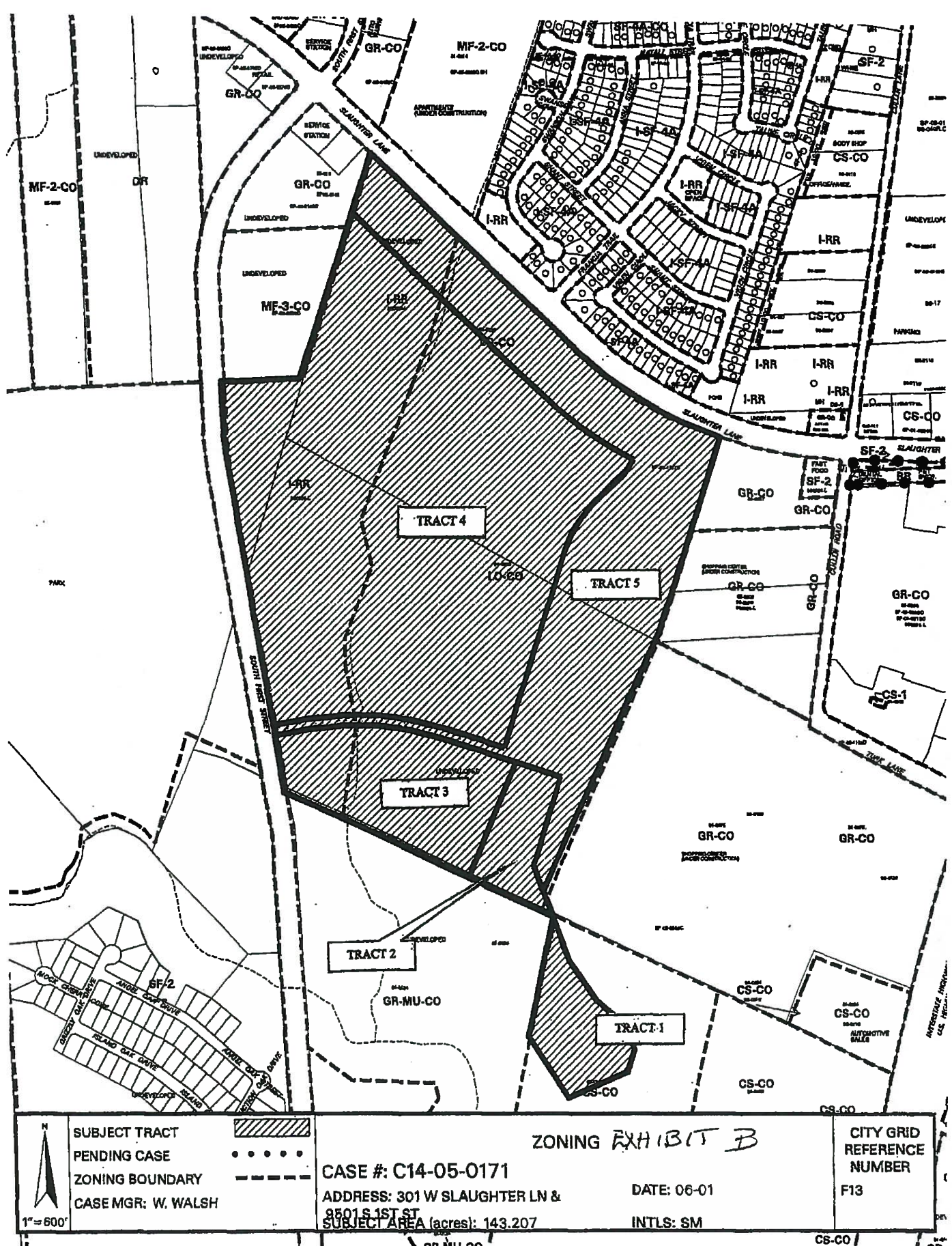
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on May 29, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_, May 18, 2006      §  
§  
§ \_\_\_\_\_  
Will Wynn  
Mayor

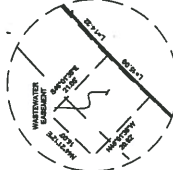
**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
David Allan Smith      Shirley A. Gentry  
City Attorney      City Clerk





201400271

WATER EASEMENT		LINE TABLE	
LINE	BEARING	DISTANCE	
L11	N86°56'34"W	18.74'	
L12	S17°32'50"W	8.64'	
L13	N72°22'10"W	13.14'	
L14	N17°34'30"E	24.87'	
L15	S80°06'34"E	35.85'	
L16	N17°34'30"E	14.81'	
L17	N17°34'30"E	15.00'	
L18	S72°25'21"E	15.00'	
L19	S17°34'59"W	10.00'	
L20	N72°25'21"W	10.00'	



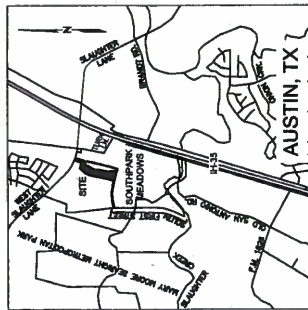
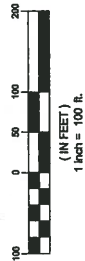
ms 12-11-14 QC 14637

EXHIBIT C  
RECORDED PLAT

201400271

# RESUBDIVISION OF LOT 28, BLOCK A SOUTHPARK MEADOWS SUBDIVISION

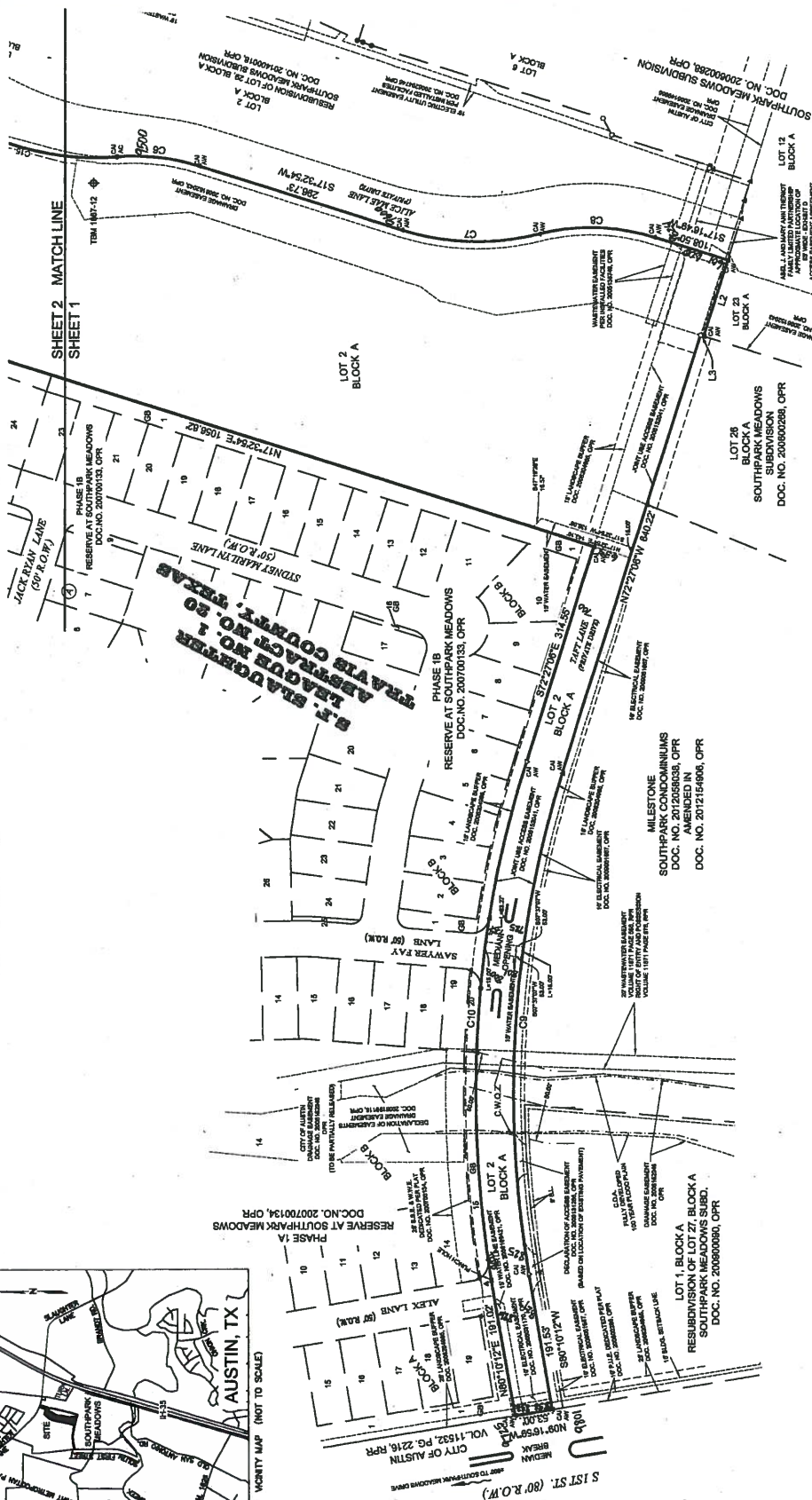
GRAPHIC SCALE




AREA: 14.942 ACRES  
SURVEY: S.F. SAUGHTER LEASE NO. 1, ABSTRACT NO. 20  
LOTS: 2 (COMMERCIAL)  
BLOCKS: 1  
OWNERS: S.F. SAUGHTER LEASE NO. 1, ABSTRACT NO. 20  
S.F. SAUGHTER LEASE NO. 1, ABSTRACT NO. 20  
AUSTIN, TEXAS 78701-2804  
SURVEYOR: CUNNINGHAM/ALLEN, INC.  
3103 Bee Cave Road, Suite 202  
AUSTIN, TX 78746  
ENGINEER: CUNNINGHAM/ALLEN, INC.  
3103 Bee Cave Road, Suite 202  
AUSTIN, TX 78746  
STREET DEDICATION: NONE  
RIGHT-OF-WAY DEDICATION: NONE

LOT SUMMARY TABLE		
LOT	ACREAGE	USE
1	4.131	COMMERCIAL/RETAIL
2	10.811	COMMERCIAL/RETAIL

BENCHMARKS:  
BRASS DISC TO 1977 SET VERTICALLY IN THE EAST FACE OF THE  
EASTERNMOST OF 3 PIERES OF THE NORTHERNMOST OF 8 SETS OF  
COMMON LINE OF LOT 28 AND LOT 29, BLOCK A, SOUTHPARK  
MEADOWS SUBDIVISION (NIT 253476)  
TBM 1977-12: SQUARE CUT ON TOP OF CONCRETE OF THE EAST END OF  
A STORM SEWER DRAINAGE HEADWALL LOCATED 446' WEST OF WEST  
CURB LINE OF SOUTH BOUND ALICE MAY DR. PRIVATE DRIVE AND  
4174' SOUTH OF THE CENTER OF 19' SIDEWALK LINE





Cunningham/Allen  
Engineers - Surveyors

3103 Bee Cave Road, Suite 202 Tel: (512) 327-2946  
Austin, Texas 78746-8819 Fax: (512) 327-2973  
www.cunningham-allen.com

Date: 5/20/13  
Project No: 10000000  
Drawn By: tw  
Sheet 1 of 3

CS-2013-0183.0A  
SUBMITTAL DATE: 12/09/2013  
© COPYRIGHT 2013 CUNNINGHAM-ALLEN, INC.



**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: drop-off recycling collection facility, pawn shop services, residential treatment, and service station.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The mixed use (MU) combining district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

*The property has access to South First Street, a major arterial roadway and is in proximity to West Slaughter Lane, also a major arterial roadway.*

*2. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

*3. Zoning should be consistent with approved and existing residential densities.*

*4. Zoning should allow for reasonable use of the property.*

Staff recommends the Applicant's request based on the following considerations of the property: 1) access to a major arterial roadway; 2) multi-family residential development is less intense than that commercial development that could be developed on this property; and 3) it is across from similarly zoned properties and continues to prohibit the commercial uses established by the 2005 rezoning case.

**EXISTING CONDITIONS****Site Characteristics**

The rezoning area is undeveloped and relatively flat, and there appear to be no significant topographical constraints. There is a drainage easement along the Alice Mae frontage of the subject property.

**Impervious Cover**

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive zoning regulations.

### **Comprehensive Planning**

This zoning case is located on the west side of Alice Mae Lane, on an undeveloped piece of land that is 8.17 acres in size. This rezoning is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes retail and fast food restaurants to the north, an apartment complex to the south, single family housing to the west, and some undeveloped land which is located within the Southpark Meadows Shopping Center to the east. The proposed use is multifamily.

### **Imagine Austin**

The property is located within the boundaries of a **Town Center**, as identified on the Imagine Austin's Growth Concept Map. Town Centers are intended to support a variety of housing types and a range of employers with regional customer and employee bases. Employers within Town Centers have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to **low-to midrise apartments**, mixed use buildings, and office buildings. 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 P5.** Create **healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel** and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **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.

### **Analysis**

The area around the Southpark Meadows area has been rapidly growing in the last five years and residential uses are going up west of the shopping center. Unfortunately most of the growth both within and around this shopping center has not been connected, pedestrian friendly or walkable. While the Imagine Austin Plan supports mixed use and apartments being located in a Town Center, it also promotes connectivity. The developer should consider adding the following features to this apartment complex to provide more connectivity to the adjoining residential neighborhood and shopping center: (1) adding street trees; (2) varying the density and height of the project that abuts the single family neighborhood to the west so the massing of this project does not overwhelm the abutting single family neighborhood; and (3)



installing a shared path along the Alice Mae Lane so residents can safely and easily access the surrounding retail uses and adjoining residential neighborhood.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter 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 indicates a Critical Water Quality Zone is located within the project location. Development is limited with the Critical Water Quality Zone 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.

### **Transportation**

Additional right-of-way may be required at the time of subdivision and/or site plan.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is identified on South First Street.

**Water and Wastewater**

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

**Compatibility Standards**

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 west 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.
- 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.

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

## Rhoades, Wendy

---

**From:** Richard Suttle, Jr. <RSuttle@abaustin.com>  
**Sent:** Tuesday, February 17, 2015 9:39 AM  
**To:** Morris, Kathleen; Amanda Morrow; Rhoades, Wendy  
**Cc:** amy.rueckheim@inventivhealth.com; paulataylorAustin@gmail.com; caesarjaime@hotmail.com; kathy.baja@gmail.com  
**Subject:** RE: C14-2015-0007 (9500 Alice Mae Lane) - REQUEST TO POSTPONE

Kathy,

The applicant does not oppose your request for a 2 week postponement (or to the next available meeting of ZAPCO) and looks forward to continuing the discussions in hopes of coming to an agreement.

By copy of this to Wendy Rhoades I am letting her know we do not oppose the postponement request and it can go by consent.

Thank you for hosting the meeting last night and please don't hesitate to contact us if you have any questions or comments.

Richard

---

**From:** Morris, Kathleen [<mailto:Kathleen.Morris@texasattorneygeneral.gov>]  
**Sent:** Tuesday, February 17, 2015 9:33 AM  
**To:** Richard Suttle, Jr.; Amanda Morrow; [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)  
**Cc:** [amy.rueckheim@inventivhealth.com](mailto:amy.rueckheim@inventivhealth.com); [paulataylorAustin@gmail.com](mailto:paulataylorAustin@gmail.com); [caesarjaime@hotmail.com](mailto:caesarjaime@hotmail.com); [kathy.baja@gmail.com](mailto:kathy.baja@gmail.com)  
**Subject:** C14-2015-0007 (9500 Alice Mae Lane) - REQUEST TO POSTPONE

Dear Mr. Suttle, Ms. Morrow and Ms. Rhoades:

On behalf of the residents of The Reserve at Southpark Meadows, I am authorized, and have been asked to request, a **two-week postponement** of the hearing by the Zoning and Platting Commission that is currently scheduled for this evening at 6:00 p.m. at City Hall. Please confirm when you have secured an extension to Tuesday, March 3 at 6:00 p.m. (If March 3 is not an option, please advise of the new date assigned by the Zoning and Platting Commission.)

Thank you, Mr. Suttle and Ms. Morrow, for attending our residential meeting last evening. It was very informative. As a community, we are developing a list of additional questions to pose and will submit them to you shortly. We are also developing proposed restrictive covenants to present to the Commission.

If you have any questions, please contact me or Amy Rueckheim (512-217-1879, [amy.rueckheim@inventivehealth.com](mailto:amy.rueckheim@inventivehealth.com)) at any time.

Kathy Morris  
9625 Sawyer Fay Lane  
(W) 512-936-2779  
(C) 425-753-3170  
[Kathy.baja@gmail.com](mailto:Kathy.baja@gmail.com)  
[Kathleen.morris@texasattorneygeneral.gov](mailto:Kathleen.morris@texasattorneygeneral.gov)



## 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: C14-2015-0007

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: February 17, 2015, Zoning and Platting Commission  
March 26, 2015, City Council

SCOTT PARENTHON

Your Name (please print)

313 JACK RYAN LN

Your address(es) affected by this application

2/15/15

Date

Signature

Daytime Telephone: 512-704-4894

Comments:

Zoning Review BB kept  
as originally planned

☐ I am in favor  
☒ I object

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

**REQUESTS AND  
PETITION FOR RESTRICTIVE COVENANTS  
BY RESIDENTS OF THE RESERVE AT SOUTHPARK MEADOWS**

WHEREAS, Armbrust & Brown PLLC, through Richard Suttle, its representative, on behalf of Owner SP Meadows West/David L. Rouche, has petitioned the City of Austin Zoning & Platting Commission to change the current zoning of a parcel of land at 9500 Alice Mae (intersection of Alice Mae and Taft Streets) in the City of Austin, Travis County, Texas under Zoning & Platting Commission Case No. C14-2015-0007 from GR-Community Commercial to GR-MU-Community Commercial Mixed Use for the intended purpose of engaging Affinity Builders to build a 55 and older apartment complex on said property, the undersigned residents of The Reserve at Southpark Meadows (hereinafter "RSPM"), as adjacent land owners to the West of the subject property, hereby set forth the below listed Requests and Restrictive Covenants to attach and inure to the development of the project, in perpetuity, for the protection and preservation of property values and maintenance of the existing community continuity of RSPM.

**THAT:**

1. A traffic circle (roundabout) shall be constructed at the intersection of Alice Mae and Taft to effectively manage the anticipated increased traffic at an already congested intersection (preferred resolution) or, in the alternative, a traffic signal or such other traffic management system deemed appropriate as a result of a traffic study to be conducted by the City of Austin at the request and expense of SP Meadows West. (Note: RSPM has already applied and been approved by the City of Austin for two traffic roundabouts [currently in the City's construction queue, but which should be installed by the time the subject site is being developed] on Southpark Meadows Drive at its intersection with Jack Ryan and Bentley Gardner Streets. Thus, a traffic circle at Alice Mae and Taft would be compatible with traffic resolutions already in progress within the immediate vicinity of the subject property.)
2. The building plans for the site shall be limited to no greater than the represented 162 apartment units and no expansion will occur in the form of additional buildings or structures that are not part of the approved original plat/building plan, in perpetuity.
3. The age restriction for any multi-family residential use of the property will remain, forever in perpetuity, 55 and older, as currently represented, throughout any sale or transfer of the residential complex to any subsequent owner or owners, said requirement to be documented in writing on any title and/or legal document that identifies the intended use of the complex. As long as the property is used for residential purposes, that age restriction shall always apply.
4. Pursuant to the City of Austin Compatibility regulations, that building setbacks on the western portion of the subject property shall be no less than 25 feet **from the existing 25 foot SF-4A zoning "buffer" that runs along the west property line** (said buffer carries the same SF-4A residential zoning designation as the residential lots on Sydney Marilyn). Further, structures that are more than 25 feet but less than 50-feet from the SF-4A buffer shall have a maximum building height of two (2) stories and 30 feet, per the City Compatibility regulations.

5. That landscaping for the western portion of the property abutting the property wall that separates the subject property from homes along Sydney Marilyn Street shall be significantly enhanced by either SP Meadows West and/or Affinity to include copious plantings of additional trees and plant materials that will exceed 15 feet at maturity and provide a solid, impervious site block and sound barrier between RSPM and the subject property to prevent the diminishment of property values of RSPM residents who live on Sydney Marilyn Street. Further, that said landscaping shall be properly maintained by SP Meadows West for the perpetuation of the barrier. Suggestions for trees include broad-canopy live oak, crepe myrtles, etc. that are a minimum of 15 feet in height at the time of planting.

6. That the residents of RSPM be allowed to view the final plat map and building plans and/or elevations that SP Meadows West/Affinity submits to the City Building/Permitting Department for final approval, with a period of seven (7) days to provide commentary upon receipt of said materials before the City commences its final review.

7. That the residents of RSPM be allowed to view the final landscape plans for the property, with a period of seven (7) days to provide commentary upon receipt of said materials before commencement of implementation of said plan.

DATED this 1<sup>st</sup> day of March, 2015.

### PETITION SIGNATURES

The undersigned residents of the Reserve at Southpark Meadows affirm the above Requests and Restrictive Covenants to adhere to the subject property development:

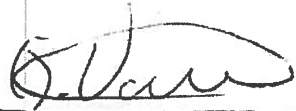
Amy Rueckheim  
Amy Rueckheim  
RSPM Community Contact  
(512) 217-1879  
Address: 9701 Alex Lane

Kathleen Morris for Caesar Jaime, by proxy  
Caesar Jaime  
RSPM Community Contact  
(830) 423-6727  
Address: 25 Sydney Marilyn Ln.

Paula Taylor  
Paula Taylor  
RSPM Community Contact  
(512) 512-689-3953; 338-4008  
Address: 9605 Sydney Marilyn

Kathleen A. Morris  
Kathleen Morris  
RSPM Community Contact  
(425) 753-3170  
Address: 9624 Sawyer Fay Lane





Lupe Vargas  
RSPM Community Contact  
(956) 683-5391  
Address: 9408 Sydney Marilyn Ln.

ANNE KENNEDY *by Kathleen*  
*Anne Kennedy Morris by*  
Resident Name/Signature *Proxy*  
Address: 316 BEATLEN CAVE

JAMES A. MENDOZA *by Kathleen*  
*James A. Mendoza Morris,*  
Resident Name/Signature *by proxy*  
Address: 9725 ALEX LANE

KENT LINDLOFF */MM*  
Resident Name/Signature  
Address: 9701 ALEX LANE  
AUSTIN, TX 78748

*Lea Langston*  
Resident Name/Signature  
Address: 9616 Sawyer Fay Ln  
78743

*Kathy Longino*  
Resident Name/Signature  
Address: 9724 Alex Ln

*Diane C & Cary B. Cook*  
Resident Name/Signature  
Address: 308 Jack Ryan Lane

*Paula Cook*  
Resident Name/Signature  
Address: 305 Jack Ryan Ln

*Lindsay Daniels*  
Resident Name/Signature  
Address: 305 Jack Ryan Ln

*Rebecca L. La Bonte*  
Resident Name/Signature  
Address: 312 Jack Ryan Lane

*Jon L. La Bonte*  
Resident Name/Signature  
Address: 312 Jack Ryan Lane

*Angel Beltran / Doug Beltran*  
Resident Name/Signature  
Address: 9309 Sydney Marilyn Ln

*Monica Godlack / Rudy Eathor*  
Resident Name/Signature  
Address: 9609 Sydney Marilyn Lane

*MARYS BELTRAN / Mary Beltran*  
Resident Name/Signature  
Address: 9309 SYDNEY MARILYN LANE

*Holly & Dan Aarnick Kosti / Hannah*  
Resident Name/Signature  
Address: 9729 Alex Lane

*Jeff Marboes*  
Resident Name/Signature  
Address: 9500 Sawyer Fay Ln

*Jessica H. Martinez / Jennifer M.H.*  
Resident Name/Signature  
Address: 9617 Sydney Marilyn Ln

*Francisco Martinez III / Francisco*  
Resident Name/Signature  
Address: 9617 Sydney Marilyn

*Fred Cerkhan / Fred Cerkhan*  
Resident Name/Signature  
Address: 9320 Sydney Marilyn

*Marisela Vargas / Marisela*  
Resident Name/Signature  
Address: 9408 Sydney Marilyn Ln.

*Paula Thrasher*  
Resident Name/Signature  
Address: 9613 Sydney Marilyn Ln

*Matthew Lombardi / Matthew*  
Resident Name/Signature  
Address: 9500 Sawyer Fay Lane

*Laura Sandoz*  
Resident Name/Signature  
Address: 9629 SYDNEY MARILYN Ln.

*Cindy E. Cosoy*  
Resident Name/Signature  
Address: 9601 Sydney Marilyn Lane

Frankie Barnett  
Resident Name/Signature  
Address: 9521 Sydney Marilyn

Boyle Shackelford  
Resident Name/Signature  
Address: 95B Sydney Marilyn

Renee  
Resident Name/Signature  
Address: 9413 Sydney Marilyn Lane

Chris Sam  
Resident Name/Signature  
Address: 9409 Sydney Marilyn Lane

Dunde A Shields  
Resident Name/Signature  
Address: 9329 Sydney Marilyn

Em  
Resident Name/Signature  
Address: 9509 Sydney 42K1-42

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

Resident Name/Signature  
Address: \_\_\_\_\_

## 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: C14-2015-0007

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: February 17, 2015, Zoning and Platting Commission  
March 26, 2015, City Council

Renee Hernandez

Your Name (please print)

9413 Sydney Marilyn Lane

Your address(es) affected by this application

Rhoades

Signature

Daytime Telephone: 512-791-1897

Comments:

I would like to see  
restricted ~~COA~~ covenants agreed

☐ I am in favor  
☒ I object

2/28/15  
Date

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