

ZONING STAFF REPORT

CASE: C14-85-288.22 **P.C. DATE:** March 14, 2017
7919 W. SH 71 RCA March 28, 2017

ADDRESS: 7919 W. SH 71 **AREA:** 7.65 acres

OWNER: Ridglea Properties (Stan Caskey)

APPLICANT: Metcalfe Wolff Stuart & Williams (Michele R. Lynch)

NEIGHBORHOOD PLAN AREA: West Oak Hill
(Oak Hill Combined Neighborhood Plan Area)

REQUEST: Amend Public Restrictive Covenant to Delete Terms, Amend Terms,
and/or Add new Terms

SUMMARY STAFF RECOMMENDATION

To amend the Existing Public Restrictive Covenant as follows:

1. Maximum impervious cover of the Property shall be 24 percent gross site area (from 65%).
2. The Property shall be limited to a maximum of .40 to 1 floor to area ratio (from .25 to 1).
3. Keep provisions that allow the following in the Critical Water Quality Zone (CWQZ):
Driveway to cross the CWQZ
Detention Ponds in the CWQZ
Construction in the CWQZ
Flood Plain modifications in the CWQZ
Utilities to cross the CWQZ
4. Allow development in the Water Quality Transition Zone (WQTZ).
5. Allow access to State Highway 71.
6. One time use of the impervious cover, subsequent redevelopment will be subject to current code.

PLANNING COMMISSION RECOMMENDATION:

MARCH 14, 2017 – *MEETING CANCELLED BECAUSE OF A LACK OF QUORUM.*
RENOTIFIED FOR MARCH 28, 2017.

MARCH 28, 2017 – *APPROVED ON CONSENT, VOTE 12-0 [K. MCGRAW 1ST, P. SEEGER 2ND, T. WHITE ABSENT].*

CITY COUNCIL ACTION:

APRIL 20, 2017 - *POSTPONED AT THE REQUEST OF THE APPLICANT ON CONSENT, VOTE 11-0 [CM POOL 1ST, CM CASAR 2ND].*

DEPARTMENTAL COMMENTS:

The subject property is a 7.65-acre tract located at 7919 W. State Highway 71 in the West Oak Hill Neighborhood (Oak Hill Combined NPA) (see Exhibit A). It is one of 4 tracts that Restrictive Covenant C14-85-288.22 (Exhibit B) regulates. This property is referred to as "Tract 4" in the document.

The Oak Hill Area Study was completed in 1985 and provided a guide for zoning of recently annexed properties within the study area. Similar to neighborhood plans, there were

neighborhood, property owner and staff recommendations for properties and the resulting restrictive covenants were used to complete the zoning negotiation.

During that process this property was zoned from rural residential (I-RR) to commercial services (CS). The 3 other tracts associated with the restrictive covenant and zoning case were given residential categories decreasing in intensity from SH 71 (SF-6, SF-2, SF-1, respectively).

The provisions in the restrictive covenant give significant entitlements beyond current code. Exhibit C provides a comparison of the restrictive covenant provisions and current code. It also includes the provisions the applicant is proposing to amend and keep intact. City of Austin Environmental and Development Review staff has reviewed the case and are supportive of the proposed amendments. The significant reduction in impervious cover and providing current code water quality standards represents as significant increase in environmental protection.

BASIS FOR RECOMMENDATION:

1) Reduce the existing maximum allowable impervious cover from 65% to 24%.

The RC regulating this property, like those 34 restrictive covenants encumbering all the other 800-plus acres zoned as a result of the Oak Hill Study Area, was adopted after the Barton Creek Watershed ordinances of the early 1980s, but before the adoption of the Save Our Springs ordinances in the 1990s. In comparison with current City regulations of the Barton Springs Zone, the maximums adopted in these RCs are considered generous.

2. Property shall be limited to a maximum of .40 to 1 floor to area ratio from .25 to 1.

Staff supports the increase in floor to area ratio in return for the reduction in overall impervious cover.

3. Keep provisions that allow certain development within the Critical Water Quality Zone (CWQZ).

Staff supports allowing selective provisions remain within the restrictive covenant in return for the reduction of impervious cover and compliance with current water quality and detention code provisions.

4. Allow development in the Water Quality Transition Zone (WQTZ).

Staff supports allowing selective provisions remain within the restrictive covenant in return for the reduction of impervious cover and compliance with current water quality and detention code provisions

5. Allow access to State Highway 71.

The restrictive covenant prescribes a “loop road” which Tract 4 would use its vehicle access. A loop road would provide limited connectivity to the surrounding area. The residential tracts to the south of Tract 4 can take access into the adjacent single family development to the west.

6. **One time use of the impervious cover, subsequent redevelopment will be subject to current code.**

Staff is including this language to ensure restrictive covenants which allow significant entitlements beyond current code are no longer applicable after initial development is completed.

CASE MANAGER: Andrew Moore

e-mail address: Andrew.moore@austintexas.gov

PHONE: 512-974-7604

89001563

EXHIBIT A Zoning Case No. C14-85-288.22

FILM CODE

RESTRICTIVE COVENANT

0000440001

OWNER: Austin Lacquer Company, a Texas corporation

ADDRESS: 1400 East 5th Street, Austin, Texas, 78702

CONSIDERATION: One and No/100 Dollars (\$1.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: TRACT 1: All that certain 2.01 acre tract of land out of the A. J. Bond Survey No. 91, lying and being situated in the County of Travis, State of Texas, said 2.01 acre tract being more particularly by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes; and,

TRACT 2: All that certain 2.54 acre tract of land out of the A. J. Bond Survey No. 91, lying and being situated in the County of Travis, State of Texas, said 2.54 acre tract being more particularly by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes; and,

TRACT 3: All that certain 1.94 acre tract of land out of the A. J. Bond Survey No. 91, lying and being situated in the County of Travis, State of Texas, said 1.94 acre tract being more particularly by metes and bounds in "Exhibit C" attached and incorporated herein for all purposes; and,

TRACT 4: All that certain 7.65 acre tract of land out of the A. J. Bond Survey No. 91, lying and being situated in the County of Travis, State of Texas, said 7.65 acre tract being more particularly by metes and bounds in "Exhibit D" attached and incorporated herein for all purposes.

Owner of the Property, for the consideration, impresses the Property with these covenants and restrictions running with the land:

1. The following condition shall apply only to Tract 1:

The number of "SF-1" Single Family Residence District (Large Lot) dwelling units located on the Property shall be restricted to five units.

2. The following condition shall apply only to Tract 2:

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TRAVIS COUNTY, TEXAS

10850 0056

The number of "SF-2" Single Family Residence District (Standard Lot) dwelling units located on the Property shall be restricted to eleven units.

3. The following conditions shall apply only to Tract 3:
 - a. Maximum impervious coverage of the Property shall be 50 percent.
 - b. The number of "SF-6" Townhouse and Condominium Residence District dwelling units located on the Property shall be restricted to fifteen units.
 - c. Development of the Property shall be in compliance with Sections 9-10-171 through 9-10-230 and Sections 13-3-401 through 13-3-475 of the Austin City Code of 1981 except for the following sections:

The part of Section 9-10-191 which reads "or to a development within a recorded subdivision which was finally approved or finally disapproved by the Planning Commission prior to December 18, 1980."
Section 9-10-208, subsections (c), (d), and (e).
Section 13-3-408(a).
Section 13-3-433, subsections (c), (d), and (e).

4. The following conditions shall apply only to Tract 4:
 - a. Maximum impervious coverage of the Property shall be 65 percent.
 - b. The Property shall be limited to a maximum of .25 to 1 floor to area ratio as defined by Section 1212 of Chapter 13-2A of the Austin City Code.
 - c. Development of the Property shall be in compliance with Sections 9-10-171 through 9-10-230 and Sections 13-3-401 through 13-3-475 of the Austin City Code of 1981 except for the following sections:

The part of Section 9-10-191 which reads "or to a development within a recorded subdivision which was finally approved or finally disapproved by the Planning Commission prior to December 18, 1980."
Section 9-10-208, subsections (c), (d), and (e).
Section 13-3-408(a).
Section 13-3-433, subsections (c), (d), and (e).

5. Owner shall participate fiscally in the construction of a commercial loop, consistent with the subdivision process requirements in Chapter 13-3 of the Austin City Code. This commercial loop shall be constructed with 70 feet of right of way, 44 feet pavement width, and shall pass through the Property. All access to Tract 4 shall be via this roadway. This roadway shall further be subject to city-approved design and signalization requirements.

6. If any person or entity shall violate or attempt to violate this 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 such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
7. If any part of this agreement or covenant 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 effect.
8. If at any time the City of Austin, its successors or assigns, 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.
9. 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 owner(s) of the Property at the time of such modification, amendment or termination.

All citations to the Austin City Code shall refer to the Austin City Code of 1981, as amended from time to time, unless otherwise specified.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this the 3rd day of Nov., 1988.

Austin Lacquer Company

BY:

Hubert M. Caskey
Hubert M. Caskey, President

THE STATE OF TEXAS

§

§

COUNTY OF TRAVIS

§

This instrument was acknowledged before me on this the 3rd day of NOVEMBER, 1988, by Hubert M. Caskey, President of Austin Lacquer Company, a Texas corporation, on behalf of said corporation.

NOTARY SEAL

John Blore
Notary Public Signature

JOHN BLORE
Type or Print Notary Name

My Commission Expires: 07/12/89

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10850 0058

W VIGIL & ASSOCIATES

CIVIL ENGINEERING CONSULTING SERVICES

NOTES DESCRIBING A 2.01 ACRE TRACT OF LAND OUT OF THE A.J. BOND SURVEY NO. 91 IN TRAVIS COUNTY, TEXAS, SAID 2.01 ACRE TRACT OF LAND BEING OUT OF AND A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO JOSEPH R. WESTMORELAND AND WIFE, JOYCE LEE WESTMORELAND BY DEED RECORDED IN VOLUME 6028, PAGES 2009 THROUGH 2012 OF THE TRAVIS COUNTY DEED RECORDS, SAID 2.01 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the Southeast corner of the Augustine Bowles Survey No. 98, same being the Northeast corner of the Hugh Kelly Survey No. 525, and being also the Southeast corner of the Lot 13 of Block "G" of Valley View Acres. Revised, a subdivision of record in Book 59, Page 35 of the Travis County Plat Records.

THENCE with the East boundary of said subdivision N29°16'07"E for 282.68 feet to a point located on the East boundary of that certain Valley View Acres Subdivision.

THENCE through the interior of said Westmoreland Tract the following three (3) courses:

1. S60°43'E for 144.93' to a point on that certain Westmoreland Tract.
2. N29°16'50"E for 47.68' to a point on that certain Westmoreland Tract.
3. S60°43'E for 141.45' to a point on the West boundary of that certain 23.56 acre tract of land conveyed to Stephen M. Simon et.al. by deed recorded in Volume 4498, Page 464 of the Travis County Deed Records.

THENCE with the West boundary of said 23.56 acre tract of land S29°54'05"W for 334.60 feet to a point representing the Southeast corner of the herein described tract.

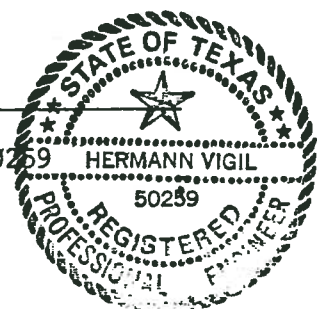
THENCE with the South boundary of said A.J. Bond Survey N59°52'W for 282.63 feet to the POINT OF BEGINNING of the herein described tract of land containing 2.01 acres of land more or less.

I HEREBY CERTIFY that these notes were prepared from the survey field notes of Jimmy F. Johnson and from the Vigil & Associates' preliminary subdivision design according to the law and are true and correct to the best of my knowledge.

EXHIBIT "A"

Hermann Vigil, P.E.
P.E. Certificate No. 50259

July 28, 1988



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
10850 0059

W VIGIL & ASSOCIATES

CIVIL ENGINEERING CONSULTING SERVICES

NOTES DESCRIBING A 2.54 ACRE TRACT OF LAND OUT OF THE A.J. BOND SURVEY NO. 91 IN TRAVIS COUNTY, TEXAS, SAID 2.54 ACRE TRACT OF LAND BEING OUT OF AND A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO JOSEPH R. WESTMORELAND AND WIFE, JOYCE LEE WESTMORELAND BY DEED RECORDED IN VOLUME 6028, PAGES 2009 THROUGH 2012 OF THE TRAVIS COUNTY DEED RECORDS, SAID 2.54 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the Southwest corner of said tract, same being the Northwest corner of a 2.01 acre tract of land of that certain Westmoreland Tract, with same point being situated on the East boundary of Valley View Acres Revised, as subdivision of record in Book 39, Page 35 of the Travis County Plat Records.

THENCE with the East boundary of said subdivision the following two (2) courses:

1. N29°16'07"E for 267.60' to a point on that certain Westmoreland Tract.
2. N29°17'E for 139.06' to a point at the center at the R.O.W. at Little Deer Crossing.

THENCE through the interior of said Westmoreland Tract, same being the center line of the R.O.W. of Little Deer Crossing, S60°43'E for 290.40 feet to a point set on the West boundary of that certain 23.56 acre tract of land conveyed to Stephen M. Simon et.al. by deed recorded in Volume 449B, Page 464 of the Travis County Deed Records.

THENCE with the West boundary of said 23.56 acre tract of land the following two (2) courses:


1. S30°01'15"W for 30.00' to a point on that certain Westmoreland Tract.
2. S29°54'05"W for 329.00' to a point representing the Southeast corner of the herein described tract.

THENCE through the interior of said Westmoreland tract of land the following three (3) courses:

1. N60°43'W for 141.45' to a point on that certain Westmoreland Tract.
2. S29°16'50"W for 47.68' to a point on that certain Westmoreland Tract.
3. N60°43'W for 144.93' to the POINT OF BEGINNING of the herein described tract containing 2.54 acres of land more or less.

EXHIBIT "B"

I HEREBY CERTIFY that these notes were prepared from the survey field notes of Jimmy F. Johnson and from the Vigil & Associates' preliminary subdivision design according to the law and are true and correct to the best of my knowledge.


Hermann Vigil, P.E.
P.E. Certificate No. 50289

July 28, 1988



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10850 0061

EXHIBIT "B"

W VIGIL & ASSOCIATES
CIVIL ENGINEERING CONSULTING SERVICES

NOTES DESCRIBING A 1.94 ACRE TRACT OF LAND OUT OF THE A.J. BOND SURVEY NO. 91 IN TRAVIS COUNTY, TEXAS, SAID 1.94 ACRE TRACT OF LAND BEING OUT OF AND A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO JOSEPH R. WESTMORELAND AND WIFE, JOYCE LEE WESTMORELAND BY DEED RECORDED IN VOLUME 6028, PAGES 2009 THROUGH 2012 OF THE TRAVIS COUNTY DEED RECORDS, SAID 1.94 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point situated on the East boundary of Valley View Acres Revised, a subdivision of record in Book 59, Page 35 of the Travis County Plat Records, same being situated at the center of the R.O.W. of Little Deer Crossing.

THENCE with the East boundary of said subdivision N29°17'E for 289.00 feet.

THENCE through the interior of said Westmoreland Tract for S60°43'E for 294.12 feet to a point set on the fenced West boundary of that certain 23.56 acre tract of land conveyed to Stephen M. Simon et.al. by deed recorded in Volume 4498. Page 464 of the Travis County Deed Records.

THENCE with the West boundary of said 23.56 acre tract of land S30°01'15"W for 289.02 feet to a point situated at the center of the R.O.W. of Little Deer Crossing.

THENCE with the center line of R.O.W. of Little Deer Crossing N60°43'W for 290.40 feet to the POINT OF BEGINNING of the herein described tract containing 1.94 acres of land more or less.

I HEREBY CERTIFY that these notes were prepared from the survey field notes of Jimmy F. Johnson and from the Vigil & Associates' preliminary subdivision design according to the law and are true and correct to the best of my knowledge.



Hermann Vigil, P.E.
P.E. Certificate No. 50259

July 28, 1988



EXHIBIT "C"

1515 West Sixth Street • Austin, Texas 78703 • Phone: (512) 478-6991

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
10850 0062

W VIGIL & ASSOCIATES

CIVIL ENGINEERING CONSULTING SERVICES

NOTES DESCRIBING A 7.65 ACRE TRACT OF LAND OUT OF THE A.J. BOND SURVEY NO. 91 IN TRAVIS COUNTY, TEXAS, SAID 7.65 ACRE TRACT OF LAND BEING OUT OF AND A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO JOSEPH R. WESTMORELAND AND WIFE, JOYCE LEE WESTMORELAND BY DEED RECORDED IN VOLUME 6028, PAGES 2009 THROUGH 2012 OF THE TRAVIS COUNTY DEED RECORDS, SAID 7.65 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a pipe found on the Southwest R.O.W. line of State Highway No. 71 at the Northwest corner of said tract of land conveyed to Joseph R. Westmoreland and Joyce Lee Westmoreland, said pipe being situated at the Northeast corner of Lot 19 of Block "K" of Valley View Acres Revised, a subdivision of record in Book 59, Page 35 of the Plat and Records of Travis County, Texas.

THENCE with said Southwest R.O.W. line of State Highway 71, S41°39'12"E for 324.59 feet to an iron pin found in the Northwest corner of said Westmoreland Tract, same being the Northwest corner of that certain tract of land conveyed to M.H. Kretzschmar by deed recorded in Volume 820, Page 375 of the Travis County Deed Records.

THENCE through the fenced West boundary of said Kretzsthmar Tract the following three (3) courses:

1. S29°59'W for 661.11' to a point on the West boundary of said Kretzschmar Tract.
2. S30°01'48"W for 80.95' to a point on the West boundary of said Kretzschmar Tract.
3. S30°01'15"W for 311.64' to a point set for the Southeast corner of the herein described tract.

THENCE through the interior of said Westmoreland Tract N60°43'W for 294.12' to a point on the East boundary of Valley View Acres Revised, a subdivision of record in Book 59, Page 35 of the Travis County Plat Records.

THENCE through the East boundary of said Valley View Acres revised the following five (5) courses:

1. N29°17'E for 343.70' to a point on said East boundary.
2. N29°13'46"E for 73.03' to a point on said East boundary.
3. N29°35'E for 30.75' to a point on said East boundary.
4. N29°14'E for 120.21' to a point on said East boundary.
5. N29°19'43"E for 591.94' to a POINT OF BEGINNING of the herein described tract containing 7.65 acres of land more or less.

EXHIBIT "D"

I HEREBY CERTIFY that these notes were prepared from the survey field notes of Jimmy F. Johnson and from the Vigil & Associates' preliminary subdivision design according to the law and are true and correct to the best of my knowledge.


Hermann Vigil, P.E.
P.E. Certificate No. 50259

July 28, 1988



FILED
JAN 1989 -6 AM 8:38
DANA DE BEAUVOR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECORDER'S MEMORANDUM:

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

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stamped herein by me; and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

JAN 6 1989




COUNTY CLERK
TRAVIS COUNTY, TEXAS

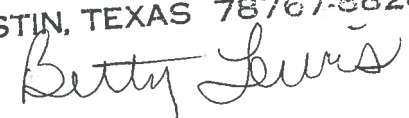
after recording
return to
CITY OF AUSTIN
DEPT. OF LAW
P. O. BOX 1088
AUSTIN, TEXAS 78767-0828


EXHIBIT "D"

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10850 0064

EXHIBIT C - OAK HILL TRACT –COMPARISION TABLE

Regulation	1985 Restrictive Covenant (Tract 4)/Zoning	Current Code – BSZ/Contributing	PROPOSED CONVENIENCE STORAGE
FAR	FAR limited to 0.25:1 (RC) (Section 4b of RC)	FAR limited to 2:1 (25-2-492)	<u>RCA</u> – remove restriction to allow 0.4 FAR
Impervious Cover	65% gross (Section 4a of RC)	25% in BSZ within Contributing Zone based on NSA. 25-8-514 (A)	<u>RCA</u> – amend restriction to 24% gross
Findings & Objectives	9-10-171 / 13-3-401	LDC 25-8-481	*
App of Division & Coordination w/ Other Ordinances	9-10-172 / 13-3-402	LDC 25-8-481	*
Definitions	9-10-173 / 13-3-403	LDC 25-8	*
Certification of plans and Specs.	9-10-174	Various LDC sections and the ECM	*
Alternative Control Strategies	9-10-175 / 13-3-406	ECM, Section 1.6.9	*
Maintenance	9-10-176 / 13-3-404	ECM, 1.6.3	*
Inspections	9-10-177 / 13-3-405	ECM, 1.6.3	*
Variances	9-10-178 / 13-3-407	LDC 25-8-41 – 25-8-42	*
Exemption from Division	9-10-179 / 13-3-408 (13-3-408a excluded)	No correlation to current code	*
Exemption from waterway development permit.	9-10-180	No correlation to current code	*
Reserved	9-10-181, 9-10-182 / 13-3-409	No correlation to current code	*
Reserved	9-10-183 – 9-10-190 / 13-3-410 – 13-3-417	No correlation to current code	*
Site Permit Required	9-10-191 / except for “or to” statement	LDC 25-5	*
Application	9-10-192	LDC 25-5	*
Fee	9-10-193	LDC 25-5	*
Advertising Application	9-10-194	LDC 25-5-4	*
Burden of Proof	9-10-195 / 13-3-421	Stnd Spec. 1804S.2 for Owner, Site Plan Note required on cover sheet- no code reference.	*
Issuance of site development permit within 20 days	9-10-196	LDC 25-5, Article 2	*
Appeal	9-10-197	LDC 25-1, Article 7	*
Reserved	9-10-198 – 9-10-205	No correlation to current code	*
Compliance	9-10-206	LDC 25-8-481	*
Construction Seq. /	9-10-207 / 13-3-432	ECM, Section 1.4.0 – 1.4.8, ECM Appendices	*

*Compliance with current code

Erosion Controls		P-1 – P-4, P-6	
CWQZ	<p>9-10-208 a & b (c, d, & e excluded) / 13-3-433 a & b (c, d, and e excluded)</p> <p>9-10-208(c) – roads may cross the CWQZ 9-10-208(d) – utilities may cross the CWQZ 9-10-208(e) – wastewater trunk and lateral lines may be located in the CWQZ</p>	<p>LDC-25-8-92 and 261 CWQZ required road crossing not allowed: LDC 25-8-262 (B) – major CWQZ may be crossed only by an arterial street identified in the Transportation Plan LDC 25-8-262 (D) – streets and driveways may not cross the CWQZ in the BSZ 25-8-261 (D) – utility lines may not cross the CWQZ 25-8-261 (F) – detention ponds not allowed in the CWQZ 25-8-261 (G) – flood plain modifications in the CWQZ are generally prohibited</p>	<p><u>RCA</u> – CWQZ current code, with allowed exceptions per the RC: 9-10-208(c)</p> <ul style="list-style-type: none"> allow for a driveway to cross the CWQZ allow for detention ponds in the CWQZ allow for construction in the CWQZ allow for flood plain modifications in the CWQZ <p>9-10-208(d) & (e)</p> <ul style="list-style-type: none"> allow for utilities to cross the CWQZ
Overland Flow / Natural Drainage	9-10-209 / 13-3-434	No correlation to current code	*
Velocity Attenuation	9-10-210 / 13-3-435	No correlation to current code	*
Wastewater Collection & Disposal	9-10-211 / 13-3-436	LDC 25-8-124	*
Street Standards	9-10-212	LDC, 25-6 & TCM	*
Compliance	9-10-221 / 13-3-446	LDC 25-8, Article 13	*
Water Quality	9-10-222 / 13-3-447	LDC 25-8, Article 13	*
Water Quality Filtration	9-10-223 / 13-3-448	LDC 25-8, Article 13	*
Maximum Development Intensity	9-10-224 / 13-3-449	LDC 25-8, Article 13	*
Street Improvements and Maintenance	9-10-225	LDC 25-8, Article 13	*
Limitation on Pollutants	9-10-226	LDC 25-8, Article 13	*
Reserved	9-10-227 – 9-10-230 / 13-3-438 – 13-3-445	No correlation to current code	*
Planning Commission Approval for subdivisions	13-3-418	LDC 25-4-1	*
Preliminary Plan	13-3-419	LDC 25-4-51	*
Final Plat	13-3-420	LDC 25-4-81 – 25-4-87	*
Reserved	13-3-422 – 13-3-430	No correlation to current code	*
Special Controls Required	13-3-431	No correlation to new code	*
Water Quality Transition Zone	9-10 – no WQTZ required	25-8-482 (B) buildings and water quality ponds are not allowed in the WQTZ	<u>RCA</u> – Allow development in the WQTZ per RC code

*Compliance with current code

March _4_, 2017

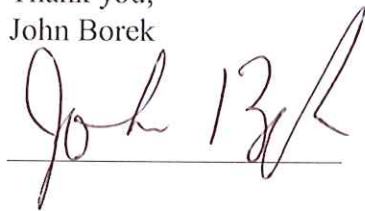
Mr. Andrew Moore
Planning and Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Re: Restrictive Covenant Amendment – Case Number C14-85-288.22 (RCA) for 7919
West Highway 71

Dear Mr. Moore:

I am the owner of properties located at 7928 and 8423 West Highway 71, within the notification boundaries of the proposed project. I have talked with the project representatives to discuss the proposed application and project. Based upon these discussions I am in support of the application as the project will reduce impervious cover, provide for current water quality standards and provide a quality, low impact development that will benefit the surrounding area.

Thank you,
John Borek

A handwritten signature in dark ink, appearing to read "John Borek", is written over a horizontal line. The signature is stylized, with the first name "John" and the last name "Borek" clearly visible.

Frani LaQuitara

6931 Chinook Dr
Austin, TX 78736
512-627-3129
FraniLaQuitara@Gmail.com

March 8, 2017

Mr. Andrew Moore
Planning and Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

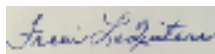
Re: Restrictive Covenant Amendment – Case Number C14-85-288.22 (RCA)
for 7919 West Highway 71

Dear Mr. Moore,

I am the owner of property at 6931 Chinook Dr, my property is directly behind the notification boundaries of the proposed project. When we originally received notification that there was a proposal to build a storage structure in our neighborhood we reached out to Michele Rogerson Lynch for additional information. She graciously agreed to meet with a few of the neighbors who also had questions. We meet with the project representatives to discuss the proposed application and project. They graciously showed us a presentation with the building location plotted on the land. Additionally we viewed actual photos of the proposed building and their vision for the surrounding area. Based upon these discussions I am in support of the application as the project will reduce impervious cover, provide for current water quality standards, remove existing unsightly uses and provide a low impact development that will not disturb the surrounding neighborhood.

Actually this project is so much more to myself and many of my neighbors I have spoken with. The project team has taken great care to be sure to protect and respect the landscape and our beautiful environment, we are very grateful for that. Additionally what this incredible project is bringing to Oak Hill is beautification. Quite frankly, Oak Hill is in desperate need of beautification. We currently have a retro HEB and a Goodwill as anchor stores in our area, no street lights or side walks, this proposed addition to our community and neighborhood will be a blessing! This building and landscape proposal is beautiful and we could not be more thankful.

Thank you,
Sincerely yours,



Frani LaQuitara

March 6, 2017

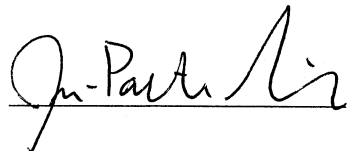
Mr. Andrew Moore
Planning and Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Re: Restrictive Covenant Amendment – Case Number C14-85-288.22 (RCA) for 7919
West Highway 71

Dear Mr. Moore:

I am the owner of property at 7800 Hwy 71 West, within the notification boundaries of the proposed project. I have met with the project representatives to discuss the proposed application and project. Based upon these discussions I am in support of the application as the project will reduce impervious cover, provide for current water quality standards, remove existing unsightly uses and provide a low impact development that will not disturb the surrounding neighborhood.

Thank you,

A handwritten signature in black ink, appearing to read "Jon-Paul Niz", written over a horizontal line.

March 7, 2017

Mr. Andrew Moore
Planning and Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

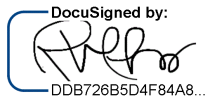
Re: Restrictive Covenant Amendment – Case Number C14-85-288.22 (RCA) for 7919
West Highway 71

Dear Mr. Moore:

I am the owner of the property at 6947 Chinook Dr, within the notification boundaries of the proposed project.

My Agent has met with the project representatives to discuss the proposed application and project and relayed the information to my husband and myself. Due to what we've been told, we are in support of the project and know it will reduce impervious cover, provide for current water quality standards, remove existing unsightly uses and provide a low impact development that will not disturb the surrounding neighborhood.

Thank You!

DocuSigned by:

DDB726B5D4F84A8...

3/7/2017 | 5:14 PM CST

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.

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: C14-85-288.22(RCA)

Contact: Andrew Moore, 512-974-7604

Public Hearing: March 14, 2017, Planning Commission

April 6, 2017, City Council

Amy S. Harper
Your Name (please print)

6929 Chinook Drive
Your address(es) affected by this application

☒ I am in favor
☐ I object

3/6/2017
Date

Signature

512-704-5590
Daytime Telephone:

Comments: As the property owner most affected by the proposed zoning change (the current owner is located directly behind my home); and after reviewing the proposed project for this land, I am in favor and request the zoning request be granted. I would also request that a wall be erected between my property and

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

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Case Number: C14-85-288.22(RCA)

Contact: Andrew Moore, 512-974-7604

Public Hearing: March 14, 2017, Planning Commission

April 6, 2017, City Council

Erani LaQuintara

Your Name (please print)

6931 Chinook Dr Austin 78736

Your address(es) affected by this application

Erani M. LaQuintara

Signature

3/8/2017

Date

Daytime Telephone: *512-627-3129*

Comments:

** Please see attached letter.*

Additionally if you could push this process along that would be super.

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

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Case Number: C14-85-288.22(RCA)

Contact: Andrew Moore, 512-974-7604

Public Hearing: March 14, 2017, Planning Commission

April 6, 2017, City Council

John Morgan
Your Name (please print)

719 WEST HWY 71 78735
Your address(es) affected by this application

[Signature] 6 MAR 17
Signature Date

512-801-3612
Daytime Telephone:

☐ I am in favor
☒ I object

Comments:

Access to Property is

Deadly Needs Bridge
widened

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

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Case Number: C14-85-288.22(RCA)
 Contact: Andrew Moore, 512-974-7604
 Public Hearing: Mar 28, 2017, Planning Commission
 Apr 20, 2017, City Council

Ramiro Villanueva
 Your Name (please print)

6945 Chinook Drive
 Your address(es) affected by this application

Ramiro Villanueva 2-20-2017
 Signature Date

Daytime Telephone: 512-845-3460

Comments: We already have noise and light pollution from Hwy 71, this will add much more. Even after the addition of a center left turn lane on Hwy 71 there continues to be hard hitting accidents on the stretch of Hwy 71 where more autos will be stopping next to 55 miles per hour traffic. All these and many more reasons should compel the decision makers to forgo making a dangerous stretch of Hwy 71 even more dangerous

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