

February 13, 2022

Ms. Rosie Truelove
Housing and Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: Rezoning application for the approximately 55.41-acre property located between 7501 Burselson Road, Austin, Texas in Austin, Travis County, Texas (the "Property")

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit this letter to amend the application currently under review and assigned case number C14-2021-0182, submitted November 30, 2021.

With this amendment, we request that the proposed rezoning related to the Property include a Conditional Overlay to prohibit the following uses on the Property:

- Recycling Center
- Resource Extraction
- Stockyards, pursuant to § 25-2-5(B)(8).

Please let me know if you or your team members require additional information or have any questions. No other changes are proposed at this time. Thank you for your time and attention to this project.

Sincerely,



Charley Dorsaneo

cc: Jerry Rusthoven, Housing and Planning Department (*via electronic delivery*)
Joi Harden, Housing and Planning Department (*via electronic delivery*)
Wendy Rhodes, Housing and Planning Department (*via electronic delivery*)

From:
To: [Ramirez, Nadia - BC](#); [Kiolbassa, Jolene - BC](#); [King, David - BC](#); [Denkler, Ann - BC](#); [Smith, Hank - BC](#); [Boone, Scott - BC](#); [Woody, Roy - BC](#); [Thompson, Carrie - BC](#); [Acosta, Cesar - BC](#); [Greenberg, Betsy - BC](#)
Cc: [Rivera, Andrew](#); [Rhoades, Wendy](#);
Subject: ZAP Meeting 2-15-2022, Item B-6: C14-2021-0182
Date: Sunday, February 13, 2022 4:12:39 PM
Attachments: [SCNPCT Ltr to ZAP re 7021-7053 Burleson Rd.pdf](#)
[Q&A & CO re 7021-7053 Burleson Rd Case.pdf](#)

*** External Email - Exercise Caution ***

Dear Honorable Chair Barrera-Ramirez and Commissioners,

Attached for your review and consideration is a Letter of Support for Item B-6, C14-2021-0182 for the property located at 7021-7053 Burleson Road in District 2. The Southeast Combined Neighborhood Plan Contact Team (SCNPCT) reviewed this case and visited with the agent. Also attached is a document reflecting subsequent questions presented to the agent and his responses, including the agent's proposed Conditional Overlay, which the SCNPCT included as part of the vote in support of this zoning change request.

I will sign up to speak and will make every effort to participate during the meeting. I am babysitting one of my grandkids and will try to be home in time to speak in support of the zoning change request and to make myself available to answer any questions you may have.

Thank you for your consideration and for your service to our community.

Respectfully submitted,
Ana Aguirre
Immediate Past Chair
SCNPCT

Ana Aguirre

I find the great thing in this world is not so much where we stand as in what direction we are moving. Oliver Wendell Holmes



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Southeast Combined Neighborhood Plan Contact Team

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February 13, 2022

Nadia Barrera-Ramirez, Chair
David King, Secretary
Cesar Acosta
Betsy Greenberg
Roy Woody

Jolene Kiolbassa, Vice-Chair
Ann Denkler, Parliamentarian
Hank Smith
Carrie Thompson
Scott Boone

RE: Zoning Case Number: C14-2021-0182
Project Location: 7021-7053 Burleson Road

Dear Honorable Chair Barrera-Ramirez and Commissioners:

The Southeast Combined Neighborhood Plan Contact Team (SCNPCT) has a history of supporting responsible development. Our Future Land Use Map (FLUM) area consists of single-family, multifamily, mixed use, commercial, office, civic, warehouse/limited office, and industry zones. The SCNPCT also serves students that attend the Austin and Del Valle Independent School Districts. With Austin Bergstrom International Airport (ABIA) being so close, we also have to consider the Airport Overlay.

With this in mind, the SCNPCT met on Monday, January 10, 2022, to discuss this zoning change proposal and information received during our regularly scheduled monthly meeting. The agent conducted a presentation and answered questions. Due to time constraints, and as agreed during the meeting, a few members subsequently submitted additional questions, which were then presented to the agent. The agent responded to the questions and offered a Conditional Overlay (attached). Due to time constraints, the SCNPCT conducted an electronic vote to ensure timely input was provided to the Zoning and Platting Commission. The SCNPCT membership were provided the Q&A and Conditional Overlay information during the electronic voting process.

In making a decision, the SCNPCT took into serious consideration the overall additional traffic impact in this area, including the lack of adequate public transportation, and sought input from neighborhood associations representing residents within the SCNPCT boundary as well as the 78744 area. We continue to request and encourage the Austin Development Services Department, Austin Transportation Department and Travis County to address traffic safety on Burleson Road and McKinney Falls due to the continued and on-going DRASTIC growth being experienced in

Southeast Austin. **We ask that the Zoning and Platting Commission address infrastructure (traffic, public transportation, utilities, sidewalks, bike lanes, drainage, green space, tree canopy, critical water features, air and water quality, social services, etc.) issues through Small Area Planning. This effort will benefit the residents, Del Valle ISD students and staff, developers, employees, and businesses in this area. We are gravely concerned about traffic safety and our quality of life.**

Specific to this zoning change request, the SCNPCT considered the following concerns pertaining to this property located at 7021-7053 Burlison Road: intended use; environmental impact; impact on traffic; Del Valle ISD student and staff safety; and industrial pollution. The SCNPCT voted to support the zoning change from I-RR to LI, to include the Conditional Overlay offered by the applicant.

The SCNPCT is respectfully requesting the following Conditional Overlay, as offered by the applicant, for consideration and to be included as follows:

“The applicant is also willing to add a Conditional Overlay to the zoning request that prohibits the below uses, which are otherwise permitted in LI zoning districts:

- Resource Extraction (defined in City Code as use of the site for on-site extraction of surface or sub-surface mineral products or natural resources. This use includes quarries, borrow pits, sand or gravel operations, oil or gas extraction, and mining operations);
- Stockyards (defined in City Code as the use of a site for temporary keeping of livestock for slaughter, market, or shipping. This use includes stockyards, animal sales, and auction yards);
- Recycling Center (defined in City Code as the use of a site for collection, transfer, or processing of recyclable materials. Recyclable materials include glass, paper, plastic, cans, or other source-separated, nonputrescible materials. This use excludes bulk or single-feed reverse vending machines).”

The SCNPCT recognizes the need for the additional care and precautions on the type of chemicals allowed onsite due to the close proximity of residential housing and a school to this property. Industrial use can have a direct impact on air and water quality for residents, students, and workers in Southeast Austin. Additionally, this property is in the Onion Creek Watershed and the environment and quality of life for current and future employees, residents, and students within or in close proximity to Industrial Zoning in Southeast Austin continues to be a concern. The SCNPCT is very appreciative of the Conditional Overlay being offered by the applicant/owner.

The SCNPCT thanks you for your consideration and for your time and service to our community.

Respectfully submitted,

Ana T. Aguirre

Ana Aguirre, Immediate Past Chair
Southeast Combined Neighborhood Plan Contact Team (SCNPCT)

CC: Wendy Rhoades, Planning and Zoning Department
Charley Dorsaneo, Agent

SCNPCT
Q&A re 7021-7053 Burleson Rd. Case

(1) who is the owner of the property and (2) what is the intended use.

- **The team purchasing/developing the property is Holt Lunsford Commercial. They are building to meet the needs of the market under a warehouse/distribution use, similar to neighboring properties.**
- **It is proposed that this will be “Class A” space, so it will be designed/look more like office space than typical warehouse space, with glass and articulated facades.**

Question has to do with drainage and says that there will be changes to the landscape and with it goes the dirt, trees, and change to the terrain. She is asking, can you be sure that what is being proposed is good all the way around for our families? (Ana’s Note: There is a residential area just North of this project.)

- **The design intent of the site is to collect the stormwater flow into an underground storm system through inlets in the paving and pipe the storm runoff to the middle of the site into a water quality pond and then a detention pond. This means that there will be no additional impact to any of the neighboring properties as a result of the development.**

Concerns I have are traffic and students safety. McKinney Falls and Burleson do not have significant traffic lights to accommodate additional traffic. With many parents taking their students to school and picking them up from school traffic has increased around the district. Any additional traffic without proper infrastructure will result in unsafe environments for students families and the community.

- **Traffic, and especially with respect to student safety, is arguably what we are working on most to prepare for. First, we are conducting a traffic study to better understand the traffic to and from an access easement shared with Ojeda Middle School. At the same time, we are working to upgrade the shared access area. This includes expanding the driveway, constructing a raised median, striping in designated lanes (two-ways in each direction), building speed bumps, installing a four way stop, and adding a deceleration lane on McKinney Falls, as well as added signage. We have already begun discussions with DVISD administrators regarding additional features that could be beneficial for DVISD.**
- **Another item we are working on is to get a signal warranted on McKinney Falls. This is not exactly up to the developer, but—as we discussed with DVISD—we think both the school district and the developer would benefit from this added feature if permitted by the City and Travis County.**
- **Unlike many other neighboring properties, the Project will have two access points from different streets. In addition to the Project’s McKinney Falls entrance, there will be an access point along Burleson that will split the trips to and from the Project. We note also that this Burleson entrance will have through access that should not conflict with the Colorado Crossing Neighborhood, as there is no direction connection with the neighborhood to the north.**

- **Finally, building coverage for the Project is planned to be less than 1/3 of the property's acreage (low for the industry).**

Also this area is surrounded by warehouses already with large trucks and delivery trucks running in-and-out of the area. Amazon, FedEx, Ben Keith and Liquid Environmental Solution are just a few companies within a 1 -5 miles of the proposed property.

- **We understand these concerns. What we can say is that we are working to develop a project that is (i) "Class A" space, so it will be designed/look more like office space than typical warehouse space (better than the surrounding status quo), and (ii) as explained above, are working to design the project to cover for typical concerns with other warehouse-type projects. We will do our best to alleviate your concerns, to the extent possible. We will note, however, that all of the zoned neighboring properties surrounding the tract (with the exception of the above-mentioned DVISD tracts) are zoned Limited Industrial, which is what we are requesting. From a planning perspective, it is hard to say what other kind of development makes sense in this location. As a token of good faith to the neighborhood, we would considering offering a conditional overlay to eliminate the possibility of more noxious uses permitted in LI zoning.**

CONDITIONAL OVERLAY

The applicant is also willing to add a Conditional Overlay to the zoning request that prohibits the below uses, which are otherwise permitted in LI zoning districts:

1. Resource Extraction (defined in City Code as use of the site for on-site extraction of surface or sub-surface mineral products or natural resources. This use includes quarries, borrow pits, sand or gravel operations, oil or gas extraction, and mining operations);
2. Stockyards (defined in City Code as the use of a site for temporary keeping of livestock for slaughter, market, or shipping. This use includes stockyards, animal sales, and auction yards);
3. Recycling Center (defined in City Code as the use of a site for collection, transfer, or processing of recyclable materials. Recyclable materials include glass, paper, plastic, cans, or other source-separated, nonputrescible materials. This use excludes bulk or single-feed reverse vending machines).