

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0050 – 1501 Airport Commerce Drive Rezoning **P.C. DATE:** June 13, 2017
July 11, 2017

ADDRESS: 1501 Airport Commerce Drive

DISTRICT AREA: 3

OWNER/APPLICANT: W2Hill ACP II LP

AGENT: Thrower Designs/Ron Thrower

ZONING FROM: CS-CO-NP **TO:** CS-CO-NP, to change a condition of zoning

AREA: 13.42 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommendation is pending because of an unresolved transportation issue (see Issues section below). Staff is meeting with the applicant and owner on Monday, July 10, 2017 to resolve the issue. Staff will send a memo to Planning Commissioners prior to the Tuesday, July 11, 2017 meeting with an update to our recommendation.

DEPARTMENT COMMENTS: The property is located on the Ben White Boulevard access road just west of the intersection of Bastrop Highway/US Highway 183 South and US HWY 71 East within the Montopolis Neighborhood Planning Area. The request is to remove a conditional overlay provision which restricts the site to a floor-to-area ratio (FAR) of .3 to 1. Staff supports removing the restriction. The unrestricted FAR for commercial services is 2 to 1. This property is part of a platted lot which was originally zoned commercial services-conditional overlay (CS-CO) in 1992. The property can take access to Airport Commerce Drive in addition to E. Ben White Boulevard. It is also located within Airport Overlay Zone 3 which permits commercial and industrial uses and prohibits new residential development to occur.

The development on Airport Commerce Drive consists of hotels and a business park. The two properties adjacent to the west have also had the FAR restriction removed within the past 3 years. The East Riverside Corridor area stops at John Glenn Way. Across Highway 71 to the south are hotels, restaurants, a service station and a mobile home park (LI-NP, CS-NP), hotels are to the west (CS-CO-NP & ERC) and to the north across Airport Commerce (business park/warehouse) are CS-CO-NP. ERC-corridor mixed use has a 2 to 1 FAR without density bonuses so the requested change would be consistent with the adjacent properties which previously had the same FAR restrictions from the 1992 zoning case.

ISSUES:

Transportation review staff are requiring an update to the Transportation Impact Analysis (TIA) associated with the 1992 zoning of this property. This analysis was completed prior to the opening of Austin Bergstrom International Airport and subsequent development in the surrounding area. Although previous zoning cases requesting a similar removal of the FAR restriction have been approved using the existing TIA, the original conditions for mitigation of the site were never completed. At the time of the zoning case, FAR limitations were often used to limit trips. Attached is the TIA Memo dated June 29, 1990 which states in the Traffic Analysis section:

The TIA for this project was originally prepared in 1986 and updated in 1988. The forecast build-out year of 1992 appears to be somewhat optimistic in view of current market conditions. Consequently, a further update to the TIA may be required prior to the release of site plans for this project.

Transportation review staff are requesting an update to the TIA for the zoning case. The applicant does not support this and wants the traffic cap from the 1988 TIA to be used.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Undeveloped
<i>North</i>	CS-CO-NP	Business park/warehouse
<i>East</i>	ROW	US 71 & US 183
<i>South</i>	CS-NP, LI-NP	Restaurants, Service Station, Mobile Home Park
<i>West</i>	CS-CO-NP	Hotel and undeveloped

NEIGHBORHOOD PLANNING AREA: Montopolis

TIA or NTA:

WATERSHED: Carson Creek Watershed (Suburban).

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Airport Commerce Park Owners Association/Chandler Association
 Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhood Council
 Carson Ridge Neighborhood Association
 Del Valle Community Coalition
 Del Valle Independent School District
 Dove Springs Neighborhood Association
 Dove Springs Proud
 East Austin Conservancy
 El Concilio Mexican-American Neighborhoods
 Friends of Austin Neighborhoods
 GO! AUSTIN/VAMOS! AUSTIN – Dove Springs
 Homeless Neighborhood Association
 Montopolis Area Neighborhood Alliance
 Montopolis Community Alliance
 Montopolis Neighborhood Association
 Montopolis Neighborhood Plan Contact Team
 Montopolis Tributary Trail Association
 Onion Creek Homeowners Association
 Pleasant Valley
 Preservation Austin
 Sierra Club Austin Regional Group
 Southeast Austin Neighborhood Alliance
 Southeast Combined Neighborhood Plan Contact Team

Southeast Corner Alliance of Neighbors
Southpark Neighbors

SCHOOLS: Del Valle HS, Ojeda MS, Smith Elementary.

CASE HISTORIES FOR THIS PROPERTY

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-01-0060 1501 Airport Commerce Dr.	Montopolis Neighborhood Plan CS-CO to CS-CO-NP	To Grant CS-CO-NP	Approved (9-27-01)
C14-86-316 1501 Airport Commerce Dr.	SF-2 to CS-CO	To Grant CS-CO	Approved (2-13-1992)

CASE HISTORIES FOR SURROUNDING PROPERTIES

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2015-0162	CS-CO-NP to CS-CO-NP to remove the FAR restriction.	Recommended CS-CO-NP	Approved CS-CO-NP (5-12-2016)
C14-2014-0093, 1507 Airport Commerce	CS-CO-NP to CS-CO-NP change a condition	To Grant – CS-CO-NP	Approved (8-28-2014)
C14-2012-0112, 1611 Airport Commerce	CS-CO-NP to ERC	To Grant – ERC	Approved (5-9-2013)
C14-2007-0126 1611 Airport Commerce	CS-CO-NP to CS-CO-NP, to remove the FAR limit within the conditional overlay	To Grant	Approved (10-11-2007)
C14-2007-0122 Airport Commerce 13 – 7600-7812 E. Ben White; 1707, 1801, 1901 Airport Commerce Dr.	CS-CO-NP to CS-CO-NP, to remove the FAR limit within the conditional overlay	To Grant	Approved (10-11-2007)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
E. Ben White Blvd	450'	20 ft frontage road	Highway
Airport Commerce Dr.	90'	24 ft divided	Collector

CITY COUNCIL DATE: Scheduled for August 3, 2017

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Andrew Moore

PHONE: 512-974-7604

EMAIL: andrew.moore@austintexas.gov

DEVELOPMENT STAFF REVIEW COMMENTS

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

CS-CO-NP to CS-CO-NP

This zoning case abuts Airport Commerce Road to the north, and E. Ben White Blvd. to the south, and consists of a 13.42 acre tract of vacant land that is situated in the Montopolis Neighborhood Plan Area. Surrounding land uses includes light industrial/office warehouse use to the north, a large mobile home park to the south; the SH 193/SH 71 cloverleaf interchange to the east; and a mini storage facility and a hotel to the west. The proposed use is an office use, and the zoning request is to remove the conditional overlay that reduces the FAR limitation. This property was previously reviewed in December 2015.

Connectivity: Public sidewalks are located intermittently along Airport Commerce Drive. There is a CapMetro transit stop located on E. Riverside Road but the transit stop is inaccessible from the subject property due to no public sidewalks being located along Airport Commerce Drive. The Walkscore for this property 12/100, meaning almost all errands require a car.

Montopolis Neighborhood Planning (MNA)

The MNP Future Land Use Map (FLUM) classifies this property as ‘*Commercial*’ which is intended for retail sales, services, motels/hotels, and all recreational services that are predominately privately owned and operated for profit. This FLUM category is intended to encourage employment centers, commercial activities, and other non-residential development. The following text, and policies taken from the MNP are applicable to this case:

Goal 1: Improve the Quality of Life in Montopolis through Land Use and Zoning Decisions (p 13)

Objective 3: Focus the highest intense commercial and industrial activities along Ben White Drive and U.S. Hwy 183. Airport-related businesses and services should be located at Austin-Bergstrom International Airport or along Ben White or U.S. 183. (p 14)

Action 11: Zone the properties along 183 and Ben White to allow commercial or limited industrial uses along these major corridors.

The MNP FLUM and policies above appear to support commercial businesses in this portion of the planning area.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this project as being by the boundaries of a Town Center. Town Centers are less urban than a regional center, but more dense than a neighborhood center and are intended to have a variety of housing types; a range of employers with

regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas.

The following Imagine Austin policies are relevant to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

Based upon: (1) the property being located by a Town Center as identified on the Growth Concept Map, which supports commercial and office land uses; (2) existing commercial and light industrial land uses that abut the subject property; and (3) the Imagine Austin policies referenced above that supports a mix of land uses, including commercial, this proposed project appears to be supported by the Imagine Austin Comprehensive Plan.

NPZ Environmental Review – Atha Phillips 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

1. According to floodplain maps there is no floodplain within or adjacent to the project location.
2. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
3. 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.

4. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
5. 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. Per the Austin Transportation Department and Texas Department of Transportation, the traffic impact analysis completed with zoning case C14R-86-316 shall be revised with this proposed zoning application. Please contact Scott James (Scott.James@austintexas.gov) to discuss the TIA scope of study and submittal requirements. The zoning application is not complete until the revised TIA has been received. This delay in the submittal of the TIA may result in a delay in the scheduling of this zoning change request on a Land Use Commission agenda. [LDC, 25-6-113]

TR2. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR3. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR4. Janae Ryan, 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.

TR5. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for SH 71 and US 290.

TR6. FYI – The existing sidewalks along US 290/SH 71 shall be reconstructed to City of Austin standards unless approved by the Texas Department of Transportation.

TR7. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Airport Commerce Drive	90 ft.	24 ft. divided	Collector	Yes, one side	No	No
US 290/SH 71	450 ft.	20 ft. (frontage road)	Arterial	Yes	Yes, wide shoulder	No

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.

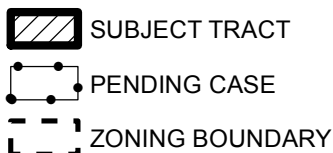
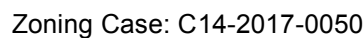
Storm Water Detention

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 – Lynda Courtney 512-974-2810

SITE PLAN REVIEW OF ZONING CASES

- SP 1 Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. Airport Commerce Drive is an Urban Roadway.
- SP 2 This property is within the Airport Overlay Zone AO-3. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures. For more information, contact Kane Carpenter, Noise Abatement Officer at (512) 530-6621.


$$1'' = 375'$$

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#: C14-2017-0050
LOCATION: 1501 Airport Commerce Drive
SUBJECT AREA: 13.42 ACRES
GRID: M18
MANAGER: ANDREW MOORE



- N
- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1' = 400'

This map has been produced by the Planning and Zoning Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

ORDINANCE NO. 920213-A

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT 1: 57.28 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "CS-CO" GENERAL COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT; AND,

TRACT 2: 30.46 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT AND "SF-3" FAMILY RESIDENCE TO "LI-CO" LIMITED INDUSTRIAL SERVICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT,

LOCALLY KNOWN AS 7000-7009 EAST BEN WHITE BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1981 is amended to change the respective base zoning districts and to establish a Conditional Overlay combining district on all of the property described in File C14-86-316, as follows:

TRACT 1: FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "CS-CO" GENERAL COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT.

57.28 acre tract of land out of the Santiago Del Valle Grant, said 57.28 acre tract of land of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes.

TRACT 2: FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT AND "SF-3" FAMILY RESIDENCE TO "LI-CO" LIMITED INDUSTRIAL SERVICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT.

30.46 acre tract of land out of the Santiago Del Valle Grant, said 30.46 acre tract of land of land being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes.

locally known as 7000-7009 East Ben White Boulevard, in the City of Austin, Travis County, Texas.

PART 2. That the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following restriction:

1. The following uses of Tracts 1 and 2 shall be prohibited:

- | | |
|--|---|
| (a) Agricultural sales and services, | (h) Basic industry, |
| (b) Automotive washing (self service), | (i) Outdoor entertainment, |
| (c) Campground, | (j) Day care services (limited), |
| (d) Equipment repair services, | (k) Day care services (general), |
| (e) Equipment sales, | (l) Day care services (commercial), |
| (f) Exterminating services, | (m) Hospital services (limited), |
| (g) Kennels, | (n) Hospital services (general), |
| (o) Monument retail sales, | (t) Private primary educational facilities, |
| (p) Scrap and salvage service, | (u) Private secondary educational facilities, |

- | | |
|--------------------------|---|
| (q) Resource extraction, | (v) Public primary educational facilities, and, |
| (r) Vehicle storage, | (w) Public secondary educational facilities. |
| (s) Veterinary services, | |

2. A Conditional Use permit shall be required to develop or establish the following uses on Tracts 1 and 2 or any portion of Tracts 1 and 2:

- (a) Commercial off-street parking,
- (b) Automotive rentals,
- (c) Automotive repair services,
- (d) Automotive sales,
- (e) Arts and craft studio (industrial), [with outdoor storage and manufacturing uses only]
- (f) Constructions sales and services, [with outdoor storage use only]
- (g) Convenience storage,
- (h) General warehousing and distribution, [with outdoor storage use only]
- (i) Limited warehousing and distribution, [with outdoor storage use only]
- (j) Light manufacturing, [with outdoor storage use only] and,
- (k) Custom manufacturing, [with outdoor storage use only].

3. Development of Tract 1 shall be restricted to a maximum floor to area ratio of .3 to 1.

4. Development of Tract 2 shall be restricted to a maximum floor to area ratio of .5 to 1.

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

PART 3. That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1981 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

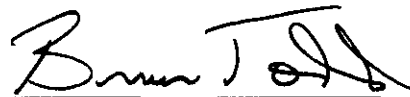
PART 4. That the requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three separate days shall be waived by the affirmative vote of five members of the City Council to pass this ordinance through more than one reading on a single vote.

PART 5. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage.

PASSED AND APPROVED:

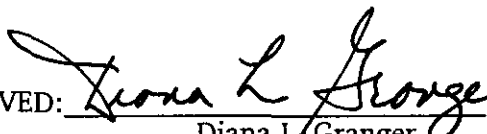
February 13, 1992

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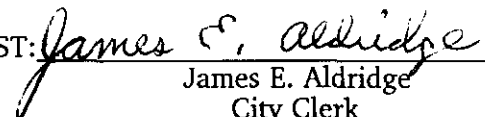
Bruce Todd
Mayor

APPROVED:



Diana L. Granger
Acting City Attorney

ATTEST:



James E. Aldridge
City Clerk

13Feb92
ME/jj

Tract I
Riverside Center
57.28 Acres

F.N. 231-0005 (D.S.)
June 14, 1990

CS-CO

A DESCRIPTION OF 57.28 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 109.105 ACRE TRACT OF LAND DESCRIBED IN FIVE TRACTS IN A DEED TO SOUTHEAST AUSTIN ASSOCIATES, OF RECORD IN VOLUME 7997, PAGE 262 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 57.28 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the north right-of-way line of Ben White Boulevard and in the south line of said 109.105 acre tract of land, said point being at the most easterly corner of Tract 5 of said 109.105 acres;

THENCE with the north right-of-way line of said Ben White Boulevard and the south line of said 109.105 acres N 35° 10' E 382.42 feet to a point of curve to the left;

THENCE, over and across said 109.105 acre tract with the bearings and distances which follow:

A distance of 94.48 feet along the arc of said curve to the left, the radius length of which is 172.64 feet, the central angle of which is 30° 40' 22", and the chord of which bears N 26° 29' 18" W 91.32 feet to a point of reverse curvature.

A distance of 143.83 feet along the arc of a curve to the right, the radius length of which is 68.05 feet, the central angle of which is 58° 53' 46", and the chord of which bears

N 06° 08' 59" E 118.52 feet to a point,
N 02° 49' 57" E 113.33 feet to a point,
N 49° 59' 09" W 78.96 feet to a point,
N 48° 37' 18" W 86.56 feet to a point,
N 09° 51' 29" E 39.66 feet to a point,
N 49° 20' 00" W 201.59 feet to a point to a point of curve to the left,

"EXHIBIT A"

A distance of 461.72 feet along the arc of said curve to the left, the radius length of which is 310.00 feet, the central angle of which is 85° 20' 15" and the chord of which bears S 87° 59' 52" W 420.21 feet to a point of tangency,

S 45° 19' 45" W 1314.22 feet to a point of curve to the right,

A distance of 114.21 feet along the arc of said curve to the right, the radius length of which is 450.00 feet, the central angle of which is 14° 32' 32", and the chord of which bears S 52° 36' 00" W 113.91 feet to a point of tangency,

S 56° 30' 58" W 166.36 feet to a point of curve to the left,

A distance of 87.00 feet along the arc of said curve to the left, the radius length of which is 450.00 feet, the central angle of which is 11° 04' 39" and the chord of which bears S 50° 59' 01" W 86.78 feet to a point of tangency,

S 45° 17' 23" W 1026.96 feet to a point in the northeast right-of-way line of said Riverside Drive, said 109.105 acre tract, for a corner of this tract,

THENCE with the southwest line of said 109.105 acre tract and the northeast line of said Riverside Drive, S 55° 26' 00" E 406.45 feet to a point,

THENCE, S 55° 25' 00" E 144.99 feet to a point in the north right-of-way line of Ben White Boulevard for a corner of this tract;

THENCE with the north right-of-way line of Ben White Boulevard the bearings and distances which follow:

N 66° 12' 40" E 586.06 feet to a point,
N 58° 53' 16" E 1148.00 feet to a point of curve to the right,


A distance of 238.09 feet along the arc of said curve to the right, the radius length of which is 2889.79 feet, the central angle of which is 04° 43' 14", and the chord of which bears N 62° 28' 50" E 239.75 feet to a point,

THENCE, continuing with the north right-of-way line of Ben White Boulevard the bearings and distances which follow:

N 56° 05' 17" E 58.58 feet to a point,
N 35° 10' 00" E 382.58 feet to the POINT OF
BEGINNING and containing 57.28 acres of land.

PREPARED FROM RECORD: June 14, 1990 by MSE Corporation.




R. David Strutton
Registered Public Surveyor No. 43412

"EXHIBIT A"

Tract II
Riverside Center
30.46 Acres

F.N. 231-0005 (D.S.)
June 14, 1990

LI-CO

A DESCRIPTIONS OF 30.46 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 109.105 ACRE TRACT OF LAND DESCRIBED IN FIVE TRACTS IN A DEED TO SOUTHEAST AUSTIN ASSOCIATES, OF RECORD IN VOLUME 7997, PAGE 262 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 30.46 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the northeast right-of-way line of Riverside Drive, said point being at the most southerly corner of that certain 100.33 acre tract of land described in a deed to T.C. Steiner in a deed of record in Volume 750, Page 182 of the Deed Records of Travis County, Texas, and being also at the most westerly corner of said 109.105 acre tract of land for the most westerly corner and POINT OF BEGINNING hereof;

THENCE with the southeast line of said Steiner tract and the northwest line of said 109.105 acre tract the bearings and distances which follow:

N 45° 13' E 294.18 feet to a point,
N 45° 15' E 523.36 feet to a point,
N 45° 28' E 238.38 feet to a point,
N 44° 40' E 387.99 feet to a point,
N 45° 35' E 547.15 feet to a point,
N 45° 24' E 485.44 feet to a point,
N 45° 13' E 337.53 feet to a point,
N 45° 33' E 559.22 feet to a point,
N 45° 54' E 609.10 feet to a point,
N 46° 13' E 198.94 feet to a point,
N 45° 43' E 161.10 feet to a point,
N 45° 09' E 214.59 feet to a point in the
curving west right-of way line of U.S.
Highway No. 183, said point being at the most
northerly corner of said 109.105 acre tract
for the most northerly corner of this tract;

THENCE with the west right-of-way line of said U.S. Highway No. 183 and the east line of said 109.105 acre tract, 118.22 feet along the arc of a curve to the right, the radius length of which is 2802.93 feet, the central angle of which is 02° 25' 00", and the chord of which bears S 01° 15' 56" E 116.97 feet to a point;

THENCE, over and across said 109.105 acre tract the bearings and distances which follow:

S 31° 40' 45" W 327.85 feet to a point,
S 60° 11' 30" W 54.46 feet to a point,

"EXHIBIT B"

S 17° 23' 35" W 408.70 feet to a point,
S 26° 03' 27" E 112.35 feet to a point,
S 18° 09' 55" W 324.09 feet to a point,
S 65° 31' 44" W 164.66 feet to a point,
S 01° 15' 55" E 91.30 feet to a point,
S 16° 11' 29" W 49.01 feet to a point,
S 08° 32' 52" E 153.65 feet to a point,
N 49° 20' 00" W 201.59 feet to a point of
curve to the left,

A distance of 461.72 feet along the arc of
said curve to the left, the radius length of
which is 310.00 feet, the central angle of
which is 85° 20' 15" and the chord of which
bears S 87° 59' 52" W 420.21 feet to a point
of tangency,

S 45° 19' 45" W 1314.22 feet to a point of
curve to the right,

A distance of 114.21 feet along the arc of
said curve to the right, the radius length of
which is 450.00 feet, the central angle of
which is 14° 32' 32" and the chord of which
bears S 52° 36' 00" W 113.91 feet to a point
of tangency.

S 56° 30' 58" W 166.36 feet to a point of
curve to the left,

A distance of 87.00 feet along the arc of
said curve to the left, the radius length of
which is 450.00 feet, the central angle of
which is 11° 04' 39" and the chord of which
bears S 50° 59' 01" W 86.78 feet to a point
of tangency,

S 45° 17' 23" W 1026.96 feet to a point in
the northeast right-of-way line of said
Riverside Drive, said point being also in the
southwest line of said 109.105 acre tract,
for a corner of this tract;

THENCE with the southwest line of said 109.105 acre tract
and the northeast line of said Riverside Drive, N 55° 26'
00" W 224.63 feet to the POINT OF BEGINNING and containing
30.46 acres of land.

PREPARED FROM RECORD: June 14, 1990 by MSE Corporation.




R. David Strutton
Registered Professional Surveyor No. 4312

"EXHIBIT B"

Austin American-Statesman

City Clerk

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

Joseph J. Springli

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

February 21st, 1992

and that the attached is a true copy of said advertisement.

Joseph J. Springli

SWORN AND SUBSCRIBED TO BEFORE ME, this the twenty-fourth

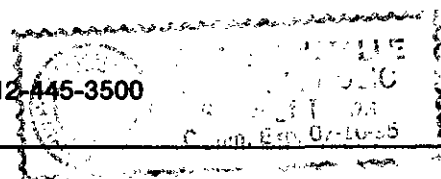
Day of February A.D., 1992.

ORDINANCE NO. 92213-A
An ordinance ordering a rezoning and changing the zoning map accompanying chapter 15-2 of the Austin City Code of 1991 to read: Tract 1: 57.28 acre tract of land out of the Santiago Del Valle Grant, from "S-2" Single-family residence (Standard lot) District to "S-2" General Commercial Service District-Conditional Overlay Containing Density and Tract 2: 50.46 acre tract of land out of the Santiago Del Valle Grant, from "S-2" Single-family residence (Standard lot) District and "S-3" family residence to "U-40" limited included service district-conditional overlay containing density. Located between 8th and 9th streets east Ben White Boulevard in the City of Austin, Travis County, Texas, subjecting the rule to the provisions of chapters 15-2 and 15-3 of the Austin City Code of 1991.

Diane Coutelle
(Type or Print Name of)

Diane Coutelle
Notary Public in and for
TRAVIS COUNTY, TEXAS

7/16/95
(My Commission Expires:)



ATTN

Leslie Gingle
904-3773

M E M O R A N D U M

TO: Amelia Sondgeroth
Zoning Review

FROM: George Zapalac
Transportation Review

DATE: June 29, 1990

SUBJECT: Riverside Center Traffic Impact Analysis
C14r-86-316

Trip Generation

The TIA assumes that this project will generated a total of 39,000 additional trips per day, after consideration is given to pass-by and internal trips. Traffic will be about 2900 trips in the AM peak and 4400 trips in the PM peak. This trip generation is based on the following assumed land uses:

office	- 718,000 sq. ft.
hotel	- 300 rooms
retail	- 260,390 sq. ft.
service stations (2)	- 16 pumps
convenience store	- 1,000 sq. ft.
restaurants (5)	- 27,000 sq. ft.
financial institution	- 8,000 sq. ft.
light industrial	- 515,000 sq. ft.
auto repair	- 10 stalls

The project was assumed to build out in 1992. Background traffic was projected to grow at an annual rate of 6 percent.

Existing and Planned Roadways

Riverside Drive is constructed as a 6-lane divided major arterial adjacent to the site and carried 9,340 vehicles per day in 1988. An extension from Ben White Blvd. to U.S. 183 is partially constructed and was originally to be built by a county road district. However, because the road district has been dissolved, this extension will be the responsibility of the abutting property owners. There is presently no funding available nor a definite construction schedule.

Montopolis Drive exists as a 4-lane undivided collector street west of the subject tract. It presently extends from U.S. 183 to a point south of Riverside, where it continues as a 4-lane divided roadway to Ben White Blvd. In 1988 it carried 10,190 vehicles per day.

Grove Blvd. is partially constructed as a 4-lane divided arterial, extending

Amelia Sondgeroth
June 29, 1990
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from Montopolis to Hogan Ave. It is proposed to be extended northward to U.S. 183 to serve as a bypass for through traffic around the Montopolis neighborhood. Funds have been approved for this project by the voters but have been deferred.

Ben White Blvd. (S.H. 71) is an existing 4-lane divided highway which abuts the site on the east and carried 27,230 vehicles per day in 1988. Construction is scheduled to begin in late 1993 for the upgrading of the facility to a 6-lane freeway with frontage roads.

U.S. 183 abuts the site on the north and exists as a 6-lane divided highway. Construction is scheduled to begin in late 1993 for the upgrading of the roadway to a 6-lane freeway with frontage roads. The 1988 traffic volume was 39,370 vehicles per day.

Bennett Drive is a proposed 4-lane undivided collector street internal to the site. It will connect with the U.S. 183 frontage road and extend parallel to the west property line, terminating at Riverside Drive.

Traffic Analysis

The TIA indicates that all affected intersections operate at an acceptable level of service ("D" or better) and will continue to do so after build-out of the project and completion of the funded highway improvements. Since the project is expected to develop before the highway improvements are completed, the TIA also analyzed traffic conditions after the project is built but before the highways are upgraded. With minor improvements at the intersection of Riverside and Ben White, traffic could be accommodated at an acceptable level of service.

The TIA proposes a new traffic signal at the future intersection of Bennett Drive and Riverside Drive. The Public Works and Transportation Department has expressed a concern about the proximity of this signal to the future signal at the Ben White Blvd. frontage road (approximately 550 feet, compared to the desirable minimum of 1,320 feet). Approval of a signal at this location will depend upon the results of a traffic signal study and whether a signal would interfere with the progression of traffic along Riverside.

The TIA for this project was originally prepared in 1986 and updated in 1988. The forecast build-out year of 1992 appears to be somewhat optimistic in view of current market conditions. Consequently, a further update to the TIA may be required prior to the release of site plans for this project.

Recommendations

1. If the requested zoning is approved, the project should be limited to a level of traffic generation which will not exceed the number of peak-hour trips assumed in the traffic impact analysis.

Amelia Sondgeroth
June 29, 1990
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2. Prior to third reading of the zoning, the applicant should make fiscal arrangements for the following roadway improvements:

Signal at Riverside & Bennett Drive (100%) - \$45,000

Westbound right-turn lane at Riverside & Ben White (pro-rata share of cost as determined by the State Department of Highways and Public Transportation).

Please contact me at 499-2725 if you have any questions.



George Zapalac, Transportation Review Manager
Department of Planning and Development

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: C14-2017-0050

Contact: Andrew Moore, 512-974-7604

**Public Hearing: June 13, 2017, Planning Commission
August 3, 2017, City Council**

Michael W Burns
Your Name (please print)

☐ I am in favor
☒ I object

31 Oltos Dr Austin, TX 78744
Your address(es) affected by this application

Michael W. Burns
Signature

6-6-17
Date

Daytime Telephone: 512-385-5256

Comments: 2m 66 years old, handicapped, lives SSDI
don't have the money

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