

**PLANNING COMMISSION SITE PLAN  
CONDITIONAL USE PERMIT REVIEW SHEET**

C21  
/

**CASE NUMBER:** SPC-2015-0075AT **PLANNING COMMISSION DATE:** 5-12-2015

**ADDRESS:** 755 Springdale Rd.

**WATERSHED:** Boggy Creek (Urban)

**AREA:** 4.848 Acres

**COUNCIL DISTRICT:** 3 (Sabino Renteria)

**EXISTING ZONING:** CS-MU-CO-NP, Commercial Services, Mixed Use,  
Conditional Overlay, Neighborhood Plan

**PROJECT NAME:** Springdale Farms

**PROPOSED USE:** Outdoor Entertainment, with offsite parking for events

**AGENT:** Michelle Lynch  
Metcalf Wolff Stuart & Williams, LLP  
221 W. 6<sup>th</sup> Street, Ste. 1300  
Austin, TX 78701  
(512) 404-2251

**OWNER:** Paula and Glenn Foore  
755 Springdale Rd.  
Austin, TX 78702

**NEIGHBORHOOD ORGANIZATION:**

Barrio Unido Neighborhood Association  
Guadalupe Neighborhood Development Corporation  
Terrell Lane Interceptor Association  
Central East Austin Business Owner's Association  
El Concilio  
Austin Neighborhoods Council  
Holly Street Association  
AMA Neighborhood Association  
Chalmers Court Neighborhood Association  
Austin Independent School District  
Sentral Plus East Austin Koalition (SPEAK)  
Organization of Central East Austin Neighborhoods  
PODER People Organized in Defense of Earth & Her Resources  
East Cesar Chavez Neighborhood Planning Team  
Super Duper Neighborhood Objectors/Appealers Org.

**APPLICABLE WATERSHED ORDINANCE:** Current/ Comprehensive watershed ordinance  
**CAPITOL VIEW:** Not in View Corridor  
**SUMMARY STAFF RECOMMENDATION:** Recommended.  
**PLANNING COMMISSION ACTION:** 5-12-2015  
**CASE MANAGER:** Lynda Courtney, 512-974-2810

C21/2

**PROJECT INFORMATION:**

**EXIST. ZONING:** CS-MU-CO-NP

**SITE AREA.:** 4.8 Acres, 209,088 square feet **MAX. IMPERV. CVRG.:** 95%

**EXIST. IMP. CVRG.:** 5.2%

**PROPOSED IMPERV. CVRG.:** 5.2%

**REQUIRED PARKING:** 71 Spaces

**PROVIDED PARKING:** 3 HC onsite, 72 Offsite

**EXIST. USE:** Urban Farm

**PROP.USE:** Urban Farm, Outdoor Entertainment

**SUMMARY COMMENTS ON SITE PLAN:**

The applicant proposes to add a use, Outdoor Entertainment, which is listed as a conditional use, to an existing project whose current legal use is Urban Farm. The applicant has been operating as an urban farm use for several years and is requesting a change of use to provide a venue for outdoor entertainment events such as weddings. The offsite parking request is to provide adequate off-street parking to accommodate the proposed events.

The conditions, shown on the site plan, limit the annual number of events to 2 events of more than 150 people (these events are not allowed after 5 p.m.), 22 events of 51-150 people, and no limit to the number of events of 50 or fewer people. Amplified sound is limited to 75 decibels, measured at the property line; amplified sound is limited to 22 events per years, and no amplified sound is allowed during the last 5 days of Spring Festival Season, as defined in City Code 9-2-1 (12).

The outdoor entertainment events will be set up with moveable benches, seats and tables as needed per event. No permanent improvements are proposed with this CUP site plan.

**SURROUNDING CONDITIONS:**

**Zoning/ Land use**

**North:** SF-3-NP, Single Family residential

**South:** SF-3-NP, Single Family Residential

**East:** Springdale Road, the SF-3-NP, Single Family Residential

**West:** Mansell Avenue, then P, AISD Building (Offsite parking site)

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

C2/3

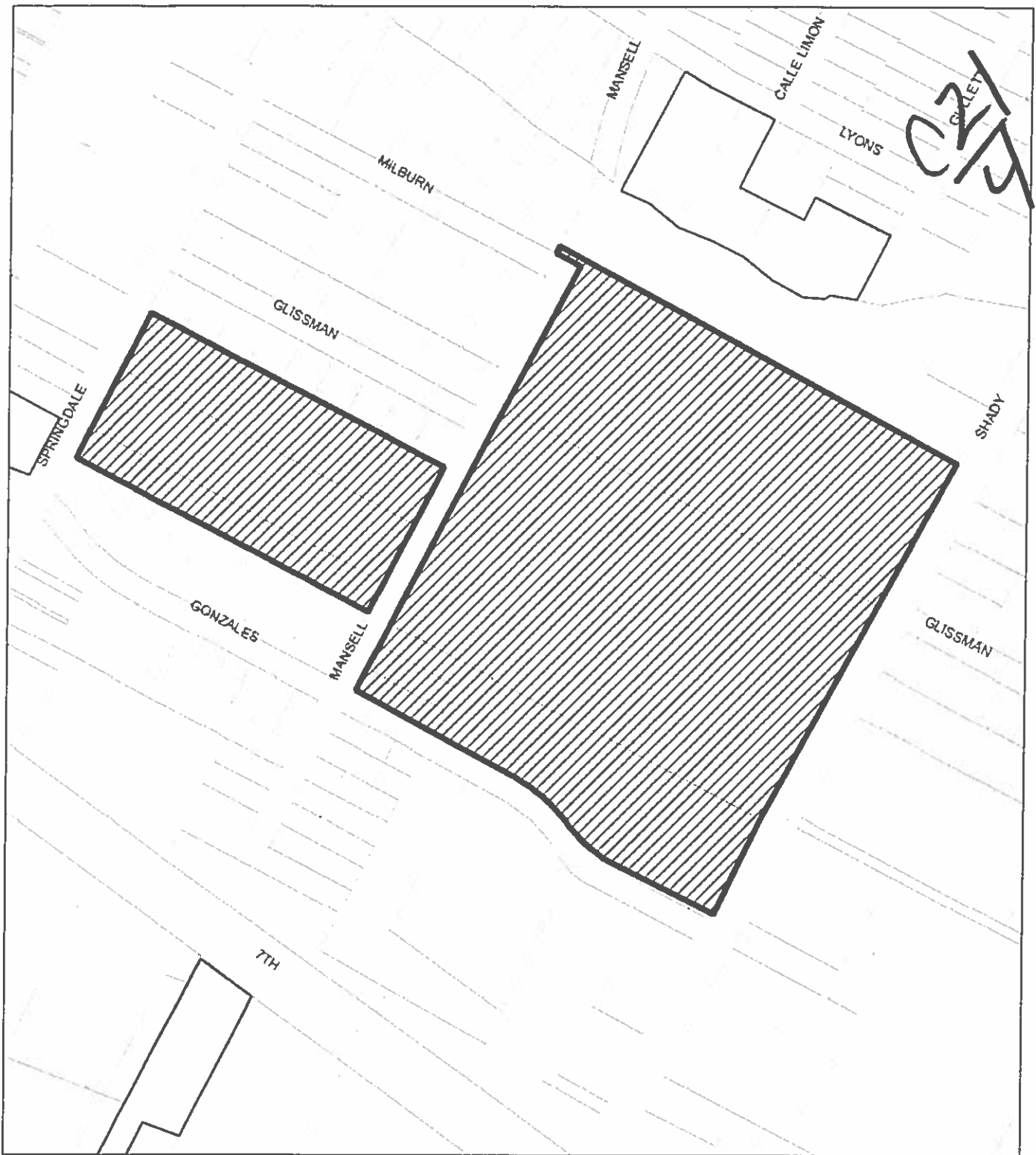
The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.



A conditional use site plan must:

1. Comply with the requirements of this title; **Staff response: This application complies with the requirements of this title.**
2. Comply with the objectives and purposes of the zoning district; **Staff response: This application complies with the objectives and purposes of the zoning district.**
3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site; **Staff response: This application falls within the regulations of the Land Development Code and is compatible with the uses of abutting sites.**
4. Provide adequate and convenient off-street parking and loading facilities; **Staff response: Adequate and convenient, off-street parking will be provided at or above the standards of the Land Development Code, with the approval of off-site parking at the AISD Facility at 4900 Gonzales Street.**
5. Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects; **Staff response: The site does not contribute to any of these adverse effects.**

A Conditional Use Site Plan May Not:

1. More adversely affect an adjoining site than would a permitted use; **Staff response: This site plan conforms to all regulations and standards established by the Land Development Code for its proposed use and zoning. This site plan provides for noise limitations, limits on the hours of operation, limits of size of events, and limits on the number of allowable events per year.**
2. adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; **Staff response: The proposed off-site parking is within the code limitations of distances between the parking and the proposed use, and marked crosswalks are provided for safe pedestrian street crossing.**
3. adversely affects an adjacent property or traffic control through the location, lighting, or type of signs; **Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control.**



-  Subject Tract
-  Base Map

CASE# SPC-2015-0075AT  
 LOCATION 755 Springdale Rd/739 1/2 Mansell Ave.



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 the Planning and Development Review Department for the sole purpose of geographic reference.

EXHIBIT "A"

02/09

Springdale Farm - Off-Site Parking



CITY OF AUSTIN – PLANNING AND DEVELOPMENT REVIEW DEPARTMENT  
SITE PLAN APPLICATION – MASTER COMMENT REPORT



CASE NUMBER: SPC-2015-0075T  
REVISION #: 00 UPDATE: U0  
CASE MANAGER: Lynda Courtney PHONE #: 512-974-2810

PROJECT NAME: Springdale Farm  
LOCATION: 739 1/2 MANSELL AVE

SUBMITTAL DATE: March 5, 2015  
REPORT DUE DATE: March 26, 2015  
FINAL REPORT DATE: March 26, 2015

C21/6

**STAFF REPORT:**

This report includes all staff comments received to date concerning your most recent site plan submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated site plan submittal.

The site plan will be approved when all requirements from each review discipline have been addressed. However, until this happens, your site plan is considered disapproved. Additional comments may be generated as a result of information or design changes provided in your update.

If you have any questions, problems, concerns, or if you require additional information about this report, please do not hesitate to contact your case manager at the phone number listed above or by writing to the City of Austin, Planning and Development Review Department, P.O. Box 1088, Austin, Texas 78704.

**UPDATE DEADLINE (LDC 25-5-113):**

It is the responsibility of the applicant or his/her agent to update this site plan application. **The final update to clear all comments must be submitted by the update deadline, which is August 11, 2015.** Otherwise, the application will automatically be denied. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

**EXTENSION OF UPDATE DEADLINE (LDC 25-1-88):**

You may request an extension to the update deadline by submitting a written justification to your case manager on or before the update deadline. Extensions may be granted for good cause at the Director's discretion.

**UPDATE SUBMITTALS:**

**A formal update submittal is required. You must make an appointment with the Intake Staff (974-2689) to submit the update. Please bring a copy of this report with you upon submittal to Intake.**

**Please submit 3 copies of the plans and 3 copies of a letter that address each comment for distribution to the following reviewers. Clearly label information or packets with the reviewer's name that are intended for specific reviewers. No distribution is required for the Planner 1 and only the letter is required for Austin Water Utility.**

**REVIEWERS:**

Planner 1: Cindy Casillas  
Site Plan: Lynda Courtney  
PDR Transportation: Amanda Couch  
Environmental: Mike McDougal

C2/1X

ADMINISTRATIVE COMMENTS:

SP1. Provide a blank 3 1/2" x 5" approval form in the lower right hand corner of each sheet.  
Note: No signature blocks should be within the approval space. If a copy of the form is needed, please contact this reviewer. Please fill out all non-date-related blanks.

SP2. Show the dimensions of all existing and proposed structures.

SP3. Please indicate the submittal date and the case number in the lower right margin of each sheet. Your case number is SPC-2015-0075T and submittal date is 2-12-2015.

SP4. Show the height (in stories and feet) of all existing and proposed buildings. The maximum height shall not exceed 60 feet in a CS zoning district. Refer to Sec. 25-1-21 (46) for measurement of height.

SP5. Describe the proposed use and specify the square footage for each use within each existing and proposed structure on the site.

SP6. Define, describe and label the areas bubbled on the site plan for Outdoor Entertainment use. Specify what is in these areas and what will occur during the Outdoor Entertainment events.

SP 7. It is difficult to tell what is going on. Please add a site plan sheet at a larger and standard, measurable scale to illustrate what is existing and what is going to occur on this site. This site plan will be presented at Planning Commission and needs to be legible, supportable, and defensible in order to be approved by a majority of the commissioners.

SP8. Show the following site plan release notes on the site plan:

- a) All improvements shall be made in accordance with the released site plan. Any additional improvements will require site plan amendment and approval of the Planning and Development Review Department.
- b) Approval of this Site Plan does not include Building and Fire Code approval nor building permit approval.
- c) All signs must comply with requirements of the Land Development Code (Chapter 25-10).
- d) Additional electric easements may be required at a later date.
- e) Water and wastewater service will be provided by the City of Austin [or identify the service provider if other than the City of Austin].
- f) All existing structures shown to be removed will require a demolition permit from the City of Austin Planning and Development Review Department.
- g) A development permit must be issued prior to an application for building permit for non-consolidated or Planning Commission approved site plans.
- h) No certificate of occupancy may be issued for the proposed residential condominium project until the owner or owners of the property have complied with Chapter 81 and 82 of the Property Code of the State of Texas or any other statutes enacted by the State concerning condominiums.
- i) For driveway construction: The owner is responsible for all costs for relocation of, or damage to utilities.
- j) For construction within the right-of-way, a ROW excavation permit is required.

SP9. Show the boundary of all Zoning Districts on or near the site, note all adjoining land uses, and show all existing buildings on adjoining lots within 50 feet. If no buildings exist within 50 feet on adjoining lots, note this on the site plan sheet.

#### COMPATIBILITY COMMENTS:

SP10. Show the following Compatibility Standards Notes on the site plan sheet:

- a) All exterior lighting will be hooded or shielded from the view of adjacent residential property. [Section 25-2-1064].
- b) All dumpsters and any permanently placed refuse receptacles will be located at a minimum of twenty (20) feet from a property used or zoned as SF-5 or more restrictive. [Section 25-2-1067].
- c) The use of highly reflective surfaces, such as reflective glass and reflective metal roofs, whose pitch is more than a run of seven (7) to a rise of twelve (12), will be prohibited. [Section 25-2-1067].
- d) The noise level of mechanical equipment will not exceed 70 dba at the property line adjacent to residential uses. [Section 25-2-1067].

SP11. Note on the site plan sheet: Exterior lighting above the second floor is prohibited in the GO, LR, GR, CS, or CS-1 zoning districts, when adjacent to an SF-5 or more restrictive zoning district (Section 25-2-585).

SP12. COMPATIBILITY STANDARDS: Show as a NOTE: Yards, fences, vegetative screening or berms shall be provided to screen adjacent SF-5 or more restrictive residential districts from views of off-street parking areas, mechanical equipment, storage areas, and for refuse collection (Section 25-2-1066).

#### LEGAL DOCUMENTS:

SP13. Note on the cover sheet and site plan sheet: The site is composed of 3 lots/tracts. It has been approved as one cohesive development. If portions of the lots/tracts are sold, application for subdivision and site plan approval may be required. Once recorded add the document number for the UDA to the note.

SP14. For the proposed site plan, please record a Unified Development agreement that clearly ties these lots together for the construction, use, and maintenance of the proposed Detention facility. Please submit this document to this reviewer. This reviewer will coordinate with the Legal Department for review and approval. For any legal document questions please contact Annette Bogusch – PDRD Legal Liaison (974-6483). Please be aware this process takes some time and requires lien-holders information/consent.

#### CONDITIONAL USE PERMIT:

SP15.FYI: This use is considered a conditional use in this zoning and therefore Land Use Commission review and approval is required. Once all comments have been cleared, please contact this reviewer to schedule on the Planning Commission agenda. An additional fee is required for the hearing notice and must be paid prior to the mailing date. Please contact this reviewer to discuss.

SP16.FYI: If any interested parties register before the public hearing or speak at the public hearing, there will be a 14 day appeal period following the decision made by the Planning Commission on the site plan. Your Case Manager will assist in scheduling a meeting with all interested parties in order to resolve conflicts or concerns [Section 25-1-182, 25-5-62].





SP17. OUTDOOR MUSIC VENUES: Any outdoor amplified sound or outdoor music venue requires a separate permit to show compliance with the sound ordinance. For additional information for permits, contact the Development Assistance Center at 974-2680.

C21/a

**Environmental Review - Mike McDougal - 512-974-6380**

Tuesday, March 17, 2015

EV 01 Please add a note to the cover sheet stating: "The project is not located over the Edwards Aquifer Recharge Zone."

EV 02 Please specify in the comment response letter whether or not any construction activities or tree removal are proposed with this site plan submittal. Additional review and comment may be pending.

**Flood Plain Review - Hanh Thai - 512-974-9232**

No comments

**PDR Transportation Review - Amanda Couch - 512-974-2881**

- TR1. Provide a detailed site plan for the existing site. Include driveways, with curb return radii and dimensions, sidewalks, parking, ADA routes, ADA parking, trash facilities, etc.
- TR2. Submit existing parking determination.
- TR3. Show the existing right-of-way and pavement width for Springdale and Mansell.
- TR4. Identify the location of bicycle parking on the site plan, note the number of spaces to be provided, and show a detail of the bike rack (City of Austin standard detail #710S-1 or S-2). The minimum requirement is 5% of the motor vehicle spaces, or 5 spaces whichever is greater, LDC, 25-6-476, Appendix A. TCM, 9.2.0, #11.
- TR5. All parking must be provided in accordance with design and construction standards of the Transportation Criteria Manual. LDC, 25-6-563; TCM, Table 9-1. Show dimensions for: stall width, depth of stall 90 degrees to aisle, aisle width, width of stall parallel to aisle, module width, angle of parking stalls.
- TR6. Please include a parking table on the site plan showing the amount of required and provided parking for the primary use and the use where the off-site parking is to be located. LDC, 25-6-502(A). Include # of staff members for the off-site parking facility.
- TR7. A site plan required for approval of off-site parking must show both the primary use and off-site parking, and the property address and legal description of both sites. LDC, 25-6-502 (A).

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/10

- TR8. A written agreement is required between the owner of the off-site parking area and the owner of the use to assure the continued availability and usability of any off-site parking. The lease must contain a provision that no termination or modification of the agreement shall be effective until notice has been mailed to the City of Austin. LDC, 25-6-502(A), (B). See the transportation reviewer for details.
- TR9. Required handicapped parking spaces must not be located in an off-site parking facility unless existing conditions preclude on-site parking. LDC, 25-6-501(G).
- TR10. Provide the following note for required signage for off-site parking: "Signage shall be provided indicating off-site parking as follows: one sign shall be provided at the off-site parking indicating the property or use which it serves, and one sign shall be provided on the site of the use served indicating the location of the off-site parking." LDC, 25-6-503.
- TR11. Provide a site plan note indicating days and hours of operation for the proposed use and the uses from which spaces are being leased. LDC, 25-6-502(C). This information is not provided for the off-site parking tract. FYI: The off-site parking may only be permitted during the hours when the school facility is not using them.
- TR12. Provide a pedestrian crosswalk to cross Mansell Avenue (25-6-501(E)(2)).
- TR13. The site plan is subject to a limitation of 2,000 trips by ordinance with zoning case C14-2014-0123. Add a note on the site plan (cover sheet and site plan sheet).
- TR14. Additional comments will be made as additional information is provided.

AWU-Utility Development Service Review - Neil Kepple - 512-972-0077

WW1. There are no water or wastewater changes proposed with this land use and offsite parking plan. As such no AWU review or sign-off is required

# Springdale Farm Conditional Use Permit & Offsite Parking

**PROPERTY OWNER:**

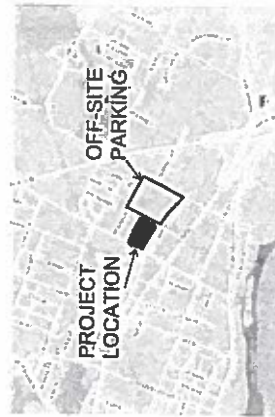
4900 Gonzales Street  
**Owner:**  
 Austin Independent  
 School District  
 1111 W 6th Street  
 Austin, Texas 78702

755 Springdale Road

**Owner:**  
 Paula and Glenn Foore  
 755 Springdale Road  
 Austin, Texas 78702

**ZONING DISTRICT:**

CS-MU-CO-NP



**SITE LOCATION MAP**



**ZONING MAP**

**NOTE:**

- The project is not located over the Edwards Aquifer Recharge Zone.
- The site plan is subject to a limitation of 2,000 trips by ordinance with zoning case C14-2014-0123.
- The site is composed of 3 lots/tracts. It has been approved as one cohesive development. If portions of the lots/tracts are sold, application for subdivision and site plan approval may be required.

**OFFSITE PARKING LOCATED**

**AT: 4900 Gonzales Street**  
 Austin, TX 78702

**TRANSFERRED TO:**

**755 Springdale Road**

**755 Springdale Road:**  
 LOT 6-8 OLT 29-30 DIV A  
 LESS W 17.88 FT JONES J  
 GODWIN SUBD (1-D-1)

**4900 Gonzales Street:**

**LOT 1-3 BLK 4 CHUNN**  
**SUBD ABS 22 SUR 29**  
**TANNEHILL J CACR 19.22**

**WATERSHED AND CLASSIFICATION:**

**4900 Gonzales Street: Boggy Creek, Urban**

**755 Springdale Road: Boggy Creek, Urban**

**DRAWING INDEX:**

- #1 - COVER SHEET
- #2 - SITE PLAN WITH NOTES
- #3 - SITE PLAN FULL SIZE
- #4 - NOTES

REVISION/ CORRECTION	DESCRIPTION OF REVISIONS/ CORRECTIONS	SHEETS REVISED OR ADDED	NET CHANGE IN IMPERVIOUS COVER	TOTAL IMPERVIOUS COVER	% OF IMPERVIOUS COVER FOR ENTIRE SITE	APPROVAL

**DATE OF SUBMITTAL:** 2-12-2015


**SPRINGDALE FARM**  
 755 SPRINGDALE ROAD  
 AUSTIN, TEXAS

SITE DEVELOPMENT

COVER SHEET

SHEET:

1

1 OF 4

SPC-2015-0075-T

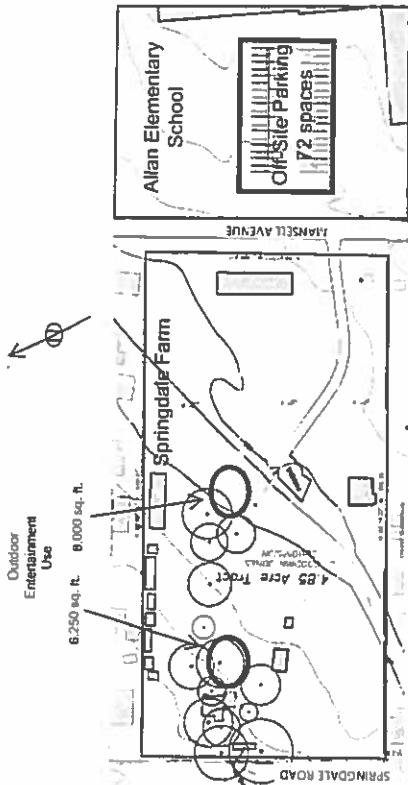
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**LEGAL DESCRIPTIONS**  
**755 SPRINGDALE ROAD (SPRINGDALE FARM):**  
 LOT 6-8 OLT 29-30 DIV A LESS W 17.88 FT JONES  
 J GODWIN SUBD (1-D-1)  
 4900 GONZALES STREET (ALLAN ELEMENTARY  
 SCHOOL):  
 LOT 1-3 BLK 4 CRUNN SUBD ABS 22 SUR 29  
 TANNERHILL J C ACR 19 22

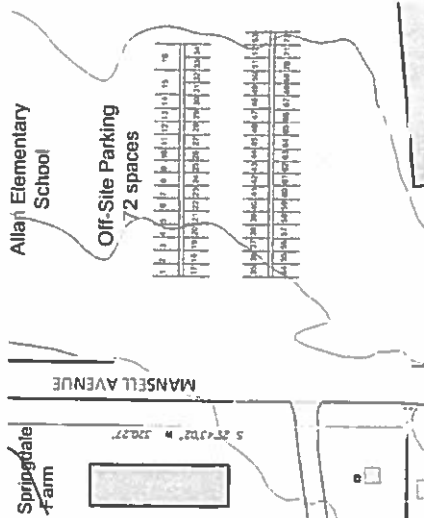
**ZONING**  
 SPRINGDALE FARM  
 PROPOSED USES: URBAN FARM/OUTDOOR  
 ENTERTAINMENT  
 ZONING: CS-MU-CO-HP  
 ALLAN ELEMENTARY SCHOOL  
 EXISTING USE: CIVIC  
 ZONING: P-HP

**HOURS OF OPERATION**

**SPRINGDALE ROAD**  
 PROPOSED USE: OUTDOOR ENTERTAINMENT  
 MONDAY-THURSDAY: 3:00 P.M. - 8:00 P.M.  
 FRIDAY: 3:00 P.M. - 9:00 P.M.  
 SATURDAY: 10:00 A.M. - 10:00 P.M.  
 SUNDAY: 10:00 A.M. - 8:00 P.M.  
 ALLAN ELEMENTARY SCHOOL  
 EXISTING USE: CIVIC



SCALE: 1" = 266'



SCALE: 1" = 100'

**NOTES**

**GENERAL**  
 1. The purpose of this application is:  
 a. To allow for the outdoor entertainment use on the site, and  
 b. To provide off-site parking spaces from 4900 Gonzales Street  
 To 755 Springdale Road  
 2. This application does not change the impervious cover on 755 Springdale  
 Road or 4900 Gonzales Street

**SITE NOTES:**

- All off-site parking spaces are existing. There are no off-site parking spaces, ramps, or drives proposed as part of this site plan
- The linear distance from the nearest parking space on 4900 Gonzales Street to the nearest public entrance of 755 Springdale Road is 90 linear feet.
- The practical walking distance from the nearest parking space on 4900 Gonzales Street to the nearest public entrance of 755 Springdale Road is 170 linear feet

**ORDINANCE REQUIREMENTS:**

- Approval of this application does not include Building Code approval, Fire Code approval, or Building Demolition or Fabrication Permits approval
- All signs must comply with the requirements of the Land Development Code
- The Owner is responsible to all cost of relocation or, or damage to, utilities

**CONDITIONS**

- An outdoor entertainment use shall not occur within 80 feet from any adjoining property zoned or used with a single family residential use.
- No outdoor entertainment use events over 150 people are allowed after 8:00 p.m..
- The total number of outdoor entertainment use events in excess of 51 people per year is limited as follows:  
 for an event with 51-150 people, 22 events per year;  
 for an event with over 150 people, 5 events per year.
- There is no limit on outdoor entertainment use events of 50 people or less per year.
- Outdoor amplified sound is limited to 75 decibels at the property line.
- No outdoor amplified sound is allowed for a total of 22 events of 51-150 people per year.
- No outdoor amplified sound is allowed during the last 5 days of Spring Festival Season, as defined in City Code § 9-2-3(12).

USE	SIZE	EXISTING PARKING CALCULATIONS			PROPOSED PARKING CALCULATIONS			TOTAL
		RATIO	CALCULATED PARKING (WITH 20% REDUCTION)	PARKING PROVIDED	DEFICIT PARKING	RATIO	CALCULATED PARKING (WITH 20% REDUCTION)	
URBAN FARM	4.848 acres	0	0	0	0	0	0	
OUTDOOR ENTERTAINMENT/URBAN FARM	4.848 acres	1.70 (parking determination calculated from 6,250 sq. ft.)	71	71	71	71	71	
<b>PROPOSED PARKING TABLE</b>								
PARKING PROVIDED ON-SITE		PARKING ALLOTTED TO THIS SITE		TOTAL PARKING PROVIDED		TOTAL PARKING REQUIRED		
REGULAR	0	69	69	0	69	0	69	
COMPACT	0	0	0	0	0	0	0	
ACCESSIBLE	0	3	3	0	3	0	3	
	0	72	72	0	72	0	72	

**SPRINGDALE FARM**  
 APPLICATION NO. 2-12-2015  
 DATE OF CITY OF AUSTIN CODE  
 PROJECT NAME: 755 SPRINGDALE ROAD  
 PROJECT LOCATION: 755 SPRINGDALE ROAD  
 CITY: AUSTIN, TEXAS  
 COUNTY: TRAVIS COUNTY  
 PREPARED BY: [Name]  
 DATE: [Date]  
 SCALE: [Scale]  
 SHEET: [Number] OF [Total]  
 PROJECT: [Project Name]

NO.	REVISIONS	DATE

**755 SPRINGDALE ROAD**  
**AUSTIN, TEXAS**

**SITE DEVELOPMENT**

**CONDITIONAL USE PERMIT AND OFFSITE PARKING PLAN**

**SHEET: 2 OF 4**

**SPC-2015-00757**

12/12



**METCALFE WOLFF  
STUART & WILLIAMS, LLP**  
Attorneys at Law

MICHELE ROGERSON LYNCH  
512.404.2251  
mlynch@mwswtexas.com

02/13

February 12, 2015

Mr. Greg Guernsey, Director  
Planning and Development Review Dept.  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

Via Hand Delivery

Re: Conditional Use and Off-Site Parking Plan for Springdale Farm located at 755 Springdale Road, Austin, Texas, 78702 (the "Property")

Dear Mr. Guernsey:

As representatives of the above referenced Property, we respectfully submit this letter and accompanying applications and materials in order to obtain a conditional use and off-site parking permit to allow for "Outdoor Entertainment" use on the Property.

The Property was rezoned (Ordinance No. 20141211-147) CS-MU-CO-NP on December 11, 2014 and the conditional overlay made the "outdoor entertainment" use a conditional use. We respectfully submit this Planning Commission non-consolidated land use site plan application ("Site Plan") to be reviewed in conjunction with an off-site parking application, in order to allow the Outdoor Entertainment use on the Property.

After discussions with the neighbors, city staff, the Planning Commission, and the City Council, the following conditions were placed on the Property through the zoning ordinance and associated restrictive covenant and are intended to be conditions of the Site Plan:

- An outdoor entertainment use shall not occur within 80 feet from any adjoining property zoned or used with a single family residential use;
- No outdoor entertainment use events over 150 people are allowed after 5:00 p.m.;
- The total number of outdoor entertainment use events in excess of 51 people per year is limited as follows:
  - for an event with 51-150 people, 22 events per year;
  - for an event with over 150 people, 5 events per year;
- There is no limit on outdoor entertainment use events of 50 people or less per year;
- Outdoor amplified sound is limited to 75 decibels at the property line;
- Outdoor amplified sound is allowed for a total of 22 events of 51-150 people per year; and
- No outdoor amplified sound is allowed during the last 5 days of Spring Festival Season, as defined in City Code § 9-2-1(12).

We are also submitting an off-site parking application to comply with the current Land Development Code parking requirements. The Austin Independent School District entered into a letter agreement with Springdale Farm to allow off-site parking on their Allan Elementary School location, located at 4900 Gonzales Street ("Off-Site Parking Location"). The City performed a parking determination for the Property on February 16, 2015, requiring 71 parking spaces. The Off-Site Parking Location provides 72 spaces.



Mr. Guernsey  
February 12, 2015  
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Thank you for your review of this letter and the attached applications and materials. If you have any questions or require additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

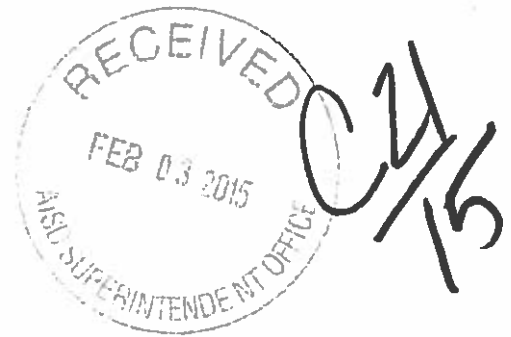
Sincerely,

Michele Rogerson Lynch

Enclosures

cc: Glenn & Paula Foore (owners)

February 3, 2015



Mr. Melvin E. (Mel) Waxler  
Chief of Staff  
Austin Independent School District  
1111 West Sixth Street, Suite A-250  
Austin, TX 78703

Re: Springdale Farm Off-Site Parking on the Allan Elementary School Campus

Dear Mr. Waxler:

We are the owners of the real property and improvements located at 755 Springdale Road, Austin, Texas 78703 (the "Springdale Farm Property"), and we are doing business on the Springdale Farm Property as Springdale Farm. This letter agreement regarding parking ("Letter Agreement Regarding Parking") is intended to confirm the agreement between Springdale Farm and the Austin Independent School District ("AISD") regarding Springdale Farm's request to utilize the parking lot on the AISD Allan Elementary School Campus depicted on Exhibit "A" attached hereto (the "Parking Lot") from time to time for off-site parking for Outdoor Entertainment Use events on the Springdale Farm Property.

During the fall of 2014, subject to availability, AISD granted Springdale Farm permission to use the Parking Lot for off-site parking on certain days pursuant to AISD's Building Use Application for Non-School Groups, with modifications related to Springdale Farm's use as required by AISD from time to time (the "Building Use Application").

Springdale Farm is seeking to obtain a Conditional Use Permit from the City of Austin to enable it to hold future Outdoor Entertainment Events on the Springdale Farm Property from time to time. As part of the Conditional Use Permit application process, the City of Austin requires that this Letter Agreement Regarding Parking be executed by AISD and filed with the City and further requires that Springdale Farm and AISD execute a Memorandum of Letter Agreement Regarding Parking (the "Memorandum") substantially in the form attached hereto as Exhibit "B" for recording in the Official Public Records of Travis County, Texas.

It is our understanding that AISD will consider Springdale Farm's requests for use of the Parking Lot for specific events using the same process used by Springdale Farm and AISD in the fall of 2014. Springdale Farm understands that each request for use must be submitted to AISD on AISD's then current version of the Building Use Application for Springdale Farm events. Springdale Farm further understands that AISD's approval of each request for use will continue to be subject to availability of the Parking Lot for such use, as determined by AISD on a case-by-case basis.

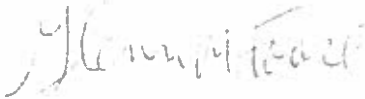
Mr. Melvin E. (Mel) Waxler  
February 3, 2015

C21  
/16

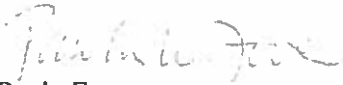
Springdale Farm acknowledges and agrees that it will be required to employ two off-duty AISD police officers to be stationed in the Parking Lot for the duration of the event as a condition of each approved use. In addition, Springdale Farm understands that AISD will not approve any use of the Parking Lot before 3:00 pm, Monday – Friday, when school is in session on the Allan Elementary School Campus.

If the foregoing reflects the understanding between AISD and Springdale Farm, please have AISD sign in the space below.

Sincerely,




Glenn M. Foore, Individually and  
D/B/A Texas Trees and Landscapes



Paula Foore

Acknowledged this 6<sup>th</sup> day of February, 2015:

Austin Independent School District

By:   
Name: MEL WAXLER  
Title: Chief of Staff and legal counsel  
Austin ISD



6/8



TRV 2015010852  
6 PGS

Zoning Case No. C14-2014-0123RC

C21  
17

RESTRICTIVE COVENANT

OWNER: Glenn M. Foore and Paula Foore

ADDRESS: 755 Springdale Road, Austin, Texas 78702

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: 4.85 acre tract of land out of the J. Goodwin Jones Subdivision, the 4.85 acre tract of land being more particularly described by metes and bounds in Exhibit "A" attached and incorporated into this covenant (the "Property"),

WHEREAS, the Owner (the "Owner", whether one or more), of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant ("Agreement"). These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Outdoor entertainment use shall be limited to:

Monday - Thursday	3:00 p.m. - 8:00 p.m.
Friday	3:00 p.m. - 9:00 p.m.
Saturday	10:00 a.m. - 10:00 p.m.
Sunday	10:00 a.m. - 8:00 p.m.

2. No outdoor entertainment use events over 150 people are allowed after 5:00 p.m.

3. The total number of outdoor entertainment use events in excess of 51 people per year is limited as follows: for an event with 51-150 people, 22 events per year; for an event over 150 people, 5 events per year.

There is no limit on outdoor entertainment use events of 50 people or less per year.

City Council  
date: 12-11-14

Item No. 147

C21/18

4. Outdoor amplified sound is limited to 75 decibels at the property line.
5. Outdoor amplified sound is allowed for a total of 22 events of 51-150 people per year.
6. No outdoor amplified sound is allowed during the last 5 days of Spring Festival Season, as defined in City Code § 9-2-1 (12).
7. If any person or entity shall violate or attempt to violate this Agreement, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such Agreement, to prevent the person or entity from such actions, and to collect damages for such actions.
8. If any part of this Agreement is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.
9. If at any time the City of Austin fails to enforce this Agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
10. This Agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property, or a portion of the Property, subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the 11<sup>th</sup> day of December, 2014.

C21/19

OWNERS:

By:

[Signature]  
Glenn M. Foore

By:

[Signature]  
Paula Foore

APPROVED AS TO FORM:

[Signature]

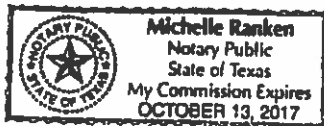
Assistant City Attorney  
City of Austin

THE STATE OF TEXAS

§  
§  
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 11<sup>th</sup> day of December, 2014, by Glenn M. Foore.



[Signature]  
Notary Public, State of Texas

THE STATE OF TEXAS

§  
§  
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 11<sup>th</sup> day of December, 2014, by Paula. Foore.



[Signature]  
Notary Public, State of Texas



C21/20

LEGAL DESCRIPTION

**4.85 ACRE TRACT**  
**J. GOODWIN JONES SUBDIVISION**  
**CITY OF AUSTIN**  
**TRAVIS COUNTY, TEXAS**

Being a 4.85 acre tract of land and being all of lots 6, 7 and 8 out of the J. Goodwin Jones Subdivision, a subdivision in the City of Austin, Travis County, Texas, recorded in Volume 486, Page 56 of the Deed Records of Travis County, Texas, said 4.85 acres being more particularly described by metes and bounds as follows;

**BEGINNING** at a 1 inch iron pipe found at the most westerly corner of the above mentioned Lot 6, being the northeast corner of the Chunn Subdivision, (4/120), located on the southeast line of Springdale Road, for the most westerly corner of this;

**THENCE** along the northwest line of said Lots 6, 7 and 8, common boundary with said Springdale Road, and generally along a chain link fence line, N 27°47'40" E a distance of 319.57 feet to a 1/2 inch iron rod set at a chain link fence corner post at the most northerly corner of said Lot 8, being the northwest corner of the Springdale Terrace subdivision, (4/47), for the most northerly corner of this;

**THENCE** departing said Springdale Road, along the northeast line of said Lot 8, common boundary with said Springdale Terrace, S 62°18'16" E a distance of 660.07 feet to a 1 inch iron pipe found at the most easterly corner of said Lot 8, same being the southwest corner of said Springdale Terrace, and located on the northwest R.O.W. line of Mansell Avenue (50 foot wide R.O.W.), for the most easterly corner of this;

**THENCE** along the southeast line of said Lots 8, 7 and 6, common boundary with said Mansell Avenue, S 27°43'02" W a distance of 320.27 feet to a 1 inch iron pipe found at the most southerly corner of said Lot 6, same being the southeast corner of said Chunn Subdivision, for the most southerly corner of this;

**THENCE** departing said Mansell Avenue, along the southwest line of said Lot 6, common boundary with said Chunn Subdivision, N 82°14'37" W a distance of 660.50 feet to the **POINT OF BEGINNING**, in all containing 4.85 acres of land.

All bearings and distances are based on State Plane Coordinate System, Texas Central Zone, Nad 1983.

This description to accompany a plat of like date representing an on the ground survey supervised by me Tyler Tumlinson, Registered Professional Land Surveyor.

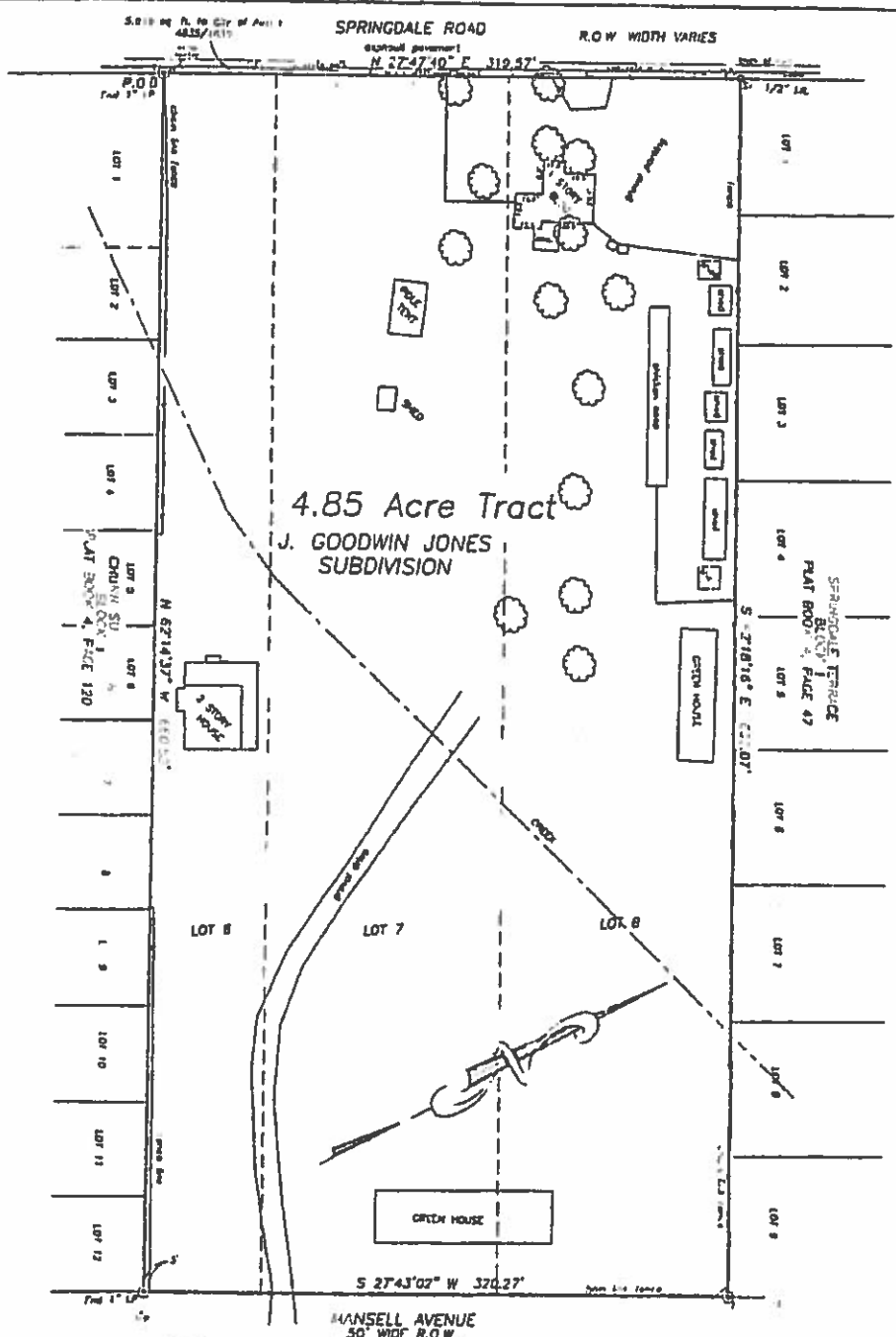
October 18, 2014

Tyler Tumlinson  
RPLS No. 6410



00312-SPR

C21  
21



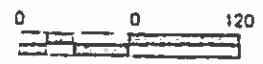
I, Tyler Tumlinson, Registered Professional Land Surveyor, do hereby certify that this survey was made on October 19, 2014 on the ground of the property, legally described hereon, and is correct; and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments at ground level, overlapping of improvements, easements, or apparent rights of way, except as shown hereon, and said property has access to and from a dedicated roadway, except as shown hereon.

All bearings and distances are based on State Plane Coordinate System, Texas Central Zone, NAD 1983.

This property is not located in the Special Flood Hazard Area according to F.I.R.M. Map ID No. 48453C0465H. Effective date: 9/26/2008

*[Signature]*  
Tyler Tumlinson, R.P.L.S. No. 6610

October 19, 2014



**TUMLINSON**  
— LAND SURVEYING  
2114 County Road 219  
Cameron, Texas 76520  
(254) 931-6707  
FIRM #10193858

**BOUNDARY SURVEY**

BEING ALL OF LOTS 6, 7 AND 8 OF THE J. GOODWIN JONES SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas. Recorded in Volume 486, Page 56 D.R.T.C.

PROJECT:	00312-CPH
DATE:	10-19-2014
SURVEYOR:	T. TUMLINSON
DRAWN BY:	T. TUMLINSON
FILED BY:	see file

C21/22

After Recording, Please Return to:  
City of Austin  
Law Department  
P. O. Box 1088  
Austin, Texas 78767  
Attention: J. Collins, Paralegal

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

Jan 23, 2015 03:11 PM 2015010852

GONZALESM: \$46.00

Dana DeBeauvoir, County Clerk  
Travis County TEXAS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.