

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2014-0178 (Overlook at Spicewood Springs)

DISTRICT AREA: 10

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 4920 Spicewood Springs Road from single-residence-standard lot (SF-2) district zoning to limited office-conditional overlay combining (LO-CO) district zoning.

The ordinance reflects the conditions imposed by the City Council on 1st reading.

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

AGENT: CIVILE, LLC (Lawrence M. Hanrahan)

ISSUES:

On June 24, 2014, Code Enforcement issued a stop work order for this property for an Enterprise Violation (please see Attachment A).

On January 16, 2015, the staff received a petition from adjacent property owners who are opposed to any zoning classification other than SF-3 or LO-CO zoning on the site (Please see Attachment C-Petition). This GIS staff evaluated the petition and found that it is currently valid at 40.92%.

Additional signatures for this petition were submitted to the City Clerk's Office on February 3, 2015. These signatures are for properties on Adirondack Trail, which is located outside of the 200-foot petition boundary area (please see reference to Code Section 25-2-284: Requirement for Approval by Three-Fourths of Council below). Therefore, they do not apply to the validity of the petition. The additional signature pages will be placed in the zoning case file for the record.

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

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

- (A) *The affirmative vote of three-fourths of the members of Council is required to approve a proposed rezoning if:*
 - (1) *the Land Use Commission recommends denial of an application to rezone property to a planned unit development; or*
 - (2) *the proposed rezoning is protested in writing by the owners of not less than 20 percent of the area of land:*
 - (a) *included in the proposed change; or*
 - (b) *immediately adjoining the area included in the proposed rezoning and extending 200 feet from the area.*

INFORMATION:

In conjunction with the previous rezoning case, the applicant filed a site plan for the property at 4920 Spicewood Springs Road. During the administrative review of site plan case SP-2014-0141C, members of the neighborhood association requested additional information involving environmental features/CEFs and tree removal/protection for this property. The City's hydrologist has stated that a total of 16 CEFs (6 springs/seeps, 4 canyon rimrocks and 6 wetlands) have been identified within and adjacent to the proposed subdivision for this property (please see Attachment B). The site plan case for this property expired on November 21, 2014.

DEPARTMENT COMMENTS:

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

The staff recommends LO-CO zoning because the site under consideration meets the intent and purpose statement of the Limited Office zoning district. LO-CO zoning will promote consistency and orderly planning because there is existing office zoning (LO, LO-CO) located to the south and west of the site under consideration. The property fronts onto and is accessible from Spicewood Springs Road, a major arterial roadway. The proposed zoning will permit the applicant to develop office uses adjacent to other office developments located to the north, south, east that will provide services to the nearby residential areas. The staff's recommendation is consistent with previous staff/ZAP Commission recommendations in this area on other LO, Limited Office District, zoning requests.

The applicant does not agree with the City Council's recommendation at 1st reading.

DATE OF FIRST READING/VOTE:

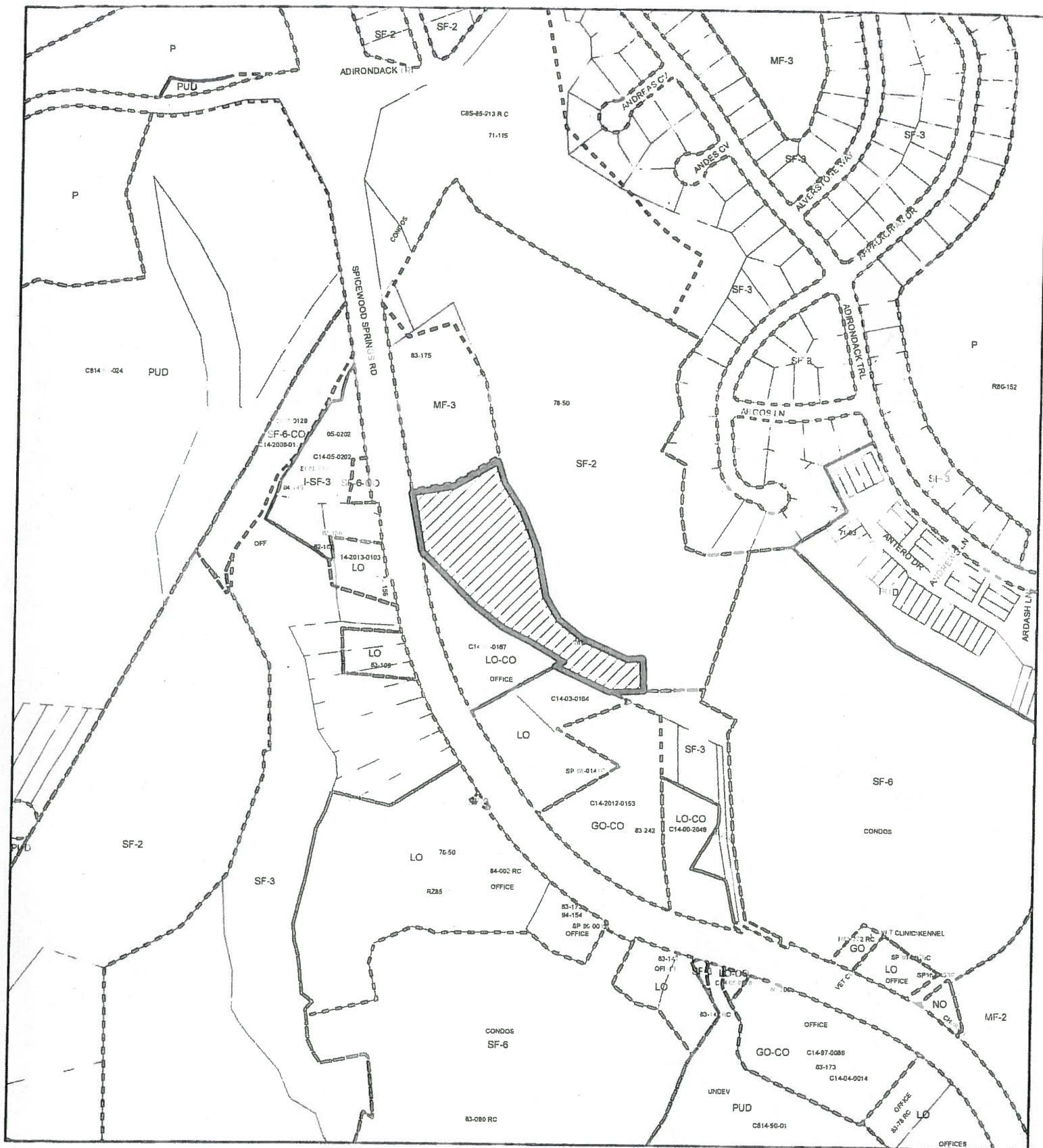
February 12, 2015: Approved LO-CO zoning on 1st reading with the following conditions: Make Administrative and Business Offices and Professional Office conditional uses on the site., 2) Limit the development intensity to less than 500 vehicle trips per day, 3) The front façade of a building or structure on the property facing Spicewood Springs Road shall be limited to 28.5 feet above natural grade. The rear façade of a building or structure on the property shall be limited to 38.5 feet above natural grade. Notwithstanding the above height limitation, the height, as defined by City Code, of a building or structure on the property is limited to 35 feet in height., 4) Total gross square footage of all buildings or structures, not including a vehicular parking facility, on the property is limited to 12,000 square feet., 5) Development on the property shall not exceed 32% impervious cover, and 6) Communications Services, Club or Lodge, College or University Facilities, Community Events, Congregate Living, Convalescent Services, Medical Offices-exceeding 5000 sq. ft. of gross floor area, Medical Offices-not exceeding 5000 sq. ft. of gross floor area, Off-site Accessory Parking, Day Care Services (Limited), Day Care Services (General), Day Care Services (Commercial), Hospital Services (Limited), Private Primary Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Public Secondary Educational Facilities, Residential Treatment, Telecommunications Tower and Urban Farm are prohibited uses on the site (Vote: 11-0).




CITY COUNCIL DATE: April 2, 2015

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 512-974-3057
sherri.sirwaitis@ austintexas.gov



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2014-0178



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 by the City of Austin regarding specific accuracy or completeness.

Exhibit B

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0178 (Overlook at Spicewood Springs)

Z.A.P. DATE: December 16, 2014

ADDRESS: 4920 Spicewood Springs Road

DISTRICT AREA: 10

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

AGENT: CIVILE, LLC (Lawrence M. Hanrahan)

ZONING FROM: SF-2

TO: LO

AREA: 4.283 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommends LO-CO, Limited Office-Conditional Overlay District, zoning. The conditional overlay will limit the development intensity to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

12/16/14: Approved staff's recommendation of LO-CO zoning, with the following added conditions:

- 1) Make Administrative and Business Offices, Medical Offices-exceeding 5000 sq. ft. gross floor area, Medical Offices-not exceeding 5000 sq. ft. of gross floor area and Professional Office conditional uses on the site, 2) limit the height to 35 feet or 2 stories and 3) and limit the development intensity to less than 500 vehicle trips per day (6-0, R. McDaniel-absent); G. Rojas-1st, P. Seeger-2nd.

ISSUES:

On June 24, 2014, Code Enforcement issued a stop work order for this property for an Enterprise Violation (please see Attachment A).

On January 16, 2015, the staff received a petition from adjacent property owners who are opposed to any zoning classification other than SF-3 or LO-CO zoning on the site (Please see Attachment C-Petition). This GIS staff evaluated the petition and found that it is currently valid at 40.92%.

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 - (a) *included in the proposed change; or*
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INFORMATION:

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DEPARTMENT COMMENTS:

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

The staff recommends LO-CO zoning because the site under consideration meets the intent and purpose statement of the Limited Office zoning district. LO-CO zoning will promote consistency and orderly planning because there is existing office zoning (LO, LO-CO) located to the south and west of the site under consideration. The property fronts onto and is accessible from Spicewood Springs Road, a major arterial roadway. The proposed zoning will permit the applicant to develop office uses adjacent to other office developments located to the north, south, east that will provide services to the nearby residential areas. The staff's recommendation is consistent with previous staff/ZAP Commission recommendations in this area on other LO, Limited Office District, zoning requests.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

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

AREA STUDY: N/A

TIA: Waived

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Heritage Tree Foundation
 Austin Neighborhoods Council
 Balcones Civic Association
 Bike Austin
 Bull Creek Foundation
 Bull Creek Homeowners Association
 Long Canyon Phase II & LLL Homeowners Association, Inc.
 Neely's Canyon HOA
 Northwest Austin Civic Association
 SELTEXAS
 Sierra Club, Austin Regional Group
 The Real Estate Council of Austin, Inc.
 2222 Coalition of Neighborhood Associations, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0047 (Overlook at Spicewood Springs: 4920 Spicewood Springs Road)	SF-2 to GO	5/20/14: Approved the staff's recommendation for GO-CO zoning, with the condition that other than the 15-foot front yard setback, the site shall be limited to all other LO district site development standards, and include ROW dedication requirement (5-1, J. Meeker-No, R. McDaniel-absent); G. Rojas-1 st , C. Banks-2 nd .	8/28/14: Motion to keep the public hearing open and to adopt GO-CO zoning, with conditions and the exclusion of the 15 foot front yard setback, on first reading only failed (2-4, S. Cole, M. Martinez, L. Morrison and C. Riley-No); B. Spelman-1 st , L. Leffingwell-2 nd . Council Member K. Tovo was off the dais.
C14-2013-0103 (4845 Spicewood Springs Rezone: 4845 Spicewood Springs Rd)	I-SF-3, LO to LO	10/01/13: Approved staff's recommendation of LO zoning on consent (7-0); P. Seeger-1 st , S. Compton-2 nd .	10/24/13: Approved LO zoning on consent on all 3 readings (7-0); M. Morrison-1 st , B. Spelman-2 nd .
C14-2012-0153 (Spicewood Springs Office Rezoning: 4714 Spicewood Springs Road)	SF-3 to GO	1/15/13: Approved staff's recommendation of GO-CO zoning, with additional conditions to limit impervious cover on the site to a maximum of 70% and to limit building coverage on the site to a maximum of 50% (5-1, B. Baker-No, P. Seeger-absent); G. Rojas-1 st , C. Banks-2 nd .	2/14/13: Approved GO-CO zoning on consent on all 3 readings (7-0); S. Cole-1 st , B. Spelman-2 nd .
C14-2008-0128 (5005 Spicewood Springs Road)	SF-2 to LO-MU	9/16/08: Denied staff rec. of LO-MU (7-0)	9/25/08: Approved SF-6 zoning (7-0); 1 st reading only 10/16/08: Approved SF-6 zoning (7-0); 2 nd reading

			2/12/09: Approved SF-6-CO zoning (6-0); 3 rd reading
C14-05-0202 (Crown Castle Spicewood Springs: 4919 Block of Spicewood Springs)	I-SF-3 to SF-6-CO	1/17/06: Approved SF-6-CO, with only permitted non-residential uses a telecommunication tower and permitted SF uses (7-0)	3/23/06: Approved SF-6-CO (7-0); all 3 readings
C14-05-0078 (Shelton Medical Office: 4615 Spicewood Springs Road)	SF-3 to LO	8/02/05: Approved LO-CO, with 50 vtpd limit (8-0)	9/01/05: Approved LO-CO zoning (7-0); all 3 readings
C14-04-0014 (Peppard: 4601 Spicewood Springs Road)	GO-CO to GO	3/02/04: Approved staff rec. of GO-CO, limiting medical office to 3,485 sq. ft., by consent (8-0)	4/01/04: Approved GO-CO on approximately 4,000 sq. ft. (7-0); 1 st reading only 4/22/04: Approved GO-CO zoning (6-0); 2 nd /3 rd readings
C14-03-0164 (4810 Spicewood B: 4810 Spicewood Springs Road)	SF-3 to LO	1/06/04: Approved staff rec. of LO by consent (9-0)	1/29/04: Approved LO (5-0); all 3 readings
C14-00-2049 (Spicewood Office: Spicewood Springs Road)	SF-3 to LO	4/18/00: Approved staff rec. of LO-CO w/conditions to include list of neighborhood prohibited uses except for Family Home, Group Home and Counseling Services (8-0)	5/18/00: Approved PC rec. of LO-CO zoning on 1 st reading (6-0, Lewis-absent) 6/22/00: Approved LO-CO zoning on 2 nd /3 rd readings (7-0)

RELATED CASES: SP-2014-0141C (Site Plan)
C8-2014-0066.0A (Subdivision)

ABUTTING STREETS:

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

CITY COUNCIL DATE: January 29, 2015

ACTION: Postponed to February 12, 2015 at the staff's request (11-0)

February 12, 2015

ACTION: Approved LO-CO zoning on 1st reading with the following conditions:
1) Make Administrative and Business Offices and Professional Office conditional uses on the site., 2) Limit the development intensity to less than 500 vehicle trips per day, 3) The front façade of a building or structure on the property facing Spicewood Springs Road shall be limited to 28.5 feet above natural grade. The rear façade of a

building or structure on the property shall be limited to 38.5 feet above natural grade. Notwithstanding the above height limitation, the height, as defined by City Code, of a building or structure on the property is limited to 35 feet in height., 4) Total gross square footage of all buildings or structures, not including a vehicular parking facility, on the property is limited to 12,000 square feet., 5) Development on the property shall not exceed 32% impervious cover, and 6) Communications Services, Club or Lodge, College or University Facilities, Community Events, Congregate Living, Convalescent Services, Medical Offices-exceeding 5000 sq. ft. of gross floor area, Medical Offices-not exceeding 5000 sq. ft. of gross floor area, Off-site Accessory Parking, Day Care Services (Limited), Day Care Services (General), Day Care Services (Commercial), Hospital Services (Limited), Private Primary Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Public Secondary Educational Facilities, Residential Treatment, Telecommunications Tower and Urban Farm are prohibited uses on the site (Vote: 11-0).

April 2, 2015

ACTION:

ORDINANCE READINGS: 1st 2/12/15

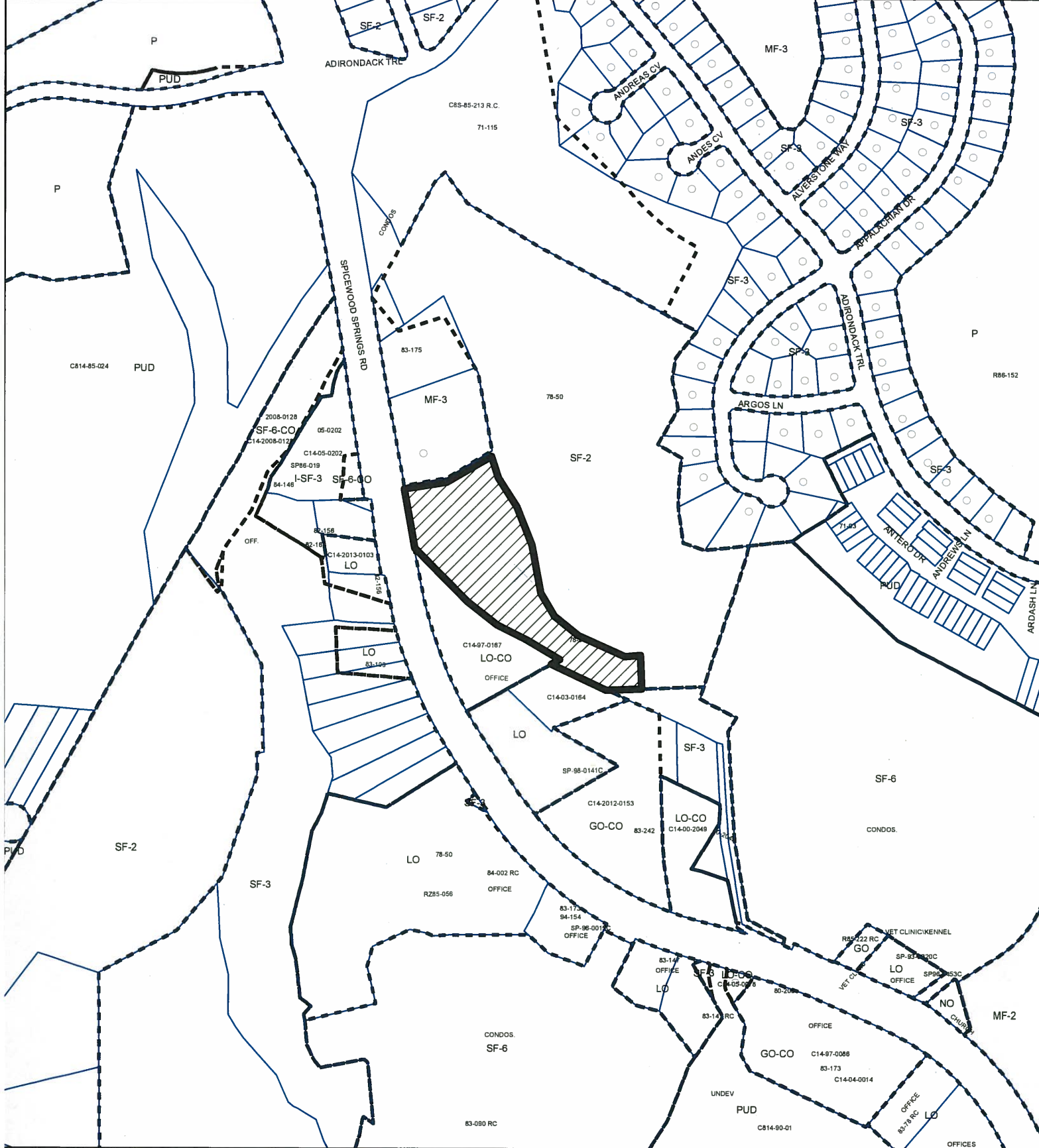
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ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@austintexas.gov



-  SUBJECT TRACT
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ZONING

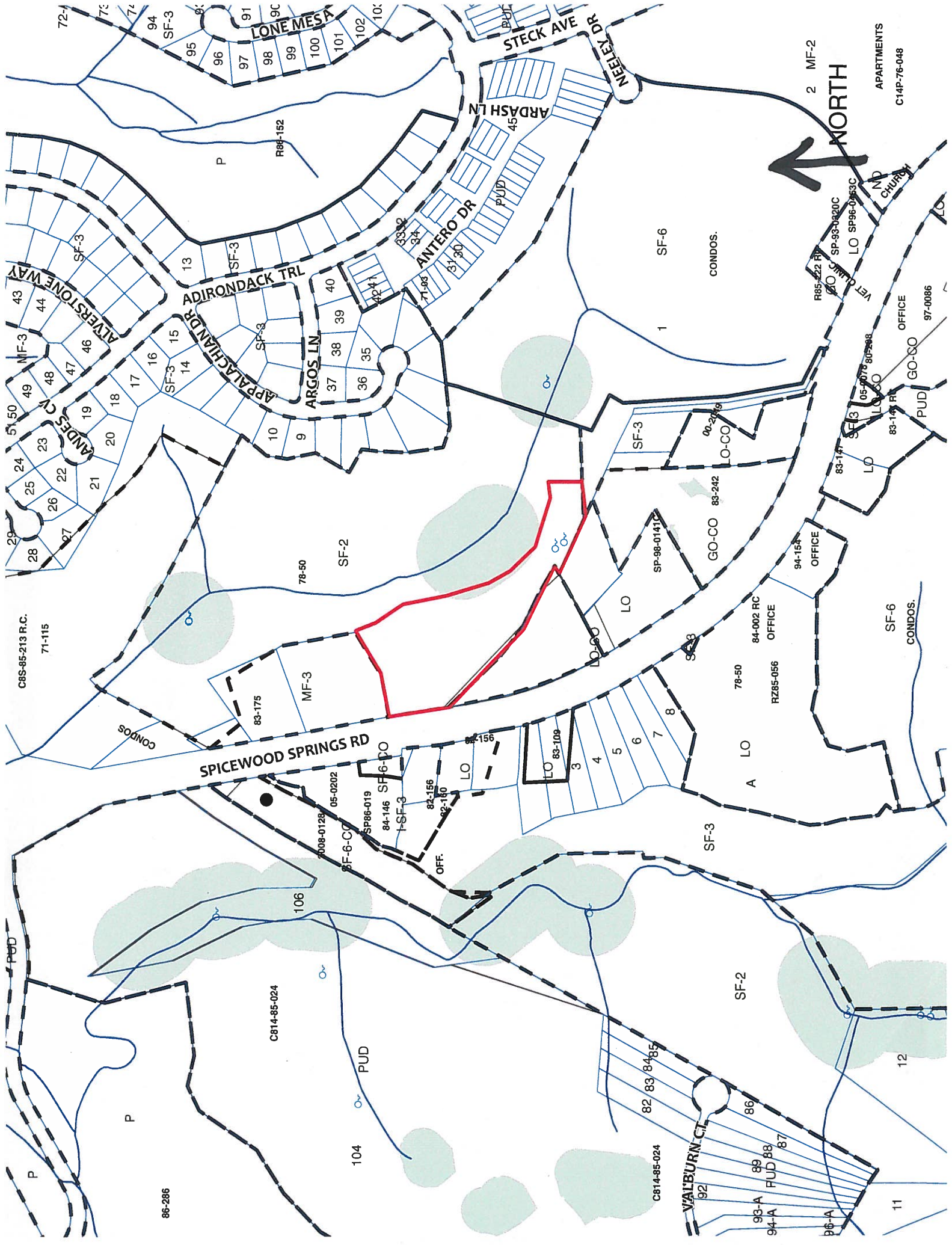
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NORTH

APARTMENTS
C14P-76-048

2 MF-2

LO SP-93-0420C
LO SP-96-0453C

R85-222 R

83-147 SF-3
83-148 LO
83-149 R

80-249
80-248

94-154 OFFICE

84-002 RC OFFICE

RZ85-056

78-50

GO-CO 83-242

SP-98-0141C

LO 83-109

82-156

82-155

82-140

OFF.

84-146 SF-6-CO

SP86-019

05-0202

83-175

MF-3

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STAFF RECOMMENDATION

The staff recommends LO-CO, Limited Office-Conditional Overlay District, zoning. The conditional overlay will limit the development intensity to less than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

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

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

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

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

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

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

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

EXISTING CONDITIONS

Site Characteristics

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

Comprehensive Planning

This zoning case is situated on a 4.3 acre vacant lot, located on the east side of Spicewood Springs Road, which is a heavily travelled corridor in this part of Austin. This case is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes an apartment building to the north, office uses to the south and west, and vacant land to the east. The proposed use is office.

Imagine Austin

The comparatively small scale of the site relative to other office and multifamily projects along this heavily traveled corridor, as well as the site not being located along an Activity Corridor or within an Activity Center, falls below the scope of Imagine Austin; consequently, the plan is neutral on the proposed rezoning. However, due to the site's location within an environmentally sensitive area (the Edward Aquifer), there will be at the site planning stage an environmental review to determine if any

critical environmental features are located on the site. If any are located on the site, mitigation and setbacks necessitated by the land development code will be required.

Environmental

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

According to floodplain maps there is no floodplain within or adjacent to the project location. However, COA GIS shows a Water Quality Transition Zone within the project location. Development is limited within the Water Quality Transition 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.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, in this rezoning application 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.

According to Sylvia Pope, in Hydro Geologist Review, a total of 16 CEFs (6 springs/seeps, 4 canyon rimrocks and 6 wetlands) have been identified within and adjacent to the proposed subdivision for this property (please see Attachment B).

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 70%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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

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

Note: The most restrictive impervious cover limit applies.

Site Plan

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

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

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

A Traffic Impact Analysis (TIA) is required but has not been received. A zoning application is not complete until the required TIA has been received. This delay in the submittal of the TIA may result in a delay in the scheduling of this zoning change request on a Land Use Commission agenda. The TIA must be submitted at least 26 calendar days (18 working days) prior to consideration of this case by the Commission. Please contact the assigned transportation reviewer for this case. [LDC, 25-6-113]. TIA may be waived if a Conditional Overlay limiting the project to 2,000 trips per day is included in the zoning case.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: Spicewood Springs Road.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Spicewood Springs	110'-116'	28'	Arterial	No	No	No

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, 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.

Initial Checklist for Red Tag Folder
Revised 07/05/2012

After you have posted a red tag (RT) on site, a copy of the RT must, by code, be sent to the record owner. The letter cannot be sent out until you have completed the RT folder and given it to Administrative Support.

Complete this check list and attach it to the inside of the RT folder on the left side. Write the TCAD address on the folder tab. All required documentation should be included in the file.*

- ☐ Inspector's name: Bruce Beckett.
- ☐ Date of violation: 06/24/2014.
- ☐ Sequence Number for the CV Folder in AMANDA on folder: 066139
- ☐ Address in AMANDA on folder: 4920 SPICEWOOD SPRINGS RD
- ☐ HCAD/TCAD/WCAD ID # 0147050204
- ☐ 2-3 photos of the violation should be entered into AMANDA for other staff members to view when looking at the CV folder.

G Drive photos: G:\EV Photos\Bruce Beckett II\4920 Spicewood Sprgs Rd 06232014

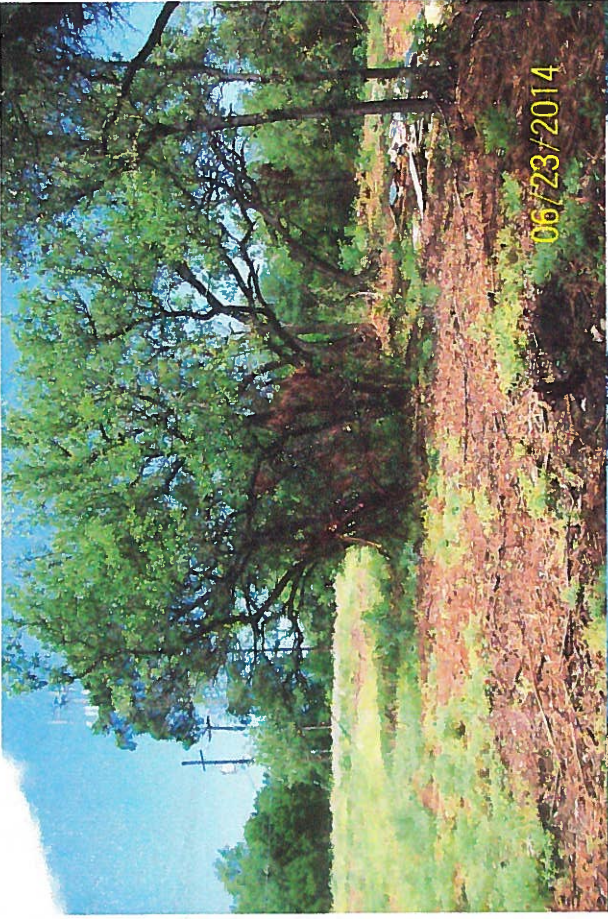
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*** If you are unable to find any of this information, please ask Admin Support for assistance.**

Red tag folder given to Administrative Support on 6/24/2014

Red tag letter prepared on _____ by _____







Overlook at Spicewood Canyon C8-2014-0066.0A



This map was produced by Sylvia R. Pope, P.G. It represents the approximate location of environmental features on the site and should not be used for any purpose other than a general depiction of feature locations. All features must be surveyed for accuracy and for application to plats, site plans or other instrument. June 19, 2014

Legend

- Wetland
- Overlook at Spicewood Springs site plan
- Springs
- Rock Outcrops
- Biological Resource Buffers

P E T I T I O N

RECIEVED
JAN 17 2015
Planning & Development Review

Date 1/6/2015

File Number: C14-2014-0178

Address of

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

To: Austin City Council

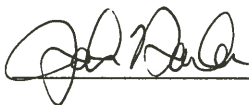
We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby approve the change of the Land Development Code which would zone the property to LO if the site development standards are held in strict accord and if the usage and height is restricted per the recent recommendations of the Zoning and Platting Commission and attached Conditional Overlay.

REASONS FOR PROTEST

It appears that the current proposed site plan for the *buildable* land would allow a building footprint and overall size that would require variances resulting in an environmental impact, affecting adjacent property values, exceeding adjacent building's appearance, size, and ambiance, and markedly add traffic volume to an already exceedingly high density traffic flow.

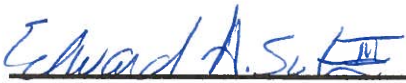
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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress

SKYBLUE AUSTIN - JOHN HARLAN

4900 SPICEWOOD SPRINGS RD



EDWARD A. SOLTER III

4810 Spicewood Springs Rd.



Robert S. Radebaugh

4926 Spicewood JV

4926 Spicewood Springs Rd.



Signature

Printed Name

Address

James E Robison JAMES E ROBISON 4901 SPICEWOOD SPRINGS RD

Jaic Hockford SPICEWOOD CANYON PARTNERSHIP 4833 SpiceWood Springs Rd
- JAIC HOCKFORD (MANAGING PARTNER)

Bill Berger Bill Berger 4813 Spicewood Springs Rd.

Maul Rayta MANUEL RAMIREZ III 4823 Spicewood Springs Rd.

Dennis Watts Dennis R. Watts 4821 Spicewood Springs Rd

M. Kyle Kyle ROAD 4817 Spicewood Springs Rd.

RD. GAUNY 4819 Spicewood Springs

Date: _____

Contact Name: **Dennis Watts**

Phone: 512-497-8690

Conditional Overlay (CO) for the
Property at 4920 Spicewood Springs Described in File C14-2014-0178

- 1) Limit the development intensity to less than 500 vehicle trips per day.
- 2) The impervious cover is limited to 32% of the net site service area.
- 3) No structure shall be constructed on the property at a height greater than two stories or 28.5 feet measured from grade level at the front of the building facing Spicewood Springs and 35 feet measured from the grade level at the back of the building.
- 4) The backyard setback is limited to 60 feet from the Canyon rimrock Critical Environmental Feature (CEF) identified as R-1 per the Hydro Geologist Review done by Sylvia R. Pope for subdivision case, C8-2014-0066.OA dated June 19, 2014, City of Austin, Watershed Protection Department, Environmental Resources Management Division, Water Resources Evaluation Section (See attachment). City of Austin Land Development codes LCD 25-8-281 © (1) (a) may require buffers that are greater than but not less than the 60 feet required by this CO.
- 5) The following uses of the Property are prohibited:

Communications Services
Club or Lodge
College or University Facilities
Communication Service
Community Events
Congregate Living
Convalescent Services
Medical Offices > 5000 sq. feet
Medical Offices < 5000 sq. feet
Convention Center
Off Site Parking
Day Care Services (Limited)
Day Care Services (General)
Day Care Services (Commercial)
Hospital Services (Limited)
Private Primary Educational Facilities
Private Secondary educational Facilities
Public Primary Educational facilities
Public Secondary Educational Facilities
Residential Treatment
Telecommunications Services or Tower
Urban Farm

Hydro Geologist Review - Sylvia R. Pope, P.G. - 512-974-3429

I met with the applicant and their environmental consultant on January 21, 2014 to inspect the canyon rimrock Critical Environmental Feature (CEF) identified near the proposed building location on the 4 acre lot. The canyon rimrock Critical Environmental Feature and a Critical Environmental Feature buffer must be shown on the plat.

HG 1. Please add the Void and Water Flow Mitigation Rule note to the plat note sheet. The text should be as follows: "This site is subject to the Void and Water Flow Mitigation Rule."

HG 2. The canyon rimrock CEF, identified as R-1, isn't shown on the plat. This CEF needs to be labeled as a CEF and the buffer area must be shown as hatched or shaded and labeled as a CEF buffer. Please update the plat to address these requirements.

HG 3. Please add a note to the plat sheet that states, "All activities within the CEF buffer must comply with the City of Austin Land Development Code. The natural vegetative cover must be retained to the maximum extent practicable, construction is prohibited, and wastewater disposal or irrigation is prohibited."

HG 4. FYI, The site plan shows an ellipse around "canyon rimrock" on Sheets 6 and 9 of the site plan (SP-2014-0141C) that is 50 feet in radius. This suggests that the applicant is seeking an administrative variance to LDC 25-8-281 (C)(1)(a) in order reduce the CEF buffer to 50 feet. However, Sheet 9 shows part of the building and erosion and sedimentation controls as close as 25 feet to the canyon rimrock CEF. Therefore, the applicant will need a land use commission variance to LDC 25-8-281 (C)(1)(a) in order reduce the CEF buffer to 25 feet rather than the prescribed 150 feet. Please submit a letter requesting this variance to the Environmental Reviewer. Please copy me on all correspondence, as this variance is reviewed jointly.

The variance request must meet the findings of fact and provide justification that the proposed buffer, any mitigation measures and the proposed construction will preserve all characteristics of the Critical Environmental Feature. Your justification should describe the physical characteristics of the land surface within the 150 foot prescribed CEF buffer radius and how the 25-foot radius buffer will provide the same water quality benefits. An administrative fee must be paid, also. Please coordinate with Mike McDougal for the requirements of the variance request.

HG 5. The Environmental Resource Inventory(ERI) report was specific to the 4-acre office building site. Therefore, the Environmental Resource Inventory(ERI) report must be updated to identify and describe all CEFs located within the overall 24 acre tract. Additional Critical Environmental Features (CEF) were found by City of Austin staff during site visits on June 11 and 17, 2014. A map of the geological CEFs is attached to these comments.

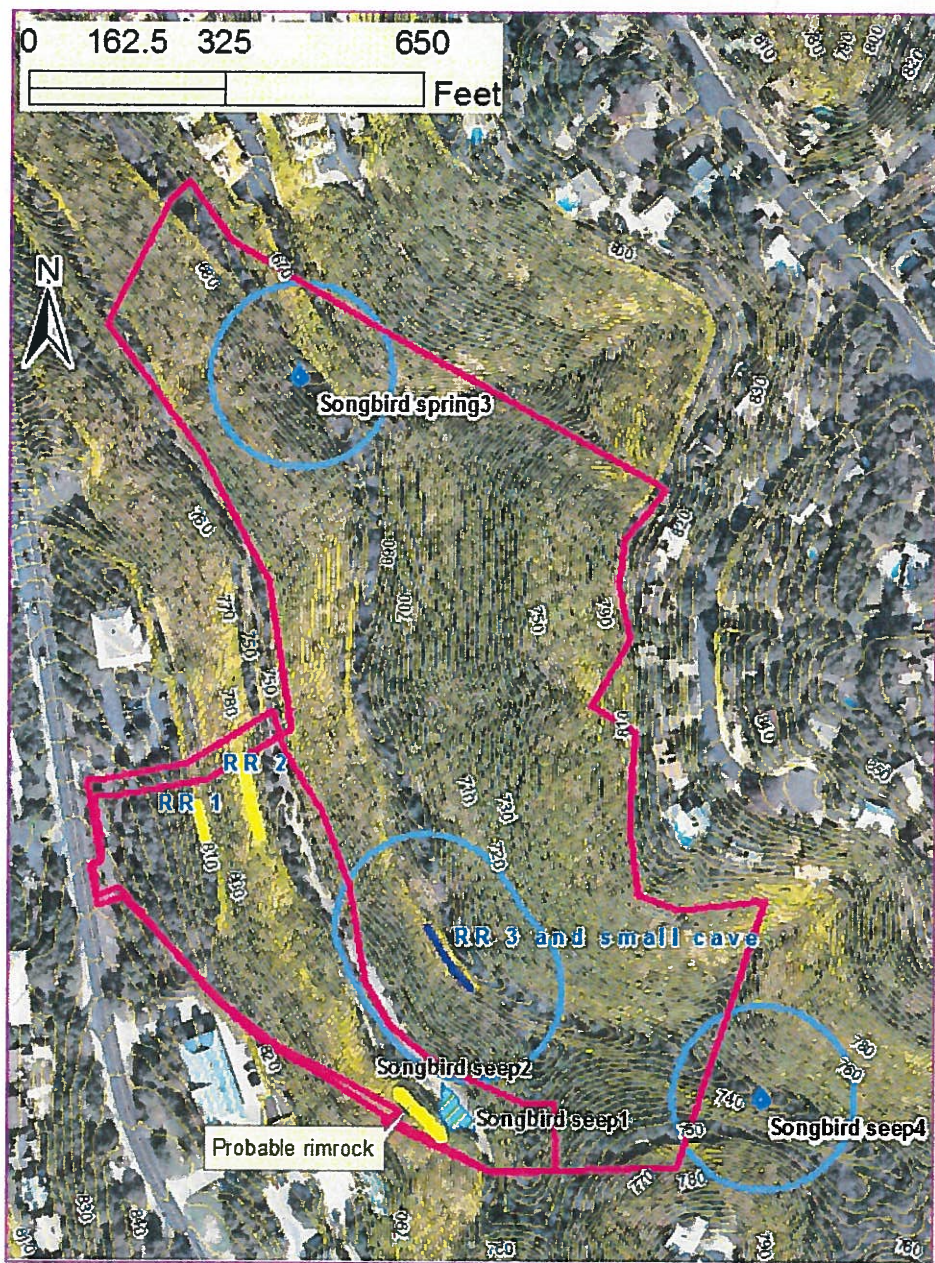
- HG 6. A second canyon rimrock CEF was identified downslope of R-1 on the 4 acre tract. On the attached map, R-1 is labeled RR1 and the second canyon rimrock is labeled RR2. This rimrock is 5 to 8 feet in height and greater than 100 feet long. It is a vertical outcrop of the Bee Caves member of the Walnut Formation, based on the fossils *ceratostreon texanum*, *turritella* sp. and *texigrypha mucronata*. This CEF location needs to be surveyed and shown on the plat. The applicant may need a variance to reduce the standard 150-foot width CEF buffer.
- HG 7. Songbird Seeps 1 and 2 were identified at the base of the hill in the southeastern corner of the 4 acre tract. These seeps discharge from conduits and support wetland plants such as maidenhair fern, spike rush and juncus tenous and bushy bluestem. Their locations need to be surveyed and shown on the plat. The applicant may need a variance to reduce the standard 150-foot width CEF buffer if any proposed construction will occur within 150 feet.
- HG 8. Please show CEF buffers for Songbird Seeps 1 and 2. The buffer should be 150 feet unless the applicant seeks a variance to reduce the buffer radius. If a variance is sought, coordinate with this reviewer and the Environmental Reviewer as the procedure is dependent upon the type of variance sought.
- HG 9. A wetland was found at the base of the slope near the seeps on the 4 acre tract. Please coordinate with Andrew Clamann, Wetlands Biologist Reviewer, to determine appropriate protection of the wetland.
- HG 10. Songbird Spring 3 was found in the creek in the northern portion of the 20 acre lot. The spring discharges from a conduit located along a solution-enlarged fracture and occurs within a seep zone. Groundwater discharges on both sides of the creek and within the creekbed at this knickpoint. Travertine, maidenhair fern and *helenium* sp. flourish at this location. Please survey the location of the spring and adjacent seep zone and show it on the plat and label it as a Critical Environmental Feature.
- HG 11. Please show a 150-foot radius Critical Environmental Feature buffer for Songbird Spring 3 as a hatched or shaded area and label it as a Critical Environmental Feature buffer.
- HG 12. Songbird Seep 4 was found in the creek offsite of the eastern portion of the 20 acre lot. The spring discharges from a conduit located on the southern bank and as seepage along both banks. Travertine, maidenhair fern and inland sea oats indicate sustained groundwater flow. Although the location of the spring and adjacent seep zone are offsite, please show the portion of the 150-foot radius buffer that extends onto the plat and label it as a Critical Environmental Feature buffer.
- HG 13. A third canyon rimrock CEF, called RR 3, is located in the creek on the 20 acre tract. It is approximately 4 feet in height and greater than 100 feet long. A small cave or paleo spring conduit is located within the canyon rimrock. The aperture is 4 feet wide by 2 feet in height. Two passages branch out from the aperture, one extends 9 feet to the east and the other 12 feet to the west. It is similar in appearance to spring outlets at the head of Stillhouse

Project Name: Overlook at Spicewood Springs
Address: 4920 SPICEWOOD SPRINGS RD
File Number: C8-2014-0066.0A






Hollow Canyon, albeit on a smaller scale. Please survey the extent of the canyon rimrock and show the location on the plat and label it as a Critical Environmental Feature.

- HG 14. Please show a 150-foot radius Critical Environmental Feature buffer for Songbird Spring 3 as a hatched or shaded area and label it as a Critical Environmental Feature buffer.
- HG 15. A variance to reduce the CEF buffer of RR3 may be required if the proposed wastewater connection will occur within the buffer. Please determine if the limits of construction will encroach into the buffer.
- HG 16. A probable canyon rimrock CEF was identified on the 4 acre tract and upslope of Songbird Seeps 1 and 2. Please inspect and determine if canyon rimrock exists. If so, include the canyon rimrock CEF in the ERI and show on the plat, per usual practice.
- HG 17. Additional comments may be generated with future updates.

Overlook at Spicewood Canyon C8-2014-0066.0A



Legend

-  Wetland
-  Overlook at Spicewood Springs site plan
-  Springs
-  Rock Outcrops
-  Biological Resource Buffers

This map was produced by Sylvia R. Pope, P.G. It represents the approximate location of environmental features on the site and should not be used for any purpose other than a general depiction of feature locations. All features must be surveyed for accuracy and for application to plans, site plans or other instrument. June 19, 2014.

Case Number:

C14-2014-0178**PETITION**

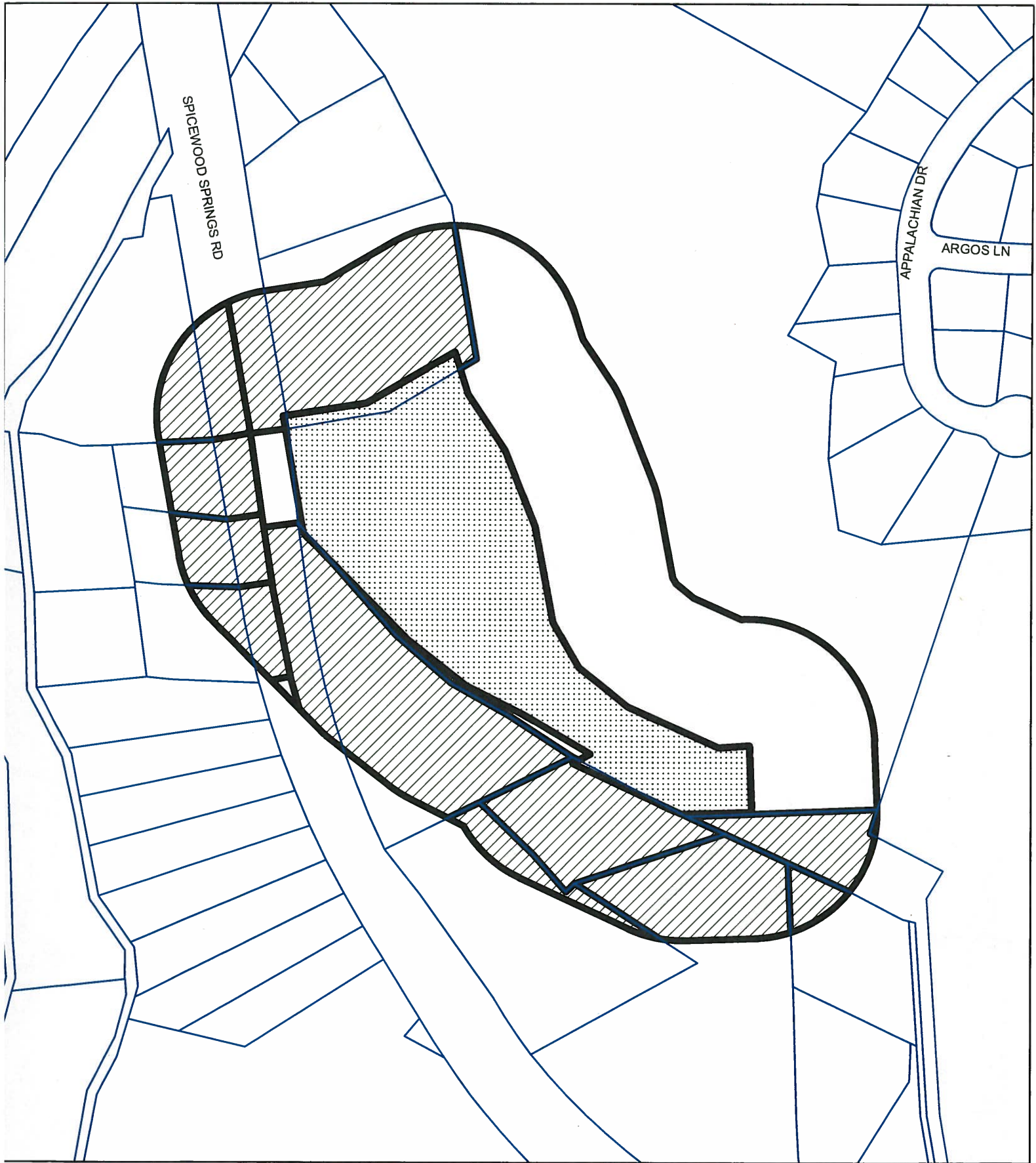
Date: 1/29/2015

Total Square Footage of Buffer: 588206.2661

Percentage of Square Footage Owned by Petitioners Within Buffer: 40.92%

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

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0147050205	4926 SPICEWOOD SPRINGS RD 78759	4926 SPICEWOOD JOINT VENTURE	yes	78636.59	13.37%
0145050201	4800 SPICEWOOD SPRINGS RD 78759	AUSTIN/CENTRAL TEXAS REALTY INFORMATION SERVICE	no	38790.04	0.00%
0147030374	4614 SPICEWOOD SPRINGS RD 78759	BRUECKL NORMAN EDWARD JOHN	no	5824.22	0.00%
0147050105	4937 SPICEWOOD SPRINGS RD 78759	CROWN CASTLE GT COMPANY LLC	no	22578.97	0.00%
0145030610	4612 SPICEWOOD SPRINGS RD 78759	JOHNSTON LESLIE ANN MILLER	no	20355.57	0.00%
0147030373	8200 130 NEELY DR 78759	MULTIPLE OWNERS	no	181.69	0.00%
0147050213	4810 1 SPICEWOOD SPRINGS RD 78759	MULTIPLE OWNERS	no	11513.83	0.00%
0147050107	SPICEWOOD SPRINGS RD 78759	OARS INVESTMENTS LLC	no	15280.20	0.00%
0147050106	4901 SPICEWOOD SPRINGS RD 78759	ROBERSON JAMES E & MONTA JANE AKIN	yes	17630.89	3.00%
0147050203	4900 SPICEWOOD SPRINGS RD 78759	SKY BLUE AUSTIN LLC	yes	92066.13	15.65%
0147050202	4810 B SPICEWOOD SPRINGS RD 78759	SOLTER EDWARD H III & SCOTT MORLEDGE & BRUCE WENCEL & JAMES COOK	yes	39201.36	6.66%
0147050108	4833 SPICEWOOD SPRINGS RD 78759	SPICEWOOD CANYON PARTNERSHIP	yes	13162.11	2.24%
Total				355221.60	40.92%



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

CASE#: C14-2014-0178

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.



" = 200 '

AUSTIN CITY CLERK
RECEIVED

P E T I T I O N 2015 FEB 3 PM 2 40

Date 1/6/2015

File Number: C14-2014-0178

Address of

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

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby approve the change of the Land Development Code which would zone the property to LO if the site development standards are held in strict accord and if the usage and height is restricted per the recent recommendations of the Zoning and Platting Commission and attached Conditional Overlay.

REASONS FOR PROTEST

It appears that the current proposed site plan for the *buildable* land would allow a building footprint and overall size that would require variances resulting in an environmental impact, affecting adjacent property values, exceeding adjacent building's appearance, size, and ambiance, and markedly add traffic volume to an already exceedingly high density traffic flow.

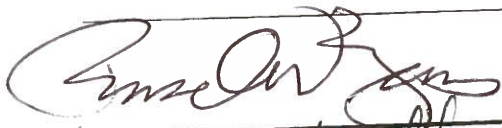
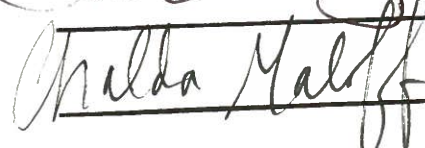
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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

 Russell W Zeaps 8546 Adirondack Tr. #13
 CHALDA MALOFF

P E T I T I O N

Date 1/6/2015

File Number: C14-2014-0178

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Signature

Printed Name

Address

BW Monroe
Sally Monroe

BW Monroe
Sally Monroe

8546 Adirondack Tr, #14
Austin, TX 78759
8546 Adirondack Trail #14
Austin, TX 78759

P E T I T I O N

Date 1/6/2015

File Number: C14-2014-0178

Address of

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

8546 Adirondack Trail
Austin 78759

Ronnie Volkening

RONNIE VOLKENING

#7

Consuelo Volkening

CONSUELO VOLKENING #7

Signature

Printed Name

Address

8546 Adirondack
Austin Trail
78759

Patti Halladay PATTI HALLADAY #6

Brander Boesch BRANDER BOESCH #1

Anita Sandhu ANITA SANDHU #1

Eydie Webster EYDIE WEBSTER #5

Anthony Webster ANTHONY WEBSTER #5

Jennifer Vail JENNIFER VAIL #2

Gail Brown McPhail GAIL BROWN MCPHAIL #4

John M. Vail JOHN M. VAIL #2

P E T I T I O N

Date 1/6/2015

File Number: C14-2014-0178

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

8540 Adirondack Trail
Austin 78759

Bob Otto

BOB OTTO

#21

Patricia Otto

PATRICIA OTTO

#21

Signature

Printed Name

Address

8540 Adirondack Trail
Austin TX 78759

Kim Marable	Kim Marable	#22
Rob Marable	Rob Marable	#22

Marvin Schrage	MARVIN SCHRAGER	#24
Sandra Schrage	SANDRA SCHRAGER	#24
Charles Ball	JARON KHOURY	#24

Charles Ball	Charles Ball	#18
W. Steven Cannon	W. Steven Cannon	#18
Frank Johnson Suglia	FRANK JOHNSON SUGLIA	#16
Kay Johnson Suglia	KAY JOHNSON SUGLIA	#16

Anita Albert	Anita Albert	#17
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Sirwaitis, Sherri

From: Jayna Judd <jayna@mbsquoteline.com>
Sent: Wednesday, December 03, 2014 11:39 AM
To: Sirwaitis, Sherri
Subject: Spicewood Springs Zoning (Overlook at Spicewood Springs Road)

Dear Sherri,

Our business occupies an office at 4807 Spicewood Springs Road, directly across from the new Austin Board of Realtors. Traffic has become a huge issue on Spicewood Springs Road; not only the volume but the SPEED. About a week or two ago, there were two wrecks right outside our windows (which face Spicewood Springs Road). Pulling into and out of our parking lot is a real safety concern. One day while heading west trying to take a left turn into our parking lot, a BMW going at least 60 mph came screaming up behind me (I was stopped in the road) and almost crashed into me; he slammed on his breaks and skidded off to the right). After this incident, I called 311 and asked them to more closely monitor the speed on our road and get out here and give some tickets (a true revenue-generating opportunity for the city!); instead, they put one of those 'speed monitoring' devices up but it was east of our building where there is still a grassy divide (closer to Walgreen's). Not sure what good it did.

Anyway, I could go on and on but when I sit in my office and look at people FLYING by here and others stopped trying to make turns, it's pretty frightening – and ABOR isn't even open yet! I know they can have hundreds of people coming/going on a daily basis for training classes, etc.; so something needs to be done on this road before even MORE office buildings are constructed.

Please re-direct this if not of concern to you. I would really like to get the attention of someone regarding this matter!!

PS – I obtained your info from an article posted today in the NWACA newsletter.

Jayna Judd

Operations Manager

MBSQuoteline

512.343.0003

jayna@mbsquoteline.com

www.mbsquoteline.com

www.mbsquoteline.com/m



Ask me how to 'create an app' for MBSQuoteline on your iPhone!

Refer a Friend - **Get a Free Month!**

Sirwaitis, Sherri

From: Brad Parsons <maulbrad@hotmail.com>
Sent: Wednesday, December 03, 2014 1:21 PM
To: Sirwaitis, Sherri
Subject: Comments on Proposed "Overlook at Spicewood Springs"

Re: The proposed *Overlook at Spicewood Springs* at 4920 Spicewood Springs Rd. -- [Now scheduled to be heard by the Zoning and Platting Commission in their December 16th.]

Dear Case Manager:

I live near this proposed development, among other huge developments proposed **along Spicewood Springs Rd. for which the constrained transportation infrastructure (roads) cannot handle.**

Neighbors recall a rezoning case that was active this past summer for the property at 4920 Spicewood Springs Road, where the developer sought to have the property zoned General Office (GO), to be able to build a 20,000 square foot office building on 4.283 acres, which is expected to generate about 386 additional car trips per day on Spicewood Springs Road.

Neighbors nearby objected to the additional traffic, the size of the building, and the setback from the road (wanting it to be further back). In addition, there were issues raised about impact on critical environmental features. That case was denied by City Council in August, after active involvement of the neighbors.

The property owners have returned with another rezoning request, this time for Limited Office (LO), with essentially the same building plan, but set back 10 feet further from the street because of LO requirements. This is not adequate mitigation. Impacts on traffic and the size of the building have not been adequately addressed. This is unacceptable. Request that this re-application be pulled from the ZAP agenda by Staff and that the developer be required to address the other issues, the traffic and building size issues, raised by Council.

Brad Parsons,
NW Hills

Note to Staff: Things are going to be changing under *10-1*, in more ways than one might *Imagine*. Those of us who ushered *10-1* through the whole process expect a lot more accountability and responsiveness out of you all from here on out.

Sirwaitis, Sherri

From: Christine Engler [REDACTED]
Sent: Wednesday, December 03, 2014 5:40 PM
To: Sirwaitis, Sherri
Subject: Opposed to the Zoning Change Request for 4920 Spicewood Springs Road

Dear Ms. Sirwaitis,

I am writing to state my opposition to the developers' request to change the zoning for The Overlook on Spicewood Springs Rd to LO-Limited Office. The proposed development and zoning change will have a negative impact on the traffic on Spicewood Springs Road which is only two lanes in that location and is already overcrowded. I also oppose the development and zoning change because of the negative environmental impact I believe it will have on the area.

Please include my comments in the backup material for the Zoning Commission Hearing scheduled for [December 16th](#).

Thank you,
Christine Engler

Sirwaitis, Sherri

From: K Kissoyan [REDACTED]
Sent: Thursday, December 04, 2014 11:06 AM
To: Sirwaitis, Sherri
Subject: Zoning Change for the Overlook

Hello,

I will not be able to attend the meeting on 12/16 before the COA Zoning Commission, but I wanted to let you know my position on the current request by the developer to change the zoning for The Overlook to LO (Limited Office). As a neighbor, I respectfully request that the developer's proposed change be denied. Until the environmental and traffic-related issues are addressed and resolved to the satisfaction of those of us who live here (and I mean those of us, the neighbors, but also those of us, Austinites as a whole; environmental impacts can have far-reaching and often unanticipated effects), it would be short-sighted and irresponsible to grant the proposal to change the zoning to LO.

Thank you for your time and attention.

Best,
Kimberley Kissoyan
Mountain Path Circle 78759

--

"It is paradoxical that many educators and parents still differentiate between a time for learning and a time for play without seeing the vital connection between them."

-- Leo F. Buscaglia

"The better you are at your job, the more you're rewarded, financially and spiritually, by doing it. You know how to solve problems for which you receive praise and money. Home life is more chaotic. Solving problems is less prescriptive and no one's applauding or throwing money if you do it right... Learn to embrace the chaos of family life and enjoy the small victories."

-- Kareem Abdul-Jabbar

Sirwaitis, Sherri

From: Martha Blomquist <marthablomquist36@gmail.com>
Sent: Sunday, December 07, 2014 11:52 AM
To: Sirwaitis, Sherri
Subject: Three story office on Spicewood

I, Martha Blomquist, am extremely opposed to the office building being built on Spicewood..I feel it would be unsightly, obtrusive, and environmentally a hazard. Please prevent this from being approved. There is already too much traffic on Spicewood making it hard to commute for many people.

Martha Blomquist,
Citizen of Austin

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: C14-2014-0178

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 16, 2014, Zoning and Platting Commission

Jan 29, 2015, City Council

NORMAN BRUTECH

Your Name (please print)

4614 SPICEWOOD SPRINGS ROAD

Your address(es) affected by this application

Norman E. Brutech

Signature

Daytime Telephone: 512-346-6246

Date

12/7/2014

☒ I am in favor
☐ I object

Comments:

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0178

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 16, 2014, Zoning and Planning Commission
Jan 29, 2015, City Council

Karen Schmidt

Your Name (please print)

8200 Neely Drive #161

Your address(es) affected by this application

78759

Karen Schmidt

Signature

12-6-14

Date

Daytime Telephone: 512-414-2291

Comments: This will cause more traffic congestion on Spicewood - there is an inadequate infrastructure in place. The noise pollution from construction is horrific not to mention the negative affect on the wildlife around Neely's Canyon. I adamantly oppose any commercial construction on the two lane street of Spicewood Springs Rd.!!

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0178

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 16, 2014, Zoning and Platting Commission

Jan 29, 2015, City Council

Hydia Maese
Your Name (please print)

☐ I am in favor
☒ I object

8200 Weely Dr., #127
Your address(es) affected by this application

Hydia Maese
Signature

12-7-2014
Date

Daytime Telephone: _____

Comments: 1. More traffic - Traffic is already over crowded
2. Encouraging wildlife - deer, coyotes already in
an back & forth, they have nowhere to go
3. Destroys natural surroundings - more concrete
produces extreme heat & cold, shows how to walk
& enjoy close to home - creates more noise
4. Increased property taxes - we already pay
ridiculously too much!
5. Schools are crowded - too many "school zones"
Slowing already crowded traffic at street 5

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Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0178

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 16, 2014, Zoning and Platting Commission

Jan 29, 2015, City Council

NEUSA Houtz
Your Name (please print)

☐ I am in favor
☒ I object

4807 PICEAN SPRINGS RD

Your address(es) affected by this application

[Signature]
Signature

12.8.14
Date

Daytime Telephone: *512.795.6977*

Comments:

*The buildings are choking out
the neighborhood -
too much traffic for the
road to accommodate as it is -
Depreciation in property values
in those who invested in
residential properties -*

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0178

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 16, 2014, Zoning and Platting Commission

Jan 29, 2015, City Council

Sandra Wright

Your Name (please print)

8200 Neeley Dr. #119 78759

Your address(es) affected by this application

Sandra Wright

Signature

12-10-14

Date

Daytime Telephone: 512 922-3553

Comments:

Spicewood Springs Road is already too congested with the onset of construction and businesses. I do not want the zoning changed to further aggravate this problem!

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

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Case Number: C14-2014-0178

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 16, 2014, Zoning and Platting Commission

Jan 29, 2015, City Council

Richard Brimer
Your Name (please print)

Bull Creek Foundation

Your address(es) affected by this application

Richard Brimer

Signature

Dec 10, 2014
Date

Daytime Telephone: 512.750.1227

Comments: See Attachment

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0178

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 16, 2014, Zoning and Platting Commission
Jan 29, 2015, City Council

Tyson W Lee
Your Name (please print)

8200 Neeley Dr. #119 Austin 78759
Your address(es) affected by this application

Lee W Lee
Signature

512 431-2724
Daytime Telephone

Dec 11, 2014
Date

☐ I am in favor
☒ I am object

Comments: I oppose the zoning
changes for ecological
reasons!

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

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



Bull Creek Foundation

6417 Yaupon Drive
Austin, TX 78759
(512) 343-9084

December 10, 2014

Sherri Sirwaitis
City of Austin
Planning and Development Review Department
PO Box 1088
Austin, TX 78767-8810

Re: C14-2014-0178

Dear Ms. Sirwaitis:

I am contacting you concerning the development at 4920 Spicewood Springs Road, commonly called "The Overlook".

After careful consideration of the proposal to rezone the property at 4920 Spicewood Springs Road from SF-2 to *Limited Office*, the Foundation recommends that the Zoning Commission **vote NO and not approve this zoning change request.**

The Bull Creek Watershed, according to a 2011 City of Austin report, is 24.7 square miles with 16.3 miles within the recharge zone. Bounded by US 183, RR 620, RM 2222, and Loop 360, Bull Creek drains much of Northwest Austin. The heart of the watershed is along Spicewood Springs Road, which has along its route, horses, ranches, multi-acre residential lots, and old and new housing developments. Spicewood Springs Road has seven low water crossings and about 40% of the watershed is included in the Balcones Canyonlands Preserve. The City erected road signs clearly identifying Bull Creek Watershed as an "environmentally sensitive zone". The Creek flows into Lake Austin, providing drinking water to the City. As Environment portion (section 3) of Community Inventory of the Imagine Austin Plan (page 3-22) states "Austin has given greater protection to its designated Drinking Water Protection Zone (DWPZ) watersheds, which drain to Lake Travis, Lake Austin, and to the Barton Springs Segment of the Edwards Aquifer". This includes the Bull Creek Watershed as indicated in map 3-10 in the referenced document.

None of the documents prepared in support of this zoning change have addressed the potential environmental impact of significant additional developments along Spicewood Springs Road. This should be a concern to the Council in light of the City's documented stance on water quality and the environmental sensitivity of the Bull Creek Watershed.

Specific concerns with the development include:

In the valley behind the property in question (approximately 20 acres) lie numerous small springs, a small wetland, multiple rim-rock formations, and a seasonal creek that drains the surrounding area and flows into Bull Creek. A comprehensive study should be conducted to determine the impact of large commercial developments adjacent to the valley on the springs and the quality of the water that subsequently flows into Bull Creek. It should also be of concern that the springs will be damaged and cease to flow if their source of water is blocked or diverted. The wetland area could dry up if its water sources are damaged.

The valley also supports a large and diverse wildlife population. Due to its proximity to the Balcones Canyonlands

Preserve the 20 acres should be studied to understand the impact of major development on the wildlife and any endangered species in the immediate area.

In an earlier zoning request (the summer of 2014) the developer's request was denied by the City Council and it was widely opposed by local residents, businesses, HOAs, and the Bull Creek Foundation. The new proposal does address the type of zoning change by requesting only to LO as opposed to GO. While this change is welcomed by the Foundation, it must be pointed out that it comes at the expense of the setback requirements to the rimrock at the back of the development. A variance to allow the smaller setback is not consistent with the sensitivity of the watershed.

The developer has already clear-cut part of the property prior to an inventory of heritage trees on the lot. At this point there is no way to determine whether or not any heritage trees have been destroyed. This indicates a lack of sensitivity on the part of the developers to the environmental impact of their project. Previous commercial developments have taken into account and preserved heritage trees on their property, recognizing their value to the community, the environment, and their tenants.

Other considerations include:

1. Increased traffic along Spicewood Springs Road. It is my understanding there are approximately 22,000 daily car trips over this section. With the construction of the Austin Board of Realtors building as well as the proposed building (the Overlook) the increased traffic will have a negative impact in the entire area. At this time the City does not have plans to mitigate the growth of traffic along the corridor (this includes adding additional bus routes, widening Spicewood Springs Road to four lanes for its entire length, or adding left turn lanes either at select locations or adding a single left turn lane in the middle of the road). Not enough attention has been paid to the impact of the new building on the traffic patterns of Loop 360 or Loop 1 that is already overburdened much of the day, especially at rush hour. Both of these roads would feed the additional traffic onto Spicewood Springs Road and for new building.
2. Although Spicewood Springs Road is labeled in City documents as an "arterial" roadway, the character of the road at this point is more of a country lane. The addition of another office building constructed under *General Office* zoning regulations (in addition to the Austin Board of Realtors facility) would destroy the current character of the surrounding neighborhood and cause the Spicewood Springs corridor to resemble Burnet Road as opposed to a quiet backwater in Northwest Austin. Existing commercial development along Spicewood Springs Road is set back significantly from the road, visually blends in with the existing vegetation and is unobtrusive. The proposed building makes no attempt at integration with the existing neighborhood and environment.
3. The Imagine Austin Comprehensive Plan (Appendix D; Centers and Corridors) identifies 48 "activity centers" of commercial development. The Spicewood Springs Road/Mesa Road area is not identified as one of those centers. The closest center is at the intersection of Far West Blvd and Loop 1. In addition, Spicewood Springs Road is not identified as a major traffic corridor and does not have any planned High Capacity Transit traffic stops. Because of this any commercial development at 4920 Spicewood Springs Road is unlikely to have significant mass transit in the foreseeable future (indeed, the plan shows Spicewood Springs Road with only limited bus routes). The Transportation section (7) of the Community Inventory shows the section of Spicewood Springs Road in question is already between 130% and 150% of traffic capacity based on 2010 information.
4. Additional commercial traffic generated by the development will generate ancillary toxic pollutants that will flow into Bull Creek, as Spicewood Springs Road does not have an adequate infrastructure to capture or filter these pollutants before they reach Bull Creek.
5. A different developer has recently proposed a new development at the intersection of MOPAC and Spicewood Springs Road. This development known as the Austin Oaks PUD will greatly increase the east-west traffic on Spicewood Springs Road and Anderson Lane by increasing the density of commercial buildings and the construction of multiple condominium buildings. Sufficient study has not been conducted on the combined impact of these two developments. At the current time the City has no plans to increase the capacity of Spicewood Springs Road by adding additional lanes or improving the mass transit options in the area.

6. If the owner transfers the remaining 20 acres of the property to a land trust or some other organization which is capable of managing the tract as a "preserve" so that it will never be developed the Bull Creek Foundation might consider this step as an adequate trade-off for the development of The Overlook. Unfortunately the speed of the development request has made it impossible to examine this option fully. The Bull Creek Foundation lacks the funding and infrastructure to manage a property of this size. While we have been looking for an organization who can provide the support necessary, we have not yet found an organization willing to accept the responsibility.

In conclusion, the Bull Creek Foundation believes the proposed zoning change and subsequent development of the property at 4920 Spicewood Springs Road beyond its current SF-2 zoning is ill advised. In general the Foundation cannot support commercial development on that section of Spicewood Springs Road without a complete study of the environmental impact of the development on the Bull Creek Watershed and setting aside the additional 20 acres as a public space or limited access preserve. Of additional concern is the immediate impact on the aesthetics of the surrounding neighborhood and increased traffic in an already congested section of the City.

Again, the Bull Creek Foundation respectfully requests the Zoning Commission vote "NO" on the zoning change.



Rick Brimer, President
512.750.1227cell



Sirwaitis, Sherri

From: Beverly Roland <bevroland08@gmail.com>
Sent: Saturday, December 13, 2014 5:44 PM
To: Sirwaitis, Sherri
Subject: Fwd: Please Reject Zoning Request for Overlook at Spicewood Springs (C14-2014-0047)!!!!

Dear Sherri:

Please read and also forward this message to the Zoning and Platting Commissioners since my messages to all of them (from the city's website) were kicked back as not good addresses. Thanks.

We are very concerned about the proposed construction of the Overlook at Spicewood Springs (C14-2014-0047) at 4420 Spicewood Springs Road. We travel this narrow road all the time and feel that this project should not get a zoning variance approval!! We understand that a decision to approve the variance has not been made yet. As far as we are concerned, nothing has changed. We feel that there are a variety of reasons to deny this request!!

Among them are: 1) Spicewood Springs is still a two lane, rural-type highway, backing up to a canyon on both sides; 2) it is a winding road with a speed limit of only 30/mph from Hwy. 360 to just west of Mesa; 3) it has office buildings that are mostly one-story (except for the new, huge monstrosity of a building built for the Austin Realtor's Association that we found out about too late to be able to protest); 4) there are many residential homes and condos whose only access is Spicewood Springs, and 5) there are NO plans to widen or "improve" Spicewood Springs in the foreseeable future.

Not only is this building inappropriate for the character of the area, it will generate too much traffic for this small road. Traffic already backs up from Hwy. 360 to Mesa on many occasions because cars want to turn left into a parking lot or driveway. Imagine a forest fire in the Canyon and all the traffic trying to evacuate onto Spicewood Springs!!

We don't trust the builder to be forthright either. Already, his plans are deceiving as the rendering makes it look like the building will be two stories, when in fact, it is 3 stories high. (Please review the BCA Master Plan PowerPoint slides at: [Spicewood Sprints Zoning - Power Point Presentation](#)., which you may have seen.)

As you can read in #2 in the list below, Scott Taylor is making an assumption of work being done on Spicewood Springs in the near future and is, therefore, working from a road plan from 2005 which is completely outdated since there are NO plans at all for any improvements to this road! In fact, when we moved to Austin in 1989, we were told that all plans to improve Spicewood Springs were off the table, and there was no expectation that any upgrades that would be made anytime in the future! We've never seen the 2005 plan he is talking about.

From the following information we have received, we see plainly that there are several items that still need to be addressed in Scott's presentation:

1. The building is still on top of rim rock. Code

i

s 150 feet from rim rock. Keep in mind Scott

Taylor

got a variance on the

Austin Brownfields Revitalization Office (

ABRO

),

and went back and asked for m

or

e

!!

. The building is 5 feet from the rim rock.

2. The Road plan he has is from 2005. The NWACA expected that road to be done in 1998. Know that it would requires a 25 foot cut into the hill from Loop 360, the moving of water lines and phone lines. And huge retaining walls would have to be built

.

There are no plans for this road

, especially since this would be a very expensive endeavor and more animal habitats would be destroyed.

3.

"Natural undeveloped open space

.

" If you have never been on this tract, this is all slope with

"Critical

E

nvironmental

F

eatures" (CEF's). In addition, rezoning this property would reduce many trees and native habitats, and probably protected oak trees.

4. "Limits of construction

.

" This would connect this supposed subdivided tract to the only flat area.

We are c

urious

as to

why

this
is included.

Our guess is to make
another access point to the back
of the
tract.

I have heard that Scott asked for access from another adjoining land owner.

5. "The remainder of the tract SF-2

" There are no guarantees.

6. If you look at one of the slides you will see the entire tract is covered with CEF's, I have attached a copy of the original BCA Master Plan (FB Save Bull Creek)
(see link above)
for this tract.

Please see why it states it should not be developed.

Keep in mind the land has not changed over time (except for the illegal cutting of trees)
. We
do not have to
ensure a profit from development from anyone.

7. In the "presentation

" Scott's rendering of the building next to the surrounding buildings, doesn't show that it is 3 stories high when the others are 1 story. Quite deceiving.

8. Finally, know that Scott Taylor described the ABRO as
a
set back, diminutive, not really seen from the street.

Please, please vote NO CHANGE in zoning for the Overlook at Spicewood Springs property!! It's more than just wanting to keep the character of Austin in tact... It's definitely not the right fit for this location for a multitude of reasons!!!

Thank you for your careful consideration. Beverly & Richard Roland, Austin, TX

Rusty Martin

8200 Neely Drive, #156

Austin, TX 78759

512/796-4857

rustymartin_2000@yahoo.com

RE: Case Number: C14-2014-0178 - Overlook at Spicewood Springs
Public Hearing: December 16, 2014, Zoning and Platting Commission

Dear Members:

Please consider this **OBJECTION** to the rezoning request by Civile LLC regarding 4920 Spicewood Springs Road (Case #C14-2014-0178 - Overlook at Spicewood Springs) during your deliberations on this proposed project.

I am the Treasurer of the Neely's Canyon Homeowners Association. I am also registered as an "interested party" with regard to this project.

Neely's Canyon is a thriving 126-unit condominium complex constructed in 1983 by the Larry Peel Company. Over the years, Neely's Canyon has become one of the anchors of the residential community located between Mesa Drive and Highway 360. Two of the three entrances to Neely's Canyon are located on Spicewood Springs Road, and the proposed project is located within 500 feet of the complex.

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

- Spicewood Springs is already a heavily congested road, particularly during the morning and evening rush hours, and this project will only add to the congestion. Our understanding is that a traffic study by the City has been deemed unnecessary by city staff. That decision is difficult to believe and/or comprehend, particularly when considering the expected impact on traffic related to the ABoR building nearing completion on Spicewood Springs that is described in the next bullet point.
- There is already a large, multi-story office building under construction (and nearing completion) by the Austin Board of Realtors ("ABoR") that is located on the same side of Spicewood Springs between my condo in Neely's Canyon and the proposed project site. During construction, the noise was incessant from equipment constantly pounding into the rock, along with all other associated construction noises. Traffic routinely backed up due to the in-and-

out of heavy construction equipment. Who knows how bad the traffic is going to be once this huge, ugly building opens for business? One can only guess. The construction site itself was a disgusting eyesore that we, our guests, and any potential Neely's Canyon condo buyers had to endure. Many trees were removed, and wildlife in the canyon was displaced. And now this proposed project would extend the noise, confusion, and filth for another 18 months, at least.

- This area was **supposed to be a residential area**. That was the original plan, and that is one of the reasons that I and most of my neighbors bought our condos in Neely's Canyon. We didn't want to be surrounded by office buildings, with all the traffic and hustle-and-bustle of everyday commerce. What purpose is there in changing the zoning now? Staff's recommendation states the proposed zoning will permit the applicant to "provide services to the nearby residential areas." That is ridiculous. There will be no services provided to the nearby residential areas. What "community needs" will be addressed by allowing this project to proceed? (The same question can be and should have been asked about the ABoR project that is nearing completion.) Our community doesn't "need" another office building or any other type of commercial enterprise on Spicewood Springs.

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

Therefore, we strongly urge you to **disapprove** this particular zoning request (#C14-2014-0178). If it's such a good project, then we suggest the developers build it next door to their own homes, rather than next to ours.

Sincerely,

Rusty Martin
Treasurer, Neely's Canyon HOA

Zoning Case C14-2014-0047

The Overlook at Spicewood Springs

Madam Chair and Commissioners,

On Tuesday you will again hear Tierra Concepts', Scott Taylor present to you The Overlook at Spicewood Springs Road. This time he is asking for LO. Earlier this year it was GO.

There was a valid petition however after hearing the facts about the case, Council voted it down.

I plan to present Tuesday but I realize the time is very limiting. Scott Taylor also brought you the Austin Board of Realtor Building. In watching the recording of that meeting in Jan. 2013 he states this about that development:

"From the street it will be 40 feet high"

"Parking will be down below in back"

"Look diminutive"

"The building will be down below grade"

"Cut in"

"Visually tucked down into the site"

"Down below Spicewood Springs Rd"

These were the stated facts from Scott Taylor. This building is over 77 feet tall, and over 114,600 square feet. The parking is all above grade and you can look through all levels of the parking garage to the valley on the other side from Spicewood Springs Road.

This building is nothing let Scott Taylor told you it would be, this is a fact.

His new project I expect will be the same. Even though neighbors gave him some parameters that they would accept he has done nothing to work with, nor show any good faith to them in return.

Having worked on the Master Plan for this area in the 1980's no building on that road was to have been more than 2 story high from street level. If he suggests, or staff suggests anything different it is not true.

He stated with the ABOR Building he met the Triangle Compatibility visually with neighboring properties. I am sure by now you realize Scott Taylor did not tell you the truth. I expect he will do the same with this project.

As a reminder this is zoned SF3. It is located in the Bull Creek Watershed, the Edwards Aquifer Recharge Zone, and The Golden Checkered Warbler Habitat. As mentioned the Balcones Civic Association Master

Plan has this tract states we recommend this tract in its entirety be retained as a conservatory and drainage easement." This tract has CEF's as well which Scott does show in his presentation.

The NWACA expected Spicewood Springs Rd to have been completed to Loop 360 in 1983. There are no plans, even though Scott Taylor presents a plan from 2005 in his presentation for this to happen. That would require a 25 foot cut into the road at the top of the hill from Loop 360, retaining walls, moving of water lines and telephone lines.

All current buildings are set back 25 feet on this road and nature is its best feature as it was designed to be by us that worked on this plan. A plan that makes NW Hills what it is today.

There are many flaws in his presentation. Even his drawing is out of proportion, it is not a 3 story building. The building is on top of the Rim Rock. Be advised that through the City's process Scott Taylor was able to build the ABOR building 5 feet from Rim Rock. Code states any building should be 150 feet from Rim Rock. So in the end he kept going back asking for additional variances over and over and now a building that is totally out of character disrupts everything we worked so hard for. The cut and fill for this building is over 18 feet.

I am asking that you please consider what you were told by Scott Taylor that day in January 2013 about what he was going to build and what he actually built. Please send a message that you do not and will not allow what did happen to happen again, nor will you believe what this developer states as history has shown he cannot be trusted.

If Staff supports this change then they too are being miss led and miss guided, and are not at all familiar with this area and its environmental features.

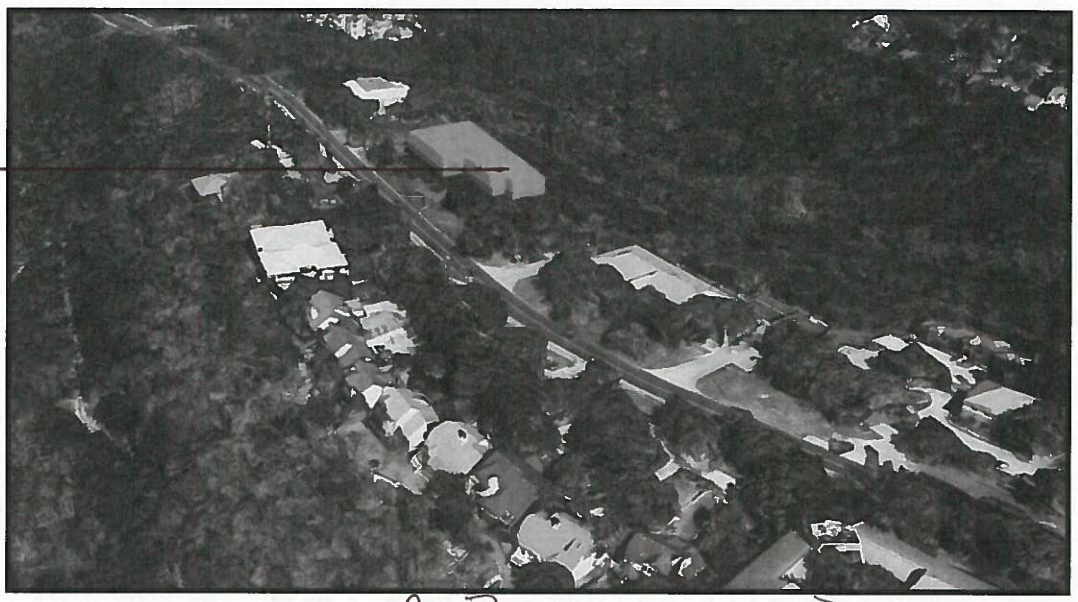
I ask that you vote "no" to a zoning change from SF3 to LO, that his proposal be denied. Our neighborhood has been changed forever by deceit. A building that should be on Loop 360 now sits towering on Spicewood Springs Rd. a two lane road that will not be changed. Scott Taylor has proven his lack of concern for your environment, your trust. Please Vote No. You have the power to say No.

"Buildings should fit the land not the land fit the buildings"

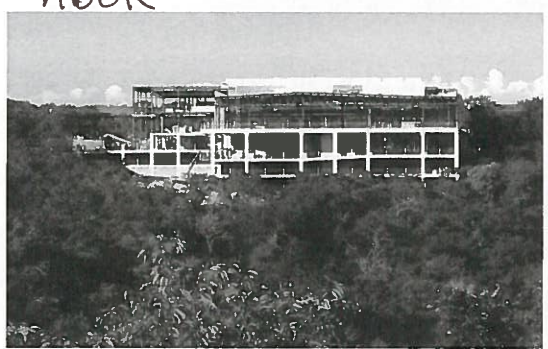
Thank you for your consideration,

Karen E. Sironi

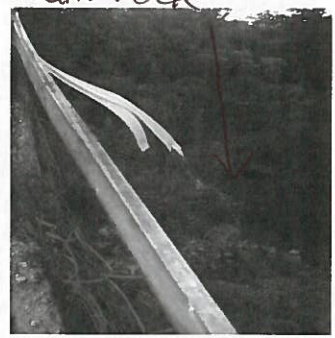
Proposed



ABOR



Lim Rock



PARKING GARAGE



BCA MASTER PLAN

Properties 4-1, 4-2, and 4-3

These properties comprise a large section of undeveloped land lying north of Spicewood Springs Road and bordered on the east by a private drive servicing a recent apartment complex and Adirondack Trail on the west. It is characterized by very rugged terrain and little buildable land. For that reason, we recommend that property 4-3 in its entirety be retained as a conservation and drainage easement, that property 4-2 be developed as low to medium density residential, and that property 4-1 be devoted to Office use. The portion of the Property 4-3 that is currently zoned Residence B should definitely be developed at very low density if at all.

Properties 4-4, 4-5

These two properties were purchased by the City of Austin in August 1980 to be used as a passive park. The 38.97 acres will include a narrow park road connecting Stock Avenue and the north-bound lane of Loop 360 (Capitol of Texas Highway).

EXHIBIT V

Zoning Plan - Area 4



Sirwaitis, Sherri

From: Jay Sands <jaysands2@gmail.com>
Sent: Friday, December 12, 2014 11:46 AM
To: Sirwaitis, Sherri
Subject: Overlook

Sherri,

Please include with Overlook materials.

Commission members,

I live directly across the canyon from the Overlook site and I'm opposed to the zoning request. To help clarify my position, I've attached a few photos as shown below.

The first photo is of the Overlook site. As you can see, the "major arterial road" referenced in the staff recommendation consists of a two lane street. You can also see towards the back end of the picture that the road starts to turn into a steep hill. The next property to the west sits at the top of this hill which goes down steeply into the intersection with 360. Placing a property this size barely above the crest of the hill, on a two lane road, leads to the potential of cars coming off 360, backing up at the top of the hill (which is blind from below) trying to turn left onto this property.



The picture below is of the property to the immediate west. As you can see, this building is situated well below the grade of Spicewood Springs and heavily covered with mature trees.



The building below is the property immediately to the east of Overlook. This building is one story, and also well shaded by mature trees. The size of this building was limited to one story, 28 feet in height, and a maximum size of 10,500 sq. feet by Zoning and Planning.



Below a rear view from across the canyon of the building on the east (left), Overlook lot (center) and building on the west (right). You can see that the existing properties are well covered by mature trees at the back of the property as well.



A better view of the property to the west.



As you can see from the pictures, both properties are low rise buildings, well covered by mature trees and blending in well with the surrounding area. The zoning change being requested would allow for a three story building with parking garage to be placed between these buildings. The potential building could be almost twice the size of the building that was permitted next door.

This request would allow for a building that's too large for the site aesthetically, environmentally, and will add too much traffic at concentrated times to a two-lane, already crowded street used heavily by neighborhood residents.

I ask that you reject this request.

Sincerely,

Jay Sands

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: C14-2014-0178

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 16, 2014, Zoning and Platting Commission

Jan 29, 2015, City Council

Micki J. Stovall

Your Name (please print)

8200 Neeky Dr #136 - (78759)

Your address(es) affected by this application

Micki Stovall

Signature

12/20/14

Date

Daytime Telephone: 512-342-7013

Comments: My condo in Neeky Canyon will be

affected primarily for me if the zoning is changed from a Single Family Neighborhood. This condo is my primary investment. I'm 70 years old & unemployed.

My property value will go down due to increased noise, traffic, car pollution, and a decrease in the deer & other wildlife currently in the canyon. Spruced Springs can't process current traffic alone increasing it. The views from the tower side of canyon will be compromised.

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

IF OBJECT.

Micki Stovall

Motion Sheet for Item no. 79
February 12, 2015 Austin City Council Meeting
Submitted by District 10-Councilmember Gallo

ZAP

I move to approve the ~~Planning~~ Commission recommendation on first reading with the following amendments:

- The front facade of a building or structure on the property facing Spicewood Springs Road shall be limited to 28.5 feet above natural grade. The rear façade of a building or structure on the property shall be limited to 38.5 feet above natural grade. Notwithstanding the above height limitation, the height, as defined by City Code, of a building or structure on the property is limited to 35 feet.
- Total gross square footage of all buildings or structures, not including a vehicular parking facility, on the property is limited to 12,000 square feet.
- Development of the property shall not exceed an impervious coverage of 32 percent.
- The following uses are prohibited uses of the Property:

Communications Services
Club or Lodge
College or University facilities
Communication Service facilities
Community Events
Congregated Living
Convalescent Services
Medical Offices > 5000 sq. feet
Medical Offices < 5000 sq. feet
Off Site Parking accessory parking
Day Care Services (Limited)
Day Care Services (General)
Day Care Services (Commercial)
Hospital Services (Limited)
Private Primary Educational Facilities
Private Secondary Educational Facilitates
Public Primary Educational Facilities
Public Secondary Educational Facilitates
Residential Treatment
Telecommunications Services or Tower ?
Urban Farm