

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0020 – Lantana IV**P.C. DATE:** August 9, 2016

August 23, 2016

September 13, 2016

October 11, 2016

December 13, 2016

February 14, 2017

February 28, 2017

ADDRESS: 7717 Southwest Parkway**DISTRICT AREA:** 8**OWNER/APPLICANT:** JDI Holdings, LLC (Douglas Ivey)**AGENT:** Sprouse Shrader Smith (Terry Irion)**ZONING REQUEST FROM:** LR-NP**TO:** GR-MU-NP**AREA:** 9.59 acres**SUMMARY STAFF RECOMMENDATION:**

Recommend GR-MU-CO-NP

COMMISSION RECOMMENDATION:August 9, 2016 – *POSTPONED BY STAFF TO AUGUST 23, 2016.*August 23, 2016 – *POSTPONED BY STAFF TO SEPTEMBER 13, 2016.*September 13, 2016 – *POSTPONED BY STAFF TO OCTOBER 11, 2016.*October 11, 2016 – *POSTPONED BY STAFF TO DECEMBER 13, 2016.*December 14, 2016 – *POSTPONED BY STAFF TO FEBRUARY 14, 2017*February 14, 2017 – *POSTPONED BY STAFF TO FEBRUARY 28, 2017*

DEPARTMENT COMMENTS: The property is located at the southeast corner of Southwest Parkway and Terravista Drive within the West Oak Hill Neighborhood Planning Area. It is currently under construction under approved site plan (SP-2015-0571C) for offices, retail, restaurant and day care uses. The request does not require a neighborhood plan amendment as the future land use map is designated as mixed use. The applicant is requesting the community commercial – mixed use – neighborhood plan (GR-MU-NP) in order to build a larger restaurant and add a drive through retail use. The current zoning, neighborhood commercial (LR) has a limitation of 4000 square feet for a restaurant as well as outdoor seating (500 sq ft).

The property is characterized by slopes running west to east and north to south. The site is heavily wooded, but it is unknown to what extent any such trees might be deemed heritage or protected. The site is in the Williamson Creek Watershed. However, it is not located over the Edwards Aquifer Recharge Zone.

This site has a restrictive covenant that runs with the property from 1985 (C14-85-288.8) which limits the leasable square footage to 75,000 and maximum floor to area ratio of .154 and a maximum impervious cover of 65% (Exhibit A).

As additional background, a 2001 Settlement Agreement between the City of Austin and Stratus Properties Inc., then owner of the property, applies to this tract (see Exhibit SA-1). This Agreement resulted from an approved 1984 preliminary plat for the Lantana project, and claims regarding vesting under Chapter 245 Texas Local Government Code. At the time of the preliminary plat, there were some watershed ordinances relating to Barton Springs, but neither the Hill Country Roadway Corridor nor Save Our Springs ordinances had been adopted. The Settlement Agreement provides relief from some requirements of these and other subsequently adopted ordinances that regulate development in this area. The original preliminary plat also references a limit on the number of multifamily units (1250) allowed on all Lantana tracks. That limit has been reached so new multifamily construction must be under current code.

ISSUES: There have been several recent zoning cases in the surrounding area that also have restrictive covenants and are subject to the Stratus Agreement. In those cases the impervious cover limits were significantly reduced and current water quality standards were agreed upon. Staff requested the applicant amend the restrictive covenant to reflect the impervious cover in the approved site plan. The applicant has agreed to this and that the provisions of the restrictive covenant will no longer be valid at the completion of the current project. Because the applicant has an approved site plan staff felt it is in the community's interest to recommend the zoning change in exchange for the restrictive covenant provisions going away. In previous cases much lower impervious cover was agreed upon however those cases did not have approved site plans.

Staff has received comments from neighbors on the north side of Southwest Parkway regarding increased traffic and the need for a traffic signal at Southwest Parkway and Terravista. The applicant has posted fiscal as part of the site plan approval. However, the fiscal will not cover the entire cost of the traffic signal. The Oak Hill Association of Neighborhoods (OHAN) submitted a support letter for the zoning change with conditions. The conditions are no additional height, no code waivers and LR uses except restaurant general and drive through services.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR-NP	Under construction – Office, retail, day care
<i>North</i>	LO & SF-6-CO	Undeveloped and Single Family residences
<i>East</i>	CS-NP	Office under construction (SP-2014-0287C)
<i>South</i>	CS-NP	Offices
<i>West</i>	LR-NP	Church

NEIGHBORHOOD PLANNING AREA: West Oak Hill

TIA or NTA: TIA Memo attached.

WATERSHED: Williamson Creek Watershed (Barton Springs Zone).

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
 Austin Independent School District
 Bike Austin
 Friends of Austin Neighborhoods
 Oak Hill Association of Neighborhoods
 Oak Hill Combined NPA
 Oak Hill Neighborhood Planning Contact Team
 Oak Hill Trails Association
 City of Rollingwood
 Save Our Springs Alliance
 Sierra Club, Austin Regional Group
 SEL Texas

SCHOOLS: Austin HS, Small MS, Oak Hill Elementary.

CASE HISTORIES FOR THIS PROPERTY

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2008-0129	West Oak Hill Neighborhood Plan LR to LR-NP	LR-NP	Approved LR-NP (12-11-08)

CASE HISTORIES FOR SURROUNDING PROPERTIES

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2016-0011 6701-7025 Rialto Blvd	GO-NP to MF-4-NP	MF-4-CO-NP	Approved MF-4-CO-NP (12-08-16)
C14-2013-0044 6507-6321 Rialto Blvd	GO-NP to MF-4-CO-NP	MF-4-CO-NP	Approved MF-4-CO-NP (10-3-13)
C14-2014-0112 5436 Vega & 6601 Rialto Blvd	LO-NP & GO-NP to MF-4-CO-NP & GO-MU-CO-NP	MF-4-CO-NP & GO-MU-CO-NP	Approved MF-4-CO-NP & GO-MU-CO-NP (12-11-14)

NAME	ROW	PAVEMENT	CLASSIFICATION
Southwest Pkwy	126ft	120 ft	Arterial
Terravista Drive	70ft	42 ft	Local

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

CASE MANAGER: Andrew Moore **PHONE:** 512-974-7604
EMAIL: andrew.moore@austintexas.gov

NPZ Comprehensive Planning Review – Kathleen Fox - 512-974-7877

The zoning case is on an undeveloped 9.1 acre parcel located on the southeast corner of Southwest Parkway and Terravista Drive, approximately a mile and a half north of the 'Y'. The property is also located within the boundaries of the Oak Hill Combined Neighborhood Planning Area, in the West Oak Hill NP. Surrounding land uses includes vacant land in all four directions with a single family subdivision, apartment complexes, and office parks located within 750 ft. of the subject property. The developer is proposing a mixed use project, consisting of a restaurant (over 4,000 sq. ft.), day care center, and office and medical uses (over 5,000 sq. ft.).

Connectivity: Terravista Drive has a public sidewalk on both sides of the street, while Southwest Parkway has no public sidewalks or bike trails despite a large number of residential and business uses in the area. There is a public transit stop located a mile away from the subject property on the corner of William Cannon Drive and Rialto Blvd., making this area of the city almost completely auto dependent to access goods and services located within two miles of this site. The Walkscore for this site is 4 out of 100, with 100 being the optimal score.

The Oak Hill Combined Neighborhood Plan Future Land Use Map (FLUM) designates this portion of Southwest Parkway as 'Mixed Use' which is intended for a mix of office, retail, and residential uses. Zone GR-MU is permitted under this FLUM category. The property is also located over the Barton Springs Overlay, an environmentally sensitive area. The following text, goals, objectives and recommendations are taken from the OHCNP:

Goal 4.B. Provide opportunities for high-quality new development and redevelopment. (p 37)

Objective 4.B.1: Minimize the ecological footprint of development in the Oak Hill planning area to help achieve environmental goals, particularly the preservation of water quality.

Goal 6.A. Provide opportunities for high-quality new development and redevelopment. (p 66)

Objective 6A.1: Ensure quality of new construction and renovations. (p 66)

Goal 6.B. - Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment. (p 66)

Objective 6.B.1 - Encourage zoning to be compatible with existing and neighboring land uses and seek optimal and most appropriate use of land.

Goal 6.C: Create a mix of uses in existing corridors of commercial development that will provide a diversity of local services convenient to neighborhoods and establish commercial “nodes” (concentrated) (p 67)

Goal 6.E. Encourage locally-owned businesses to locate in the Oak Hill area and find ways for local businesses and employers to prosper. (p 67)

Objective 6.E.1 - Oak Hill stakeholders desire more small-scale businesses with less strip commercial establishments

6.E.1e—Encourage more doctors, dentists, and other medical professionals to locate in the area.

Goal 9.C. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment. (p 140)

Objective 9.C.1 - Ensure that the environmental impact on the Edwards Aquifer and the existing natural landscape is kept at a minimum by new commercial development and redevelopment in Oak Hill.

OHCNP Text (p. 79)

Southwest Parkway presents its own set of unique challenges when making land use recommendations. Within the planning area, a large portion of the road is already covered by restrictive covenants or conditional overlays or is outside of the City’s zoning jurisdiction. Most of the land use recommendations pertain to property located on the south side of the roadway.

- William Cannon Drive at Southwest Parkway — Mixed Use is recommended for this area because it is surrounded by a mix of offices and multifamily buildings. With access to both Southwest Parkway and William Cannon, this area is appropriate for a mix of office, retail, and residential uses. Additionally, current residences and offices in the surrounding area could be served by community-level retail here. (p 79)

Conclusion:

The Oak Hill Combined Neighborhood Plan’s goals, objectives and text appear to support this proposed mixed use project, which will be one of the few Mixed Use projects in the area that provides a mix of commercial (a restaurant and daycare) and office (general and medical offices) uses to people living and working nearby. This project would be especially beneficial to the area if public sidewalks were installed along Southwest Parkway, and a public transit stop was located within a quarter of mile of the site to promote connectivity. The property is also located over

environmentally sensitive land and any new commercial development would need to ensure all environmental ordinances are enforced.

Imagine Austin

While this property is not situated along an Activity Corridor or Center according to the Imagine Austin Growth Concept Map, it is within the boundaries of the Barton Springs Overlay, where runoff from precipitation flows to the recharge zone of an aquifer. One of the Land Use and Transportation policies, LUT P21 (p. 102), clarifies the intent, *"Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer."* The IACP supports redevelopment over the contributing zones of the Edwards and Barton Springs Aquifer but also requires that 'state-of-the-art development practices' be utilized, which respects the context of these environmentally sensitive lands.

One of the top goals of the Imagine Austin Comprehensive Plan (IACP) is also to achieve 'complete communities.' Page 88 of the IACP states that complete communities are areas that provide amenities, transportation, services, and opportunities that fulfill all residents' material, social, and economic needs. Page 107 of the IACP also states, *"While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city."*

The following IACP policies are also applicable to this project:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **UD P1.** Develop accessible community gathering places such as plazas, parks, farmers' markets, sidewalks, and streets in all parts of Austin, especially in the Downtown, future TODs, in denser, mixed-use communities, and other redevelopment areas, that encourage interaction and provide places for people of all ages to visit and relax.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

Conclusions:

This proposed mixed use project is situated along Southwest Parkway, which is an area of Austin that is developing into busy professional and medical office corridor, providing an abundance of jobs. There is also multi-family housing that exists or is being built in the area, providing much needed work force housing. This mixed use project would provide much needed goods and services to the area (a restaurant and daycare center). Based on this project policies above that supports providing needed goods and services in an area currently lacking them, this project appears to be partially supported by Imagine Austin. However, based on the lack of connectivity in this area, including a public transit stop, bike lanes, and public sidewalks along Southwest Parkway, staff strongly recommends that the developer: (1) install a public sidewalk with landscaping and shade trees along Southwest Parkway; (2) install landscaping and street trees along Terravista Drive; and (3) contact Cap Metro to see if they could install a public transit stop nearby. These three actions would promote connectivity and walkability in an area that is highly auto-centric. Additionally, due to the site's location in an environmentally sensitive area, 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, mitigation and setbacks necessitated by the land development code will be required.

NPZ Environmental Review – Mike McDougal - 512-974-6380

1. This site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.
2. Project applications at the time of this report are subject to the SOS Ordinance that allows 25% impervious cover in the contributing zone.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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, 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.

6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.
7. 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.

DSD Transportation Review - Natalia Rodriguez - 512-974-3099

- TR1. Additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR2. A traffic impact analysis is required and has been received with Site Plan SP-2015-0571C. An addendum may be required. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo. Please contact the DSD Transportation Engineer, Scott James (Scott.James@austintexas.gov), to discuss the addendum.
- TR3. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.
- TR4. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Southwest Parkway	126 ft.	120 ft.	Arterial	No	Yes, Wide Shoulder	No
Terravista Drive	70 ft.	42 ft.	Local	Yes	No	No

COMPLETE STREETS REVIEW

- TR5. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Southwest Parkway.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City

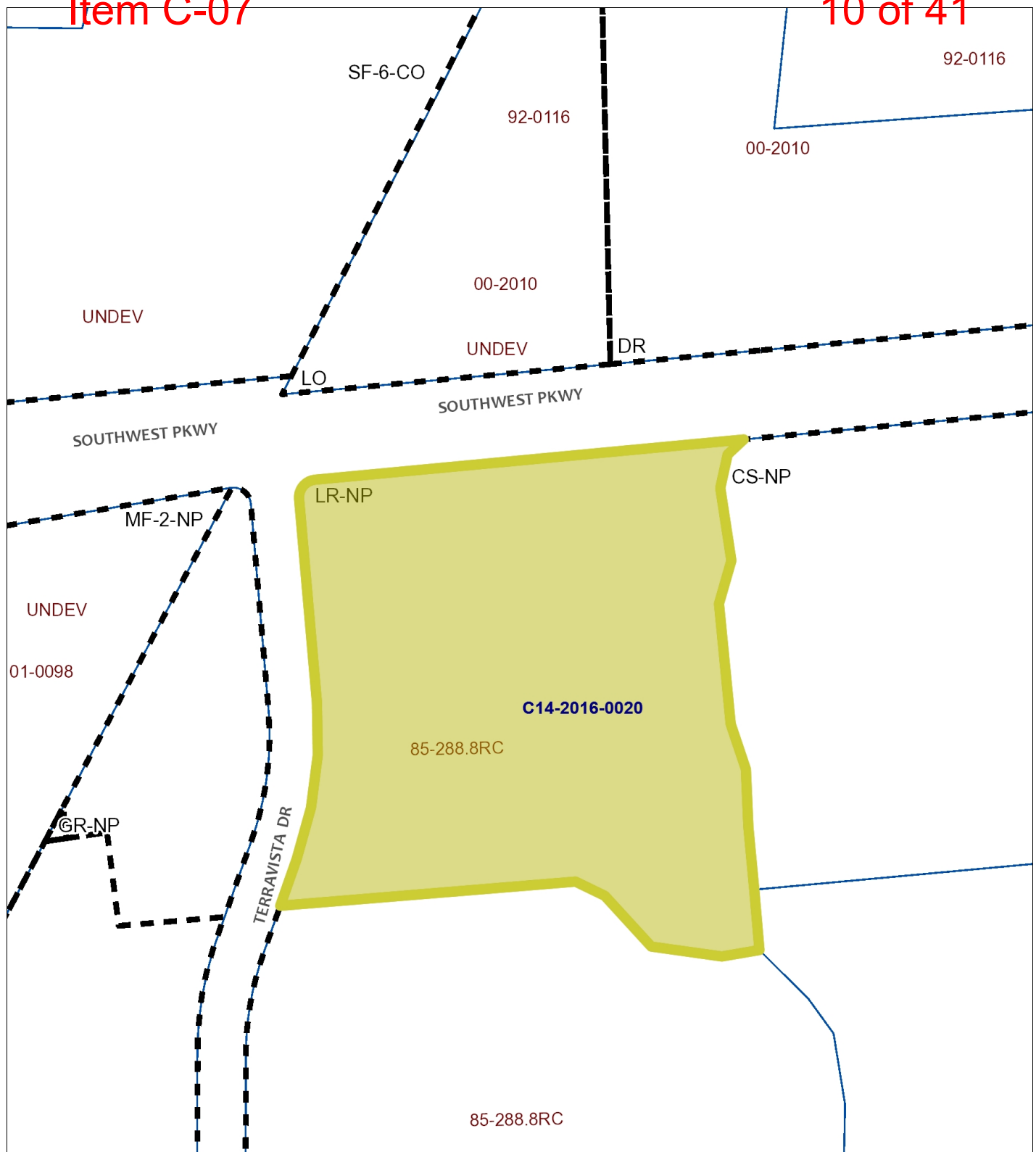
criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Storm Water 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 Storm water Management Program if available.

NPZ Site Plan Review - Rosemary Avila 512-974-2784
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- SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP2. 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.
- SP3. There is a Site Plan filed for this site, SP-2015-0571C.
- SP4. The site/A portion of the site is located within 1,000 feet of Southwest Parkway and within a Hill Country Roadway Corridor.



- Subject Tract
- Pending Case
- Zoning Boundary
- Railroads

100 200
Feet

1" = 200'

ZONING

ZONING CASE#: C14-2016-0020



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.



ZONING

ZONING CASE#: C14-2016-0020

LOCATION: 7717 SOUTHWEST PARKWAY

SUBJECT AREA: 9.107 ACRES

MANAGER: ANDREW MOORE

N



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1" = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**MEMORANDUM**

TO: Andrew Moore, Case Manager
Zoning and Planning Department

FROM: Scott A. James, P.E., PTOE
Ivan Naranjo, MBA, Senior Planner
Development Services Department

DATE: December 21, 2016

SUBJECT: Revisions to Traffic Impact Analysis for Lantana IV Development
Zoning Case No. C14-2016-0020
Site Plan No. SP – 2015 – 0571C

Section 25-6-114 of the Land Development Code requires that a traffic impact analysis be conducted for a project proposed with a zoning application if the project is anticipated to generate more than 2,000 daily trips. The project site is located on the southeast corner of the intersection Southwest Parkway and Terravista Drive. The project site is currently vacant and is currently zoned LR – MU – NP. The applicant is proposing to rezone 9.107 acres to GR-MU-NP. The projected build out year for this development is 2017.

Roadways

Southwest Parkway is a six lane (divided) major arterial roadway in the vicinity of the site with a posted speed limit of 55 MPH.

William Cannon Drive is six lane divided major arterial south of Southwest Parkway. The posted speed limit is 45 MPH.

Rialto Boulevard is a two lane undivided roadway, with a posted speed limit of 30 MPH. The roadway terminates at Southwest Parkway.

Terravista Drive is a local collector roadway between Southwest Parkway and Rialto Boulevard. The posted speed limit is 30 MPH.

Mirador Drive is a local collector two lane roadway, with an assumed speed limit of 25 MPH.

US Highway 290 is a four lane divided roadway with a posted speed limit Patton Ranch Road is a two lane undivided roadway south of Vega Avenue. Using peak hour traffic counts conducted by the traffic consultant, an estimated 3800 vpd are assigned to Patton Ranch Road south of Vega Avenue.

Trip Generation and Traffic Analysis

Based on the ITE publication Trip Generation, 9th Edition, the proposed development will include up to 32,250 SF of general office, 14,000 SF of day care facility, 10,500 SF of restaurant and 4150 SF of specialty retail with an additional 1600 SF of drive-thru coffee shop land uses. The total number of estimated daily trips attributed to the development is 4,422 vehicle trips per day (vpd). Table 1 below summarizes the site trip generation rates used in the traffic analysis:

Table 1 – Site Trip Generation

Land Use (ITE Code)	Size	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
General Office (710)	30,386 SF	531	37	37	3	3
Day care center (565a)	16,016 SF	1186	103	92	93	105
Specialty retail (826)	9671 SF	429	5	2	12	15
Coffee shop with drive-thru (937)	1369 SF	1121	70	67	29	29
High turnover (sit down) restaurant (932)	4000 SF	509	24	19	24	16
Totals		3,776	239	217	161	168

Site traffic is expected to use Terravista Drive and Southwest Parkway to access the site. The driveway onto Southwest Parkway is proposed as “right in/right out” operation only.

For this study, traffic counts were conducted on November 19, 2015 and December 1, 2015 at the identified study intersections. In addition, two identified background projects, Lantana Tract 3 and Lantana Tract 32 were referenced to adjust the future expected daily peak hour volumes.

Study intersections were evaluated using the Highway Capacity Manual (HCM) method for capacity analysis. When the estimated additional trips were added to the identified intersections, the traffic analysis showed increased congestion and delay at some intersections. Table 2 (presented on the following pages) provides a summary of the calculated average delay(s) for each of the study intersections:

Table 2 – Calculation of intersection level of service (LOS)* and delay (in seconds per vehicle)

Intersection Studied	2016 Existing		2018 Forecasted		2018 Mitigated Site + Forecasted	
	AM	PM	AM	PM	AM	PM
William Cannon Drive & US Hwy 290	D (50.4)	E (60.2)	E (62.0)	E (69.6)	D (52.4)	D (53.8)
William Cannon Drive & Rialto Boulevard	B (14.6)	A (8.1)	F (49.2)	D (26.7)	A (8.3)	A (9.0)
William Cannon Drive & Southwest Parkway	C (22.2)	C (22.4)	C (34.2)	C (33.8)	C (34.2)	C (33.8)
Southwest Parkway & Mirador Drive	A (0.2)	A (2.5)	F (71.6)	F (446.9)	C (22.9)	C (23.8)
Southwest Parkway & Terravista Drive	F (52.2)	B (11.3)	F (292.0)	F (125.3)	B (16.9)	B (18.1)
Rialto Boulevard & Terravista Drive	B (11.7)	A (8.4)	B (14.8)	A (9.3)	B (14.8)	A (9.3)

* Traffic analysis based on 2000 Highway Capacity Manual methodology

The results of the analysis conducted within the TIA identify several locations operating at LOS E or F under current conditions as well as in future scenarios. The additional peak hour traffic related to this development is shown (under mitigated conditions) to slightly increase the average delays. The following mitigation measures were included in the study:

- Addition of southbound left-turn bay at Williams Cannon Drive and US 290
- Addition of northbound left-turn at William Cannon Drive and US 290
- Adjusted signal timing at William Cannon Drive and US 290
- Install traffic signal at intersection of William Cannon Drive and Rialto Boulevard
- Install traffic signal at intersection of Southwest Parkway and Rialto Boulevard
- Install traffic signal at intersection of Southwest Parkway and Mirador Drive*
- Install traffic signal at intersection of Southwest Parkway and Terravista Drive

*this traffic signal has been identified and funded by the Lantana Block P, Lot 3 development.

Developer Recommended Transportation Improvements

The TIA identified improvements to the surrounding public infrastructure which would serve to mitigate the calculated impact to traffic resulting from this development. The results of the analysis identify several locations operating at LOS E or F in the future scenarios. When the recommended improvements are included, the additional peak hour traffic related to this development is shown to be satisfactorily addressed. However, due to the nature of the surrounding developments, four of the recommended improvements are traffic signals, each one serving the increase in traffic resulting from several nearby projects:

William Cannon Drive and Rialto Boulevard
Southwest Parkway and Mirador Drive
Southwest Parkway and Rialto Boulevard
Southwest Parkway and Terravista Drive

In addition to the above, the report identified the need to make geometric improvements to the intersection of US 290 and William Cannon Drive. The traffic consultant also identified monies contributed from previously approved developments, for the same improvements. In response, staff reviewed the proposed cost participation presented by the traffic consultant for all of the identified improvements and determined that pro rata calculations would not provide sufficient funds to construct any single identified improvement.

City of Austin Staff Recommended Improvements

Staff discussed the need to implement physical improvements instead of allocating funds in partial payment for future infrastructure improvement. Staff recognized and acknowledged the need to identify and aggregate the cost participation from nearby developments to distribute the required cost participation in a manner consistent with any single project's traffic impact. Therefore, after review of the TIA analyses, the following goals were identified:

- 1) Wherever feasible, staff prefers to have the developer construct physical improvements instead of posting fiscal towards the estimated costs of construction.
- 2) In locations where more than one improvement is identified, staff would accept a fully constructed single improvement in the place of several partial funded elements.

Conclusions and Recommendations

While the development will not construct all of the identified improvements, review staff is in agreement that the applicant will satisfactorily mitigate the impact determined in the TIA, if certain improvements are made as a part of site development, in particular, cost participation at a level which would permit the construction of a new traffic signal. Therefore, review staff recommends approval of this zoning application subject to the following conditions:

1) Prior to the 3rd reading, staff requested the applicant post fiscal for the following:

Table 3 – List of Improvements				
Location	Improvements	Estimated Cost	Percentage Share %	Developer Participation \$
Southwest Parkway & Terravista Drive	Install traffic signal	\$225,000	50%	\$112,500
William Cannon Drive & Rialto Blvd	Install traffic signal	\$225,000	N/A	-
Southwest Parkway & Rialto Blvd	Install traffic signal	\$225,000	N/A	-
William Cannon Drive & US Hwy 290	Construct dual left turn lanes	\$215,000	N/A	-
Southwest Parkway & Mirador Drive	Install traffic signal	\$225,000	N/A	-
Total		\$1,115,000		\$112,500

However, subsequent to the staff evaluation, the applicant discussed reduced cost participation (totaling \$84,500) for the identified improvements. As a consequence, insufficient funds were collected to permit construction of a traffic signal at the intersection of Southwest Parkway & Terravista Drive.

Therefore, the following condition (as per Austin Transportation Department evaluation) is applied to this zoning and site plan application:

- 2) Access to the site from Terravista Drive is limited to “right in” only until such time as construction of the traffic at Southwest Parkway and Terravista Drive.
- 3) Development of this property should not vary from the approved uses, nor exceed the approved intensities and estimated traffic generation assumptions within the TIA document (dated September 8, 2016), including land uses, trip generation, trip distribution, traffic controls and other identified conditions.
- 4) The findings and recommendations of this TIA memorandum remain valid until December 12, 2021, after which a revised TIA or addendum may be required.

If you have any questions or require additional information, please contact me at (512) 974 – 2208. Thank you.

Scott A. James, P.E., PTOE
Development Services Department
Land Use Review Division/ Transportation



MEMORANDUM

To: Wendy Stucker, Fiscal Officer
Development Services Dept.

From: Ivan J. Naranjo, Senior Planner
Development Services Dept.

Date: October 11, 2016

Subject: Lantana Tract IV
C14-2016-0020
Fiscal Surety Required

As a condition of zoning approval for the above referenced project, the applicant must post fiscal for the traffic improvements recommended with the Lantana Tract IV Traffic Impact Analysis, dated September 8, 2016, in the amount of \$84,500. The required fiscal amount is based on the proposed transportation improvements and cost estimates prepared by the traffic consultant as approved by the Development Services Department. Many thanks for your assistance and please contact me at 974-7649 if you should need any additional information.

Best regards,

A handwritten signature in black ink, appearing to read "Ivan J. Naranjo", is written over a horizontal line.

Ivan J. Naranjo, MBA, CNU-A, Senior Planner
Development Services Department
Land Use Review Division / Transportation Review Section

Cc: Sangeeta Jain, AICP, DSD, Development Services Process Coordinator
Andrew Moore, Senior Planner, PAZ, Case Manager
Andrew Linseisen, P.E., DSD, Assistant Director
Scott James, P.E., Development Services Dept.
André Betit, P.E., Austin Transportation Dept.
Paul Viktorin, P.E., LJA Engineering, Inc.

Enclosure

Naranjo, Ivan

From: James, Scott
Sent: Thursday, October 06, 2016 4:57 PM
To: Naranjo, Ivan
Subject: FW: Lantana Track IV -- Revised TIA Traffic Data - follow up

Ivan,

Here is the email exchange between Andy L. and David C. regarding the amount of cost participation on this project.

Let me know if you have any questions or need more information.

Thanks.

Scott

From: Linseisen, Andrew
Sent: Tuesday, August 30, 2016 5:14 PM
To: david cancialosi
Cc: James, Scott; Robinson, Elizabeth [Beth]; Trey Gamble; Betit, Andre; Bollich, Eric; JD Ivey; Terry Irion; Paul Viktorin; Ashley Reinhardt; Searle, Michael
Subject: RE: Lantana Track IV -- Revised TIA Traffic Data - follow up

Thanks, that is good news.

Andy

Andrew J. Linseisen, P.E., CNU-A

Acting Assistant Director
Development Services Department
City of Austin, Texas
P 512-974-2239
Andrew.linseisen@austintexas.gov

From: david cancialosi [<mailto:david@permit-partners.com>]
Sent: Tuesday, August 30, 2016 4:18 PM
To: Linseisen, Andrew
Cc: James, Scott; Robinson, Elizabeth [Beth]; Trey Gamble; Betit, Andre; Bollich, Eric; JD Ivey; Terry Irion; Paul Viktorin; Ashley Reinhardt; Searle, Michael
Subject: Re: Lantana Track IV -- Revised TIA Traffic Data - follow up

Andy,

I just spoke with my client and he accepts your proposed agreement of the approximate \$84,500 TIA amount.

He and the site engineer will continue to work with staff to get the fiscal posted.

Thank you for closing the loop on this.

Kind Regards,

DC

Sent from a mobile device. There will be typos.

On Aug 30, 2016, at 3:27 PM, Linseisen, Andrew <Andrew.Linseisen@austintexas.gov> wrote:

David,

I was able to talk briefly with Scott today and clarify where we stand on this. I understand that you have proposed to lower the pro-rata to approximately \$84,500 by slightly reducing the development intensity to match the intensity proposed with the site plan. This will work to move the case forward, please have Trey provide updated information to match this reduction and staff will revise the TIA Memorandum to reflect the reduced density since this will become our recommendation to Council on the approved development threshold supported by the zoning case. Hopefully this will clear up this is where the case can move forward. Please understand that at this level of contribution the City does not anticipate being able to fully fund the required improvements at this time which may impact the level of operations following the opening of the project. Thanks

Andy

Andrew J. Linseisen, P.E., CNU-A

Acting Assistant Director
Development Services Department
City of Austin, Texas
P 512-974-2239
Andrew.linseisen@austintexas.gov

From: david canciasoli [<mailto:david@permit-partners.com>]

Sent: Friday, August 26, 2016 1:47 PM

To: James, Scott

Cc: Linseisen, Andrew; Robinson, Elizabeth [Beth]; Trey Gamble; Betit, Andre

Subject: Re: Lantana Track IV -- Revised TIA Traffic Data - follow up

Scott,

Thank you for your time this morning and the below email.

Question: you will recall sending an email in early August (5th? - I can't exactly recall the date off hand) where you calculated the ~\$92k amount. Are you now stating that that amount, if it were to be paid by the applicant, is not sufficient to clear the SP TIA comment?

Also, you may recall a separate email from Andy L. earlier this month wherein he acknowledged the city's 'practice' of RP has only been active since last fall or so, and, that the city has not formally adopted RP in its current code and, thus, the Pro Rata calculation is in fact the correct methodology and practice of processing TIAs based on the currently adopted code language. Thus, RP does not apply. Just want to ensure we are on the same page.

As you know we are scheduled for the September 13 PC and would like to have this sorted out by then. I am authorized and prepared to post fiscal of ~\$84,500 ASAP should the city agree.

Thanks again and please advise when a response is ready.

Kind Regards,

DC

Sent from a mobile device. There will be typos.

On Aug 26, 2016, at 12:43 PM, James, Scott <Scott.James@austintexas.gov> wrote:

Hello David,

Thanks for the email summary and explanation of how your client has evaluated the percentage traffic impact associated with this site development.

And thanks, also, to Trey Gamble of ATG, for running parallel sets of numbers. I was able to discuss this proposal with Andy Linseisen who will follow up with the Austin Transportation Department, which is responsible for traffic operations (that is, signals) and has provided the cost estimate information for our use.

We hope to get back to you shortly. But, as I explained over the phone, our primary goal is to secure the funds necessary for construction to commence, within the legal limits of rough proportionality.

Thanks and have a good weekend.

Scott
Scott A. James, P.E., PTOE
Land Use Review | Transportation
Development Services Department
505 Barton Springs Road, 4th Floor
Desk line (512) 974 – 2208

From: david cancialosi [<mailto:david@permit-partners.com>]
Sent: Friday, August 26, 2016 9:14 AM
To: James, Scott
Subject: FW: Lantana Track IV -- Revised TIA Traffic Data

Kind Regards,

David Cancialosi

Permit Partners, LLC

105 W. Riverside Suite 225

Austin, TX 78704

512.593.5368 o

512.213.0261 f

www.Permit-Partners.com

From: Trey Gamble <TGamble@emailatg.com>
Date: Thursday, August 25, 2016 at 8:14 AM
To: Paul Viktorin <pviktorin@ljaengineering.com>
Cc: JD Ivey <jdouglasivey@gmail.com>, David Cancialosi <david@permit-partners.com>, WonderWell <ashley@wonderwell.com>, Ted Mecklin <mecklin@kuceraco.com>
Subject: RE: Lantana Track IV -- Revised TIA Traffic Data

Paul,

My apologies, 2 of my EITs were out sick Monday and Tuesday so I've been playing catch up.

Attached is a PDF with the signal costs for 3 "T" intersections in downtown (also included is the Excel workbook with cost adjustments for fourth leg). I used the information provided and estimated costs for the fourth leg. The intersections of Cesar Chavez with West and Cesar Chavez with Seaholm do not include some subsurface items which were covered by the development construction (therefore they are not representative). The intersection of Cesar Chavez with Nueces is more representative of a new signal construction. I don't have a date for when the cost estimates were prepared, but I think they are probably 2-3 years old based on the stage of construction in the downtown area.

Cesar Chavez @ Nueces

AMOUNT	Sub-surface	Signal Components	Signal Labor	Finish Work	Labor	Contingency	
\$ 152,146.27	\$ 47,106.74	\$ 62,716.88	\$ 7,780.96	\$ 12,196.52	\$ 2,500.00	\$ 19,845.17	\$
\$ 50,280.57	\$ 13,322.41	\$ 22,283.55	\$ 3,160.71	\$ 4,065.51	\$ 833.33	\$ 6,615.06	\$
\$ 202,426.84	\$ 60,429.15	\$85,000.43	\$ 10,941.67	\$ 16,262.03	\$ 3,333.33	\$ 26,460.23	!

Based on the information provided by Scott, the estimated cost (based on Cesar Chavez @ Nueces) adjusted for a four-legged intersection, and adjustment for age of the estimates the \$220,000 per signal breakdown of approximately \$140,000 "hard" cost (on-call contractor) and \$80,000 "soft" cost (City of Austin labor) appear to be consistent.

The table below contains the revised pro-rata percentages resulting from the revised land uses. The % by intersection is the method used in the TIA which includes all site traffic and ALL background traffic through the intersection regardless of whether or not the individual movements through the intersection contain site traffic. The CoA % only includes background traffic for the movements through the intersection which include site traffic. The attached "Pro-Rata Calculation Example.xlsx" file contains the table below and a comparison of the traffic included by each of the calculation methods.

Intersection	TIA Cost	Original Land Uses (TIA)		Original Land Uses (TIA)	
		TIA % by Intersection	TIA Pro-Rata	CoA % by Movement over B+S	CoA Pro-Rata
Wm Cannon @ US 290	\$ 215,000.00	3.0%	\$ 6,450.00	10.1%	\$ 21,702.72
Wm Cannon @ Rialto	\$ 225,000.00	11.0%	\$ 24,750.00	11.8%	\$ 26,542.21
SW Parkway @ Rialto	\$ 225,000.00	2.0%	\$ 4,500.00	2.0%	\$ 4,565.59
Wm Cannon @ SW Parkway		0.0%	\$ -	5.6%	\$ -
SW Parkway @ Mirador	\$ 225,000.00	0.0%	\$ -	6.0%	\$ 13,525.28
Southwest Parkway @ Terravista	\$ 225,000.00	7.0%	\$ 15,750.00	11.5%	\$ 25,913.51
Terravista @ Rialto		0.0%	\$ -	43.0%	\$ -
		\$ 51,450.00		\$ 92,249.30	

Please let me know is there are any questions or clarifications needed.

Thanks,
Trey

Trey Gamble, P.E., PTOE | Senior Transportation Engineer

Alliance Transportation Group, Inc.

Building Alliances, Analyzing Possibilities, Creating Solutions

11500 Metric Boulevard, Building M-1, Suite 150, Austin, TX 78758

Phone 512.821.2081 | Fax 512.821.2085 | Cell 512.797.0990 | tgamble@emailatg.com

www.alliance-transportation.com

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RESTRICTIVE COVENANT

C-1495-2118

LR(1)

4 12 3073

9.00
\$1.00 REPA
3 08/22/81

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

2000 277315

WHEREAS, Realtex Funding Corporation, a Texas corporation ("Realtex") is the owner of approximately 13.05 acres of land situated in Travis County, Texas, more fully described by metes and bounds on Exhibit "A," attached to and incorporated into this document for all purposes ("Property"); and

WHEREAS, the City of Austin and Realtex have agreed that the Property should be impressed with certain covenants and restrictions running with the land and desire to set forth this agreement in writing;

NOW, THEREFORE, Realtex, for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, the receipt and sufficiency of which is hereby acknowledged, does hereby agree with respect to the Property, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding upon Realtex, its successors and assigns, as follows, to wit:

1. A maximum of 75,000 net leasable square feet of buildable space can be developed on the Property, or a maximum Floor to Area Ratio of 0.154 computed as specified in Chapter 13-2A of the Code of the City of Austin of 1981 as amended from time to time.
2. A maximum of sixty-five percent (65%) of the Property may be covered with impervious material.
3. No structure shall be erected on the Property until a site plan has been submitted and approved by the City of Austin.
4. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person,

REAL PROPERTY RECORDS
Travis County, Texas 09888 0872

or entity violating or attempting to violate such agreement or covenant, and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

5. If any part or provision of this agreement or covenant herein contained shall be 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 force and effect.

6. The failure at any time to enforce any agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

7. 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, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the Property at the time of such modification, amendment or termination.

EXECUTED this 31 day of July, 1986.

REALTEX FUNDING CORPORATION,

By: Ray A. Jones

Its: Vice-President

THE STATE OF TEXAS §
COUNTY OF Harris §
 Travis §

This instrument was acknowledged before me, on the 31 day of July, 1986, by Ray A. Jones, Vice-President of Realtek Funding Corporation, a Texas corporation, on behalf of said corporation.

Karen Lauzner
Notary Public, State of Texas

Name Printed: KAREN LAUZNER

Commission Expires: My Commission Expires June 30, 1987

NOTARY SEAL

11-686.25



City of Austin

Founded by Congress, Republic of Texas, 1839

Municipal Building, Eighth at Colorado, P.O. Box 1088, Austin, Texas 78761 Telephone 512 499-2000

July 10, 2001

William H. Armstrong, III
Stratus Properties Inc.
98 San Jacinto Blvd., Suite 220
Austin, Texas 78701

Re: The project commonly known as "Lantana," described in the Patton Ranch Revised Preliminary Plan, number C8-84-102(88), approved on August 23, 1988.

Dear Mr. Armstrong:

This letter will memorialize our agreement and avoid a dispute between the City and Stratus Properties Inc., concerning the application of Chapter 245 of the Texas Local Government Code to the project described above. The City and Stratus Properties Inc., agree that the first permit for the project was filed on July 17, 1984, and that the rules and regulations in effect on that date shall govern the project, except as modified and clarified herein. The parties further agree that, except as modified or clarified herein, the project will be subject to those rules and regulations that would be exempt from Chapter 245.

1. Excluding development within (1) ~~Lantana~~ Lantana Phase 1, Section 2, (2) Rialto Park at Lantana, and (3) Lantana Lot 6, Block A, the Comprehensive Watershed Ordinance (Ordinance No. 860508-V) will be the base ordinance governing development in "Lantana," with the subject to the following exceptions modifications and clarifications:
 - a. The definition of "Minor Waterway," "Intermediate Waterway," and "Major Waterway" as identified in Williamson Creek Watershed Ordinance No. 810319-M shall govern.
 - b. Delete Section 13-15-223(e), (f).
 - c. Replace Section 13-15-232 with Section 103.3 of Williamson Creek Watershed Ordinance No. 810319-M, but delete Subsection 103.3(c)(5) of Ordinance No. 810319-M.
 - d. Modify Section 13-15-235 to:
 - 1) replace the term "four (4)" with "twelve (12)" in Subsections (a) and (b),
 - 2) delete the phrase "but must be placed in a manner consistent with Section 13-15-237" in Subsection (a),
 - 3) delete the phrase "consistent with Section 13-15-237" in Subsection (b),
 - 4) delete the language in Subsection (c), and replace it with the sentence, "Cut and fill for roadways may extend outside of the allowable roadway clearing widths to the extent necessary to achieve a 3 to 1 slope ratio without

- structural support; provided, however, that in no event shall cut and fill violate the setback requirements of Subsection (e) below,”
- 5) delete the sentence “Techniques to be used are to be specified with the final plat,” in Subsection (d),
 - 6) delete the phrase “and approved by the Director of the Office of Land Development Services” in Subsection (d), and
 - 7) add Subsection (e) to state “No cut and fill shall occur within one hundred (100) feet of the centerline of a minor waterway or within one hundred fifty (150) feet of a critical environmental feature, unless otherwise allowed under this Section, Section 13-15-239, or Section 103.3 of Williamson Creek Watershed Ordinance No. 810319-M. All utilities may be located outside the Critical Water Quality Zone within one hundred (100) feet of the centerline of a minor waterway.”
- e. Delete Section 13-15-237, but include the construction on slopes criteria identified in Section 104.2(c) of Williamson Creek Watershed Ordinance No. 810319-M.
 - f. Delete Section 13-15-238, Section 13-15-277 and Section 13-15-287 and replace with the following:
 Structural water quality controls shall be required for all development with impervious cover exceeding twenty (20) percent of the net site area, and shall consist of retention/irrigation basins. The design of the retention/irrigation basins and associated irrigation areas shall be based on the parameters presented in the LCRA Nonpoint Source Pollution Control Technical Manual, Third Edition, dated July 10, 1998. In particular, capture volume for the basins, which will include and satisfy the requirements for stream bank erosion control, will be solely based on Table B-5, Appendix B of the manual. The capture volume will also be deemed to satisfy the City of Austin’s 2-year detention requirements. The irrigation area shall be sized in accordance with the formula presented in Appendix C, part 1.g.ii.(3) of the manual. As a clarification, water quality irrigation areas, including irrigation lines and limited removal of vegetation for irrigation purposes, shall be allowed within any required natural areas if/as necessary to reasonably meet the irrigation area requirements. Any disturbance of required natural areas shall be restored to preserve the aesthetic quality of the natural area to the greatest extent feasible. Installation of irrigation lines and associated removal of vegetation for irrigation purposes will not be allowed within the 50-foot roadway vegetative buffer adjacent to Southwest Parkway.
 - g. In Section 13-15-239(a), add the phrase “wastewater lines,” to the first sentence between the phrases “other than for” and “yards or hiking trails”. Also, the Lantana Southwest Preliminary Plan (C8-84-102.03) is exempt from the provisions of Section 13-15-239 as long as the street and lot configuration and general land use remain substantially consistent with the approved preliminary plan.
 - h. Delete Section 13-15-248(a).
 - i. Delete Section 13-15-274, but include Section 104.2(a), (b) of Williamson Creek Watershed Ordinance No. 810319-M.
 - j. Delete Section 13-15-275, Section 13-15-276, Section 13-15-285 and Section 13-15-286, and replace with the following:

For commercial tracts, the calculated impervious cover shall not exceed forty (40) percent of net site area in the uplands zone, exclusive of adjacent right-of-way impervious cover within the Williamson Creek Watershed. In all cases, right-of-way

impervious cover for adjacent, existing streets (Southwest Parkway, William Cannon Drive, Vega Avenue) shall not be calculated as part of the allowable impervious cover for any commercial tract. For the portion of the Lantana Southwest Preliminary Plan (C8-84-102.03) covered by this document, the calculated impervious cover shall not exceed twenty-five (25) percent of net site area in the uplands zone.

2. As a clarification, the requirements identified in Sections 13-15-223(a), 13-15-223(b)2., and 13-15-223(d) of the Comprehensive Watershed Ordinance will be satisfied by the FM Properties Operating Co. USFW 10(a) Permit Environmental Assessment/Habitat Conservation Plan, dated July 25, 1994, by SWCA, Inc., in conjunction with the report entitled Topography, Geology, and Soils of the Lantana Tract, Oak Hill Vicinity, Travis County, Texas, dated November 28, 1994, including Addendum Nos. 1, 2, 3 and 4, by Charles Woodruff, Jr., Consulting Geologist.
3. As a clarification, the tree survey described in Section 13-15-223(b)1 will only be required at the site development permitting stage of the development process.
4. Development will consist of raised curb and gutter street cross sections approved with the Preliminary Plan for Patton Ranch (C8-84-102), as revised, including an associated enclosed storm sewer drainage system.
5. Concentrated storm runoff will be dispersed and discharged, wherever practicable, to vegetated buffer areas or grass-lined swales. There will be no requirements for calculated pollutant removal performance standards associated with vegetated buffer areas or retention/irrigation basins.
6. The modifications and clarifications to the Comprehensive Watershed Ordinance described herein shall extend to and control all related references in other sections of the ordinance, so as to allow the modifications and clarifications to be fully implemented.
7. Further, if provisions contained in other sections of the City's Land Development Code and criteria manuals relating to cut and fill, construction on slopes, impervious cover, critical environmental features, water quality, and two-year detention impose different or more restrictive requirements than those contained in the Comprehensive Watershed Ordinance as modified and clarified herein, then the Comprehensive Watershed Ordinance as modified and clarified herein controls.
8. This project predates the Hill Country Roadway requirements. However, Stratus Properties Inc., in order to avoid a dispute regarding the application of those requirements, agrees that development in the project will comply with the height, setback, building materials, and landscaping provisions of the Hill Country Roadway requirements, within 1000 feet of Southwest Parkway, as that ordinance provides. Site plans within the project shall be reviewed administratively. Planning Commission review and approval of any site plan required to develop all or part of this project will not be sought or required, and Stratus Properties Inc. agrees not to assert any claim in litigation or otherwise that Chapter 245 entirely exempts the project from compliance with the agreed upon Hill Country Roadway requirements.

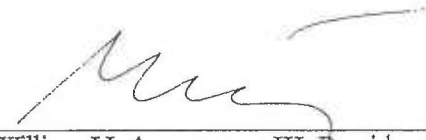
If this letter accurately describes your understanding of our agreement, please indicate your agreement by signing below.

Very truly yours,

Stratus Properties Inc.



Lisa Y. Gordon, Assistant City Manager



William H. Armstrong, III, President

xc: Mayor and City Council
Mike Heitz, Director



OHAN Resolution to Support a Zoning Change Request, C14-2016-0020, from LR-MU-NP to GR-MU-NP ONLY with a Strict Conditional Overlay and Restrictive Covenant

WHEREAS, OHAN member Travis Country Community Service Association has raised issues concerning the zoning change request in C14-2016-0020; and

WHEREAS, these concerns include, among other things, the elevated location within Barton Springs with drainage to the Williamson Creek watersheds; potential overflow into Gaines Creek; the existing entitlements on the property grandfathered and not subject to the SOS ordinance; reduced water quality controls; increased impervious cover allowances; inadequate traffic signals at the property; and decreased Austin Fire Department response time to this property; both separately and in conjunction with the entitlements on property adjacent to and in proximity to the project; and

WHEREAS, the Oak Hill Association of Neighborhoods supports responsible development; and

WHEREAS, the Oak Hill Association of Neighborhoods supports ways to best manage growth to enhance the quality of life and to best preserve, protect, and manage natural resources and wildlife within our community; and

WHEREAS, the owner of the project has requested a zoning change from LR to GR to enable two specific purposes; and

WHEREAS, OHAN supports the zoning change request so long as the zoning change does not allow for any further or different development or uses than the existing zoning, with the exception of the two purposes that the owner has represented to OHAN as the reasons for the requested zoning change.

THEREFORE, OHAN supports the zoning change request in C14-2016-0020 from LR to GR upon the following conditions:

1. All uses not allowed in LR shall be excluded from permissible uses in the GR zoning via a Conditional Overlay and restrictive covenant with the exceptions stated below.
2. The only uses and/or deviations from LR zoning shall be:
 - a. decked space for the restaurant site shall be no more than 1,500 square

feet; and

b. drive-thru coffee shop shall be an allowed use.

3. No variances, exceptions, waivers, payments in lieu, interdepartmental variances, etc., shall be requested by owner and none shall be granted by the City of Austin.

Adopted this 8th Day of June, 2016

/s/ Darryl W. Pruett
Darryl Pruett, OHAN President

TC Manager <tcmanager@traviscountry.com>

To

Board@OHAN.org

May 24 at 2:14 PM

DATE: May 20, 2016

TO: Board@OHAN.org

Oak Hill Association of Neighborhoods, Darryl Pruett, President

FROM: Travis Country Community Service Association, Mark Carroll, President

RE: Request to rezone Lantana IV, 7717 Southwest Parkway, Case # C14-2016-0020

On May 19, 2016, the Travis Country Community Service Association Board of Directors unanimously approved a motion in opposition to the granting of any variances, increased height, density, impervious cover, traffic impact, or other additional entitlements for the property known as Lantana IV located at 7717 Southwest Parkway, case # C14-2016-0020.

This property is requesting additional entitlements above and beyond the already excessive "grandfathered" density, impervious cover, etc. This area of Oak Hill is upstream of many neighborhoods along the Williamson, Gaines and Sycamore Creek watersheds which are experiencing a significant increase in flooding, water-quality degradation, and traffic congestion.

For this reason we ask that OHAN oppose any additional entitlements being granted on this property.

Sincerely,

Frank Craparo

Property Manager

Travis Country CSA

4504 Travis Country Circle

Austin, TX 78735

Office: 512-892-2256

TCManager@traviscountry.com

WWW.TravisCountry.com

Art Bedrosian
7800 Southwest Parkway #624
Austin, Texas 78735
[REDACTED]

July 11, 2016

Mr. Michael Searle
Policy Director
Office of Council Member Ellen Troxclair, District 8
301 West 2nd Street
Austin, Texas 78701

Dear Mr. Searle:

On behalf of the Escondera Condominium Owners Association (ECOA), I have prepared the following comments concerning the proposed Lantana Tract 4 development. These comments are based upon data provided by the applicant in its Traffic Impact Analysis (TIA) submitted to the City of Austin (COA) in January 2016. The comments also address the June 5 Draft Memorandum sent to Ivan Naranjo as prepared by Andre H. Betit, Jr., Brian Craig, and Anna Martin, all representing the Austin Transportation Department (ATD). We respectfully request that before any decisions are formulated concerning traffic mitigation, Councilwoman Troxclair as well as the ATD consider the indisputable facts that not only impact mobility but also the more critical aspects of District 8 roadway safety and financial responsibility. We would like to see a traffic light installed at the Southwest Parkway / Terravista intersection this year. It can be funded by the many developments that are in progress and proposed for the immediate area around the intersection. Data verifies it should have already been installed.

The June 5 memorandum is comprised of eight summary findings. Findings one through five all point to short comings in the data presented and the way it is presented. Finding eight merely states that TxDOT needs to approve the TIA. In spite of ATD's recognition of a lack of data, findings six and seven specifically make recommendations for mitigation which differ from those presented by the applicant. We find it interesting that the reviewers would have already formulated recommendations in spite of their statement concerning level of service that *"...since this information was not provided, we are unable to verify the validity or the effectiveness of the proposed mitigation."* Given this lack of information, how can they chart a path for effective mitigation?

The attached Figure 1 and Tables 1 through 5 compare traffic closing speeds, level of service (LOS), peak hourly traffic, roadway characteristics, and distance from the Lantana Tract 4 project. The TIA identifies five intersections that are anticipated to operate with unacceptable LOS under project build out conditions. For the purposes of this letter report, we have disregarded the William Cannon at US 290 intersection because last year a multi-million dollar expansion was completed for it, it is more than 2 miles from the proposed Lantana Tract 4 project, and the area it serves is under planning review as part of the proposed Oak Hill Parkway effort. Table 2 shows the relative distances from the proposed project to five intersections of consideration. Two of these either currently are traffic light controlled

(Southwest Parkway at William Cannon) or soon will be. The later being Southwest Parkway at Mirador, that is being funded 100% by contribution from Lantana Block P, Lot 3. Interestingly, Table 1 shows peak traffic levels for Southwest Parkway at Terravista, Southwest Parkway at Mirador, and Southwest Parkway at Rialto to be nearly identical. Yet, only Mirador is funded for traffic light mitigation. That leaves three intersections of consideration for traffic light mitigation: Southwest Parkway at Terravista, William Cannon at Rialto, and Southwest Parkway at Rialto. Table 2 shows that while Southwest Parkway at Terravista is at the project location, William Cannon at Rialto is 4,718 feet from the project and Southwest Parkway at Rialto is the farthest at 6,336 feet away from the project.

Comparison of the LOS and traffic delay experienced at the three intersections, as shown in Table 3, demonstrates that Southwest Parkway at Terravista has the worst LOS and delay in the existing scenario, the worst in the build-out scenario, and the worst even if traffic lights are installed at all three intersections.

Curiously, the ADT memorandum does not discuss, mention, or recognize in any way, manner, or form the Southwest Parkway at Terravista intersection which is the corner where the proposed project will be built. Instead they focus on intersections that are no closer than 1,800 feet and up to 6,336 feet from the proposed project (Table 2). Not only is the glaringly omitted Southwest Parkway at Terravista intersection adjacent to the project, it handles more than twice the traffic levels (Table 1) of the intersection the ATD staff is recommending to be the recipient of signalization, William Cannon at Rialto. Here are some significant comparative facts concerning the Southwest Parkway at Terravista and the William Cannon at Rialto intersections:

INTERSECTION	Southwest Pkwy @ Terravista	William Cannon @ Rialto
DISTANCE FROM PROJECT	0 feet	4,718 feet
SPEED LIMIT	55/30 MPH	45/30 MPH
SIGHT DISTANCE	528 feet	600 feet
BACKGROUND TRAFFIC AM/PM	3,475 / 3,681 vehicles per peak hour	1,857 / 1,741 vehicles per peak hour
BACKGROUND + SITE	3,724 / 3,874 vehicles per peak hour	2,075 / 1,931 vehicles per peak hour
WIDTH OF MEDIAN	6 feet	40 feet
TRAFFIC SIGNAGE IN MEDIAN	No	Yes

This information clearly demonstrates that from traffic and location standpoints the Southwest Parkway at Terravista intersection is significantly more in need of signalization than William Cannon at Rialto. Table 4 demonstrates that Southwest Parkway at Terravista is also a more dangerous intersection than William Cannon at Rialto. At Terravista more vehicles are approaching uncontrolled cross traffic. These vehicles pass through a six-foot wide uncontrolled median where the front and back of their vehicles stick out into the traffic flow which is moving at a higher rate of speed with less sight distance than one experiences at William Cannon at Rialto. Plus, since the proposed project is at the Southwest Parkway at Terravista intersection, there will be more ingress/egress movements here (Table 3).

We should take a moment to briefly discuss the intersection improvement cost and developer cost determination methodology used in the TIA. Simply put the project site generated traffic is divided by the peak background traffic. The resulting percentage is then applied as the developer's pro-rata share percentage toward mitigation. It's intuitively obvious that this methodology is flawed for situations where there exist large disparities in roadway utilization. That is to say, where the denominator of the equation is very large, it dominates the result in an inequitable manner. In a more homogeneous traffic situation, such as downtown, where all

roads are basically equal in size and usage the method can work. The denominator is effectively normalized for all intersections considered in the analysis. For example, if an intersection has peak hourly traffic of 4,000 vehicles and a project is to add 1,000 vehicles, the percent contribution would be 25%. If another intersection, one mile away, has a road with a peak hourly traffic of 10 vehicles and that same project would contribute 10 more vehicles, its percent contribution would be 100%. Does this calculation methodology accurately demonstrate that the 10 vehicle roadway is in more need of mitigation than the 4,000 vehicle roadway? I expect good sense would recognize this analysis is in no way representative of that situation and certainly not an applicable method for assigning financial mitigation. In the Lantana Tract 4 project situation that fronts Southwest Parkway, the method is not representative. There is approximately 50% more traffic along Southwest Parkway verses William Cannon.

So what is a good way to evaluate need in disparate situations such as Lantana Tract 4? In one word, safety. Enabling the Southwest Parkway at Terravista intersection to remain without a traffic light is a formula for disaster. While the speed limits shown in Table 4 seem comparable, traffic along Southwest Parkway at Terravista typically moves at 65 to 75 miles per hour (MPH); and some people drive 80 MPH or more on a regular basis, well in excess of speeds found on William Cannon. This is a dangerous intersection that the TIA shows has had three accidents from January to October of 2015. We are sure this number has grown in the intervening time span. There is, in reality, no active efforts by law enforcement to control speeds on the portion of Southwest Parkway from William Cannon to Barton Creek Boulevard, and very little beyond that until drivers reach Highway 71. A simple review of speeding tickets issued in this area can substantiate this assertion.

The TIA demonstrates that signalization at the Southwest Parkway / Terravista intersection is supported by the warrant criteria specified in the Texas Manual on Uniform Traffic Control Devices. Based upon 2015 traffic data, Warrants 1 and 2 are currently satisfied and this intersection qualified for signalization last year, at a minimum.

While all this data is important, the closing speed data, Table 5 and Figure 1, should be considered most carefully. Since there exists no lane for acceleration for vehicles making right or left turns onto Southwest Parkway where traffic is flowing at anywhere from 55 to 80 MPH, the turning vehicle has only seconds to get up to the traffic flow speed. In fact, if the flow is moving at 70 MPH an oncoming vehicle will cover the very short 528-foot sight distance in 7.5 seconds. Conservatively assuming it takes a turning driver 4 seconds to evaluate the situation in this uncontrolled median (i.e. look to the right to see oncoming traffic, look in front to see that no vehicle is going to go cross your path as you turn left, look toward your left to see if any vehicles in the oncoming left turn lane are initiating their turning movement, and then move one's foot from the brake to the gas), in the ensuing 7.5 seconds that it takes a vehicle to traverse the 528-foot sight distance range, the turning vehicle has but 3.5 seconds to accelerate to match the traffic flow and keep from either getting hit or becoming a roadway hazard. Virtually, no typical roadway vehicle accelerates from 0 to 70 MPH in 3.5 seconds. Table 5 shows the oncoming vehicle will have traveled 412 feet, leaving only 116 feet to identify the potential hazard and stop in case of an emergency, for example if the turning vehicle were to stall unexpectedly. The Texas Department of Public Safety prepared Figure 1 states that at 70 MPH the oncoming vehicle would need a minimum of 387 feet to stop. If the oncoming vehicle is distracted or boxed in its traffic lane to prevent taking avoidance action, a potentially deadly accident would be inevitable. This is the reality of the Southwest Parkway at Terravista intersection right now. This is certainly not the situation for the William Cannon at Rialto intersection.

The position of the ECOA is based on our daily interaction with a most dangerous traffic intersection, Southwest Parkway at Terravista. This will only get worse and potentially deadly with the high level of large project development currently in progress at our front door. There have been two large office buildings and a church with a school built at or very close to the Terravista intersection. There is a 170,000 square foot office building under construction 1,800 feet from Terravista that will only multiply the dangers. Another 200,000 square foot building is starting construction to the west of Terravista on Southwest Parkway. All of these projects, and more, could have been required to put money toward that light just as one has for the Southwest Parkway at Mirador intersection. We've seen no evidence that ATD has considered the Southwest Parkway at Terravista intersection in its recommendations for traffic mitigation funds from any of these projects and now is even proposing to ignore a project that is at the intersection itself.

Lantana Tract 4 will create a driveway cut onto Southwest Parkway approximately 300 feet east of Terravista, further complicating an already dangerous turning movement. Vehicles going in and out of this driveway, including those with children for the proposed child care facility, will be dealing with an existing traffic flow moving legally at 55 MPH and often illegally at 75 MPH or more. The ATD staff should not and cannot ignore these facts in recommending mitigation financing for traffic improvements made necessary by the Lantana Tract 4 project.

Southwest Parkway at Terravista will be impacted from the proposed Lantana Tract 4 development more than any other intersection, including the William Cannon at Rialto intersection that has much lower speeds, half the traffic, a longer sight distance, and a controlled median that is seven times wider. We further believe the traffic light should already have been installed; and in light of the information provided, the traffic light should be installed this year before more construction is initiated and the intersection becomes a killing zone.

Data shows the Southwest Parkway at Terravista intersection qualifies for a traffic light now. More importantly, this is not just a matter of need but also a matter of whether the City of Austin puts priority on this long existing need. It is not a matter of funding but rather whether the City of Austin directs developers to put money towards this traffic light, as it should have done in past years and as it has done in the case of Mirador and others. ECOA believes the Southwest Parkway at Terravista intersection has long been overlooked for mitigation and is in need of a traffic light far beyond that of any other nearby uncontrolled intersection. We would welcome the opportunity to discuss this information and the proposed project in general with the appropriate decision makers within ATD, the Planning & Zoning Department, or City Council.

Respectfully,



Art Bedrosian
Director, Escondera Condominium Owners Association

Cc: Ellen Troxclair
Jerry Rusthoven
Andrew Moore
Ivan Naranjo

TABLE 1**PEAK HOURLY TRAFFIC
(AM/PM)**

INTERSECTION	BACKGROUND	BACKGROUND + SITE
Southwest Parkway @ Terravista	3,475 / 3,681	3,724 / 3,874
William Cannon @ Rialto	1,857 / 1,741	2,075 / 1,931
Southwest Parkway @ Mirador	3,795 / 4,045	4,009 / 4,235
Southwest Parkway @ William Cannon	3,925 / 4,394	4,158 / 4,598
Southwest Parkway @ Rialto	3,482 / 4,022	3,553 / 4,084

Source: Alliance Transportation Group, Lantana Tract IV, Traffic Impact Analysis, January 2016

TABLE 2**Distance From Proposed Project to Intersection**

INTERSECTION	DISTANCE (Feet)
Southwest Parkway @ Terravista	0
William Cannon @ Rialto	4,718
Southwest Parkway @ Mirador	1,800
Southwest Parkway @ William Cannon	3,700
Southwest Parkway @ Rialto	6,336

Source: Google Maps

TABLE 3**Level of Service (LOS) Comparison**

INTERSECTION	AM / PM BACKGROUND	AM / PM BACKGROUND + PROJECT	AM / PM BACKGROUND + PROJECT w/ TRAFFIC LIGHTS
Southwest Parkway @ Terravista LOS Delay	F / D 100.7 / 32.2	F / F 329.3 / 156.4	B / B 17.4 / 18.5
William Cannon @ Rialto LOS Delay	D / C 34.7 / 15.7	F / D 53.2 / 31.4	A / A 8.6 / 9.2
Southwest Parkway @ Rialto LOS Delay	C / E 22.9 / 46.2	D / F 26.9 / 50.5	B / C 14.1 / 21.2

Source: Alliance Transportation Group, Lantana Tract IV, Traffic Impact Analysis, January 2016

TABLE 4**Roadway Characteristics**

INTERSECTION	MEDIAN WIDTH	MEDIAN SIGNAGE	SPEED LIMIT (mph)	SHORTEST SITE DISTANCE
Southwest Parkway @ Terravista	6 feet	NO	55 / 30	528 feet
William Cannon @ Rialto	40 feet	YES	45 / 30	600 feet
Southwest Parkway @ Rialto	6 feet	NO	55 / 30	1000 feet

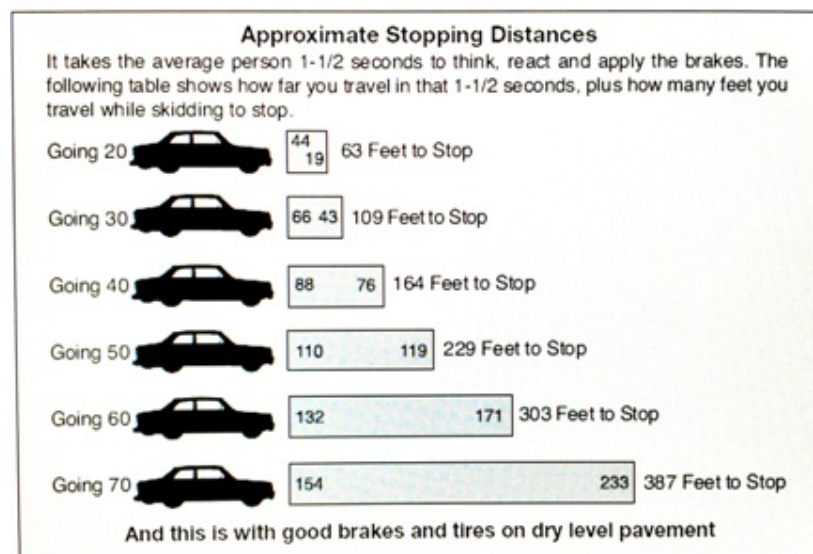
Source: Alliance Transportation Group, Lantana Tract IV, Traffic Impact Analysis, January 2016

TABLE 5**Time / Distance Travel Analysis**

Velocity (MPH)	Velocity (ft/sec)	Time (sec) to Traverse 528 feet	Distance Oncoming Vehicle Travels in 4 sec Reaction Time*	Distance Between Oncoming and Turning Vehicle 528 ft Sight Distance	Distance Between Oncoming and Turning Vehicle 600 ft Sight Distance
45	66	11.7 sec	264 ft	264 ft	336 ft
55	81	9.6 sec	324 ft	204 ft	276 ft
60	88	8.8 sec	352 ft	176 ft	248 ft
65	95	8.1 sec	380 ft	148 ft	220 ft
70	102	7.5 sec	412 ft	116 ft	188 ft
75	110	7.0 sec	440 ft	88 ft	160 ft
80	117	6.6 sec	468 ft	60 ft	132 ft

Source: This table was assembled using the equation $D = VT$ where: D = Distance, V = Velocity, and T = Time

* A reaction time of 4 seconds was used as a very conservative default time to view the road and start a left turn. Texas Department of Public Safety driver's manual states a typical reaction time to move from a brake pedal to the gas is 1.5 seconds. Assume it takes a minimum of approximately another 2.5 seconds for a driver to survey the situation and decide to execute a turn.

Figure 1

Source: Texas Department of Public Safety, Texas Driver's Handbook, Revised 2014

From: [Art and Jane Bedrosian](#)
To: [James, Scott](#); [Searle, Michael](#); [Naranjo, Ivan](#); [Rusthoven, Jerry](#); [Jain, Sangeeta](#); [Martin, Anna](#)
Cc: [Troxclair, Ellen](#); [Moore, Andrew](#)
Subject: Another Collision at Southwest Parkway at Terravista
Date: Tuesday, August 09, 2016 8:38:12 PM

Folks, I've addressed this to the principal parties that were in attendance at our meeting in early July concerning the need for a traffic light at the intersection of Southwest Parkway and Terravista. Today (August 9, 2016) just before 3 PM there was yet another vehicular collision at this intersection. Eastbound Southwest Parkway traffic was rerouted through the Lantana neighborhood for about an hour while the roadway was cleared of debris. At least two vehicles were involved, and an EMS truck was at the scene. In addition, there were two fire trucks, a DPS cruiser, a City of Austin police car, and a motorcycle officer, as well as two tow vehicles. This happened during a time that would be considered non-rush hour. During rush hour this accident would have most likely involved several more vehicles.

My point once again is while I agree with you that all four of the intersections that ATD has identified as needing traffic lights, the Southwest Parkway at Terravista is the one that poses the greatest danger to life and limb due to the fact that it has the highest closing speeds and the shortest sight distance. I realize you operate with severe budget constraints; so as you prioritize where the available funds will be spent, please consider the danger that each of the four intersections pose to the general public. While they may appear to be equally important from a planning perspective, they are not from a practical perspective. Please consider the number of high speed collisions that have been recorded over the past several years. Bear in mind that Lantana Tract IV is proposing to have as one of its first users a Montessori school for children. There will be constant traffic in and out of the very place where today's collision occurred. Over the coming months there will be considerably more traffic there due to current development, and there will be a steady stream of vehicles, including heavy construction, moving at speeds of 70 to 80 miles per hour. Some things are just not about money.

Respectfully,
Art Bedrosian, Director
Escondera Condominium Owners Association

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: C14-2016-0020

Contact: Andrew Moore, 512-974-7604

Public Hearings: August 9, 2016, Planning Commission
September 22, 2016, City Council

JERRY DEWERS
Your Name (please print)

☐ I am in favor
☒ I object

7800 SOUTHWEST PARKWAY #1070

Your address(es) affected by this application

Jerry Dewers

Signature

8/24/16

Date

Daytime Telephone: 361-815-8477

Comments:

THIS IS IN THE MIDDLE OF A
RESIDENTIAL NEIGHBORHOOD, THE PLAT
SHOWS ACCESS DIRECTLY ACROSS ROAD
AS UNDEVELOPED WHEN IN FACT THERE
ARE APPROXIMATELY 50 HOMES. ANYTHING
UNDEVELOPED IS A GREENBELT REQUIRED TO
REMAIN THAT WAY. FURTHERMORE A MORE
GENERAL DESIGNATION WOULD MAKE THIS A
MORE DANGEROUS INTERSECTION

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

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

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:
www.austintexas.gov/planning.

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Case Number: C14-2016-0020

Contact: Andrew Moore, 512-974-7604

Public Hearings: August 9, 2016, Planning Commission
September 22, 2016, City Council

Raymond Fairies

Your Name (please print)

7800 Southwest Parkway

Your address(es) affected by this application

11/1/16

Signature

Daytime Telephone: *817 6149280*

Date

07/29/2016

☐ I am in favor
☒ I object

Comments:

*This will increase already out of control
Traffic intersection beyond safety*

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

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810