

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2022-0059 (3112 Caseybridge Court) DISTRICT: 2

ADDRESS: 3112 Caseybridge Court

ZONING FROM: CS-MU-CO-NP, LI-CO-NP      TO: CS-MU-V-CO-NP\*

\*The applicant proposes to maintain a conditional overlay on the property to prohibit Adult Oriented Businesses.

SITE AREA: 1.041 acres

PROPERTY OWNER: Lichter Equities, LP (Robert J. Lichter)

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends CS-MU-V-CO-NP, General Commercial Services-Mixed Use-Vertical Mixed Use-Conditional Overlay-Neighborhood Plan Combining District, zoning. The conditional overlay will maintain the prohibition of Adult Oriented Businesses, Convenience Storage and Vehicle Storage uses on the property.**

PLANNING COMMISSION ACTION / RECOMMENDATION:

**July 26, 2022: Approved staff's recommendation of CS-MU-V-CO-NP zoning by consent (9-0, C. Hempel, J. Mushtaler, S. Praxis and J. Shieh-absent).**

CITY COUNCIL ACTION:

**September 1, 2022**

ORDINANCE NUMBER:

ISSUES:

At this time, the applicant has not proposed a restrictive covenant amendment/termination with this rezoning request. Therefore, the TIA recommendations adopted through the public restrictive covenant in zoning cases C14-2018-0108 and C14-2019-0109 will remain for this property.

CASE MANAGER COMMENTS:

The property in question is a one+ acre (1.041 acre) undeveloped lot located at the southwest corner of East Ben White Boulevard and Caseybridge Court. This tract of land was zoned CS-MU-CO-NP and LI-CO-NP during the Southeast Combined Neighborhood Plan Rezoning in October 2002 through case C14-02-0128.03 (*please see Ordinance No. 021010-12c – Exhibit D*). The property was rezoned in 2018 through case C14-2018-0108 to remove a 2,000 vehicle trip per day limitation. The current zoning ordinance for this property prohibits adult oriented businesses, convenience storage and vehicle storage use on the site (*please see Ordinance No. 20190509-035 – Exhibit E*). There is a restrictive covenant associated with cases C14-2018-0108 and C14-2018-0109 that encompasses TIA recommendations for these properties (*please see Public Restrictive Covenant – Exhibit F*).

Surrounding uses include an undeveloped property to the east, across Caseybridge Court (zoned CS-MU-CO-NP), an undeveloped tract and an office/warehouse development to the south (zoned CS-MU-CO-NP), and a manufactured home sales business to the west (zoned LI-CO-NP).

In this rezoning request, the applicant is asking to add a V, Vertical Mixed Use Building Combining, district to the existing CS-MU-CO-NP zoning designation. The applicant would like to add a “V” combining district to the property to allow for higher residential density development with affordable housing at this location (*please see Applicant’s Request Letter – Exhibit C*). According to the rezoning application, the applicant proposes to develop a 120 unit multifamily residential use and a 4,333 sq. ft. retail use at this location.

The staff recommends CS-MU-V-CO-NP zoning as the property meets the intent of the zoning district as it is located along a major traffic way, at the intersection of a major arterial and a commercial street. During recent VMU discussions, the City Council’s direction appears to be changing with the desire to look at properties along transit corridors where increased residential density would be appropriate. The site under consideration fronts onto E. Ben White Boulevard, a principal/Level 4 roadway. The proposed addition of the “V” zoning combining district will permit the applicant to develop this lot with a mixture of retail and multifamily uses to provide additional housing and services to surrounding community. The staff’s proposed conditional overlay will maintain the current prohibited intensive commercial uses on the property from Ordinance No. 20190509-35.

**BASIS OF RECOMMENDATION:**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

Vertical Mixed Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.

Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed CS-MU-V-CO-NP zoning is consistent with surrounding zoning patterns as there is CS-MU-CO-NP zoning to the south, CS-MU-CO-NP zoning/MF-4-NP zoning to the east and CS-MU-CO-NP zoning/LI-CO-NP zoning to the west of this site. The property is located along a major traffic way, at the intersection of a major arterial roadway, E. Ben White Boulevard, and a commercial street, Caseybridge Court.

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed addition of the “V” combining district to this lot will allow for a combination of office, retail, commercial and residential uses within a vertical mixed use building on this site.

In the Imagine Austin Comprehensive Plan, the Growth Concept Map identifies this property as being located within a “Job Center.”

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP, LI-CO-NP	Undeveloped Tract, Billboard
<i>North</i>	ROW	East Ben White Boulevard Service Road
<i>South</i>	CS-MU-CO-NP	Undeveloped, Office /Warehouse (Barlett Cocke General Contractors)
<i>East</i>	CS-MU-CO-NP, MF-4-NP	Undeveloped
<i>West</i>	LI-CO-NP	Manufactured Home Sales (Oakwood Homes), Undeveloped

NEIGHBORHOOD PLANNING AREA: Southeast Austin Combined (Southeast)

TIA: Deferred to Site Plan

WATERSHED: Carson Creek

SCHOOLS: Del Valle I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Carson Ridge Neighborhood Association  
 Del Valle Community Coalition  
 Del Valle Independent School District  
 Dove Springs Proud  
 East Riverside Corridor Staff Liaison  
 Friends of Austin Neighborhoods  
 Go!Austin/Vamos!Austin (GAVA)  
 Homeless Neighborhood Association  
 Montopolis Community Alliance  
 Montopolis Neighborhood Plan Contact Team (MNPCT)  
 Montopolis Tributary Trail Association  
 Neighborhood Empowerment Foundation  
 Onion Creek Homeowners Association  
 Pleasant Valley  
 Preservation Austin  
 Southeast Combined Neighborhood Plan Contact Team  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 The Crossing Gardenhome Owners Association

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0042 (7135 E. Ben White Boulevard)	LI-NP to MF-4-NP	8/11/20: Approved staff's rec. of MF-4-NP zoning (10-0, C. Llanes-Pulido-off dais, Y. Flores and J. Shieh-absent); C. Kenny-1 <sup>st</sup> , J. Thompson-2 <sup>nd</sup> .	8/27/20: Approved MF-4-NP zoning on all 3 readings (11-0); D. Garza-1 <sup>st</sup> , L. Pool-2 <sup>nd</sup> .
C14-2018-0109 – Airport Gateway, Lot 9 - 3111 Caseybridge Court)	CS-MU-CO-NP and LI-CO-NP, to change a condition of zoning	3/12/19: Approved staff rec. of CS-MU-CO-NP zoning, to change a condition of zoning, with conditions of the TIA, by consent (12-0, A. De Hoyos-Hart-absent); P. Seeger-1 <sup>st</sup> , K. McGraw-2 <sup>nd</sup> .	5/09/19: Approved CS-MU-CO-NP district zoning, to change a condition of zoning, with a Restrictive Covenant conditions of the Traffic Impact Analysis memo, as the Planning Commission recommended, on all 3 readings (11-0).
C14-2018-0108 (Airport Gateway - Lots 1, 5, and 6 - 3112 Caseybridge Court)	CS-MU-CO-NP to CS-MU-CO-NP, to change a condition of zoning	3/12/19: Approved staff rec. of CS-MU-CO-NP zoning and LI-CO-NP zoning, to change a condition of zoning, with conditions of the TIA, by consent (12-0, A. DeHoyos-Hart-absent); P. Seeger-1 <sup>st</sup> , K. McGraw-2 <sup>nd</sup> .	
C14-03-0035 (Southeast Combined Creek Setback – South of E Ben White Blvd and East of Montopolis Dr 183 – City-Initiated)	P-NP; CS-MU-NP and CS-MU-CO-NP, to establish a setback that prohibits development for 50' in both directions from the centerline of an open waterway, with certain exceptions	2/28/03: Approved CH-CO-NP, P-CO-NP, LI-CO-NP (7-0)	4/24/03: Approved CH-CO-NP, P-CO-NP, LI-CO-NP (6-0) on 1 <sup>st</sup> reading  6/12/03: Approved P-CO-NP, CS-MU-CO-NP (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

RELATED CASES: C14-2018-0108, C14-02-0128.03 – Previous Zoning Cases  
C8-2014-0118.0A – Subdivision Case

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	Existing Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East Ben White Boulevard Service Road EB	350 feet	40 feet	MAD 6/ Level 4	Yes	Yes	No
Caseybridge Court	71 feet	47 feet	Local/ Level 1	Yes	No	No

OTHER STAFF COMMENTS:Environmental

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.

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 Residential	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

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.

## Fire

No comments.

## Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, multi-family and mixed use with CS-MU-V-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

## Site Plan

### **General**

A site plan will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards in Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.

This site will be subject to the multifamily density provisions in Subchapter E 4.2 and the Vertical Mixed Use Building standards in Subchapter E 4.3.

### **Airport Overlay**

The site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area. No use will be allowed that creates electrical interference with navigational signals or radio communications between airport and aircraft, makes it difficult for pilots to distinguish between the airport lights and others, results in glare in the eyes of pilots using the airport, impairs visibility in the vicinity of the airport, creates bird strike hazards or otherwise in any way endangers or interferes with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing.

### **Wildland/Urban Interface**

This site is within the Wildland/Urban Interface and will require additional related review from the Austin Fire Dept. at the time of Building Plan Review.

Please reference:

<https://www.austintexas.gov/department/wildland-urban-interface-code>  
for additional information.

### **Scenic Roadway Sign District Regulations**

This project is required to comply with Scenic Roadway sign regulations in 25-10-124.

### **Neighborhood Planning Area**

This site is located within the Southeast Combined Neighborhood Plan. Please see the City's Neighborhood Plans and Resources webpage for a copy of the recommended design guidelines.

### **Transportation**

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

There is a public sidewalk located along this portion of East Ben White Boulevard. According to Capital Metro bus schedules, this site is a .9 mile walk to Route 20, which is a high frequency route.

### **Water Utility**

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 Austin Water for compliance with City criteria and suitability for operation and maintenance.

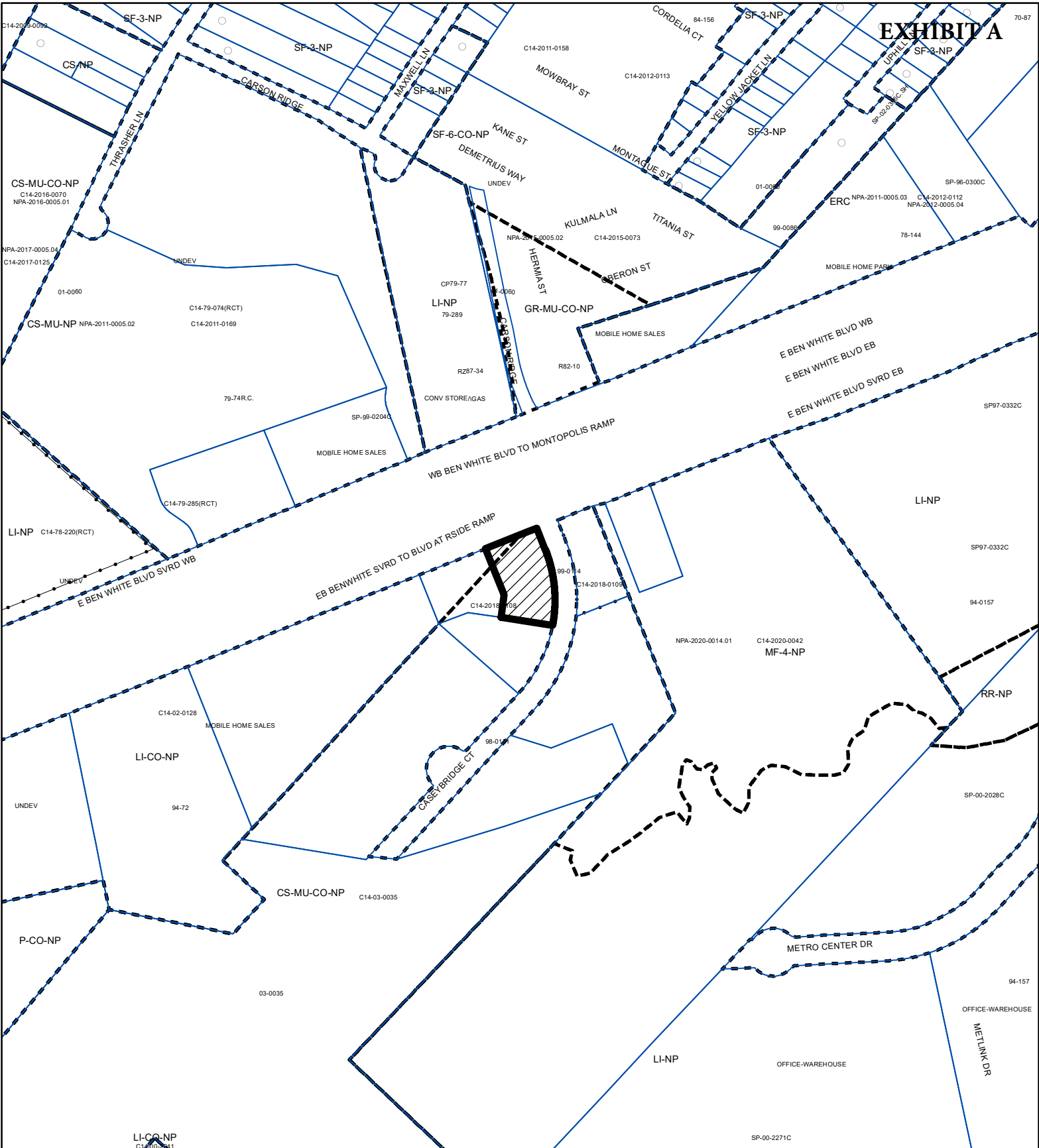
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.




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.

## **INDEX OF EXHIBITS TO FOLLOW**

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. Southeast Combined Neighborhood Plan Rezoning Ordinance 021010-12c
- E. Current Zoning Ordinance No.20190509-035
- F. Existing Public Restrictive Covenant





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2022-0059

1" = 400'

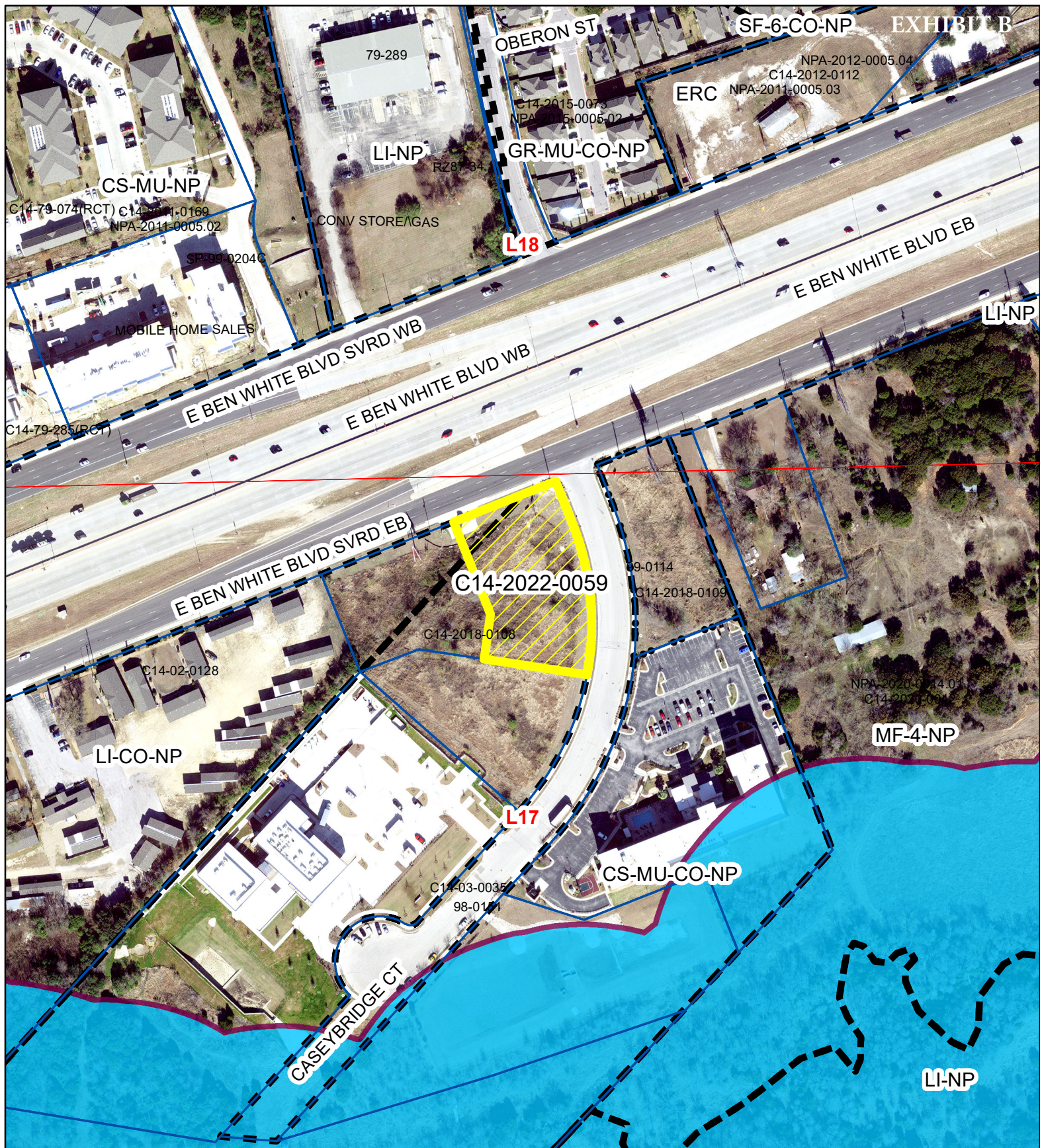
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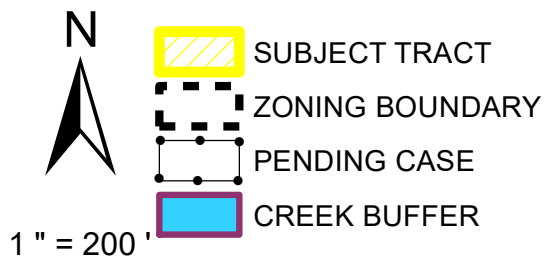


Created: 5/11/2022





### 3112 Caseybridge Court



ZONING CASE#: C14-2022-0059  
 LOCATION: 3112 Caseybridge Court  
 SUBJECT AREA: 1.041 Acres  
 GRID: L17  
 MANAGER: Wendy Rhoades



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

Created: 5/19/2022



Leah Bojo  
lbojo@drennergroupp.com  
512-807-2918

# DRENNER GROUP

April 25, 2022

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

Via Electronic Delivery

Re: 3112 Caseybridge Court – Zoning and Neighborhood Plan Amendment application for the approximately 1.041-acre property located at 3112 Caseybridge Court, in Austin, Travis County, Texas (the “Property”)

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit the enclosed Zoning and Neighborhood Plan Amendment (NPA) application packages. The project is titled 3112 Caseybridge Court and is approximately 1.041 acres of land, located at the southwest corner of Caseybridge Court and E Ben White Boulevard. The Property is in the Full Purpose Jurisdiction of the City of Austin.

The Property is currently zoned CS-MU-CO-NP (General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan) and LI-CO-NP (Limited Industrial Service – Conditional Overlay – Neighborhood Plan). The requested rezoning is from CS-MU-CO-NP and LI-CO-NP to CS-MU-V-CO-NP (General Commercial Services – Mixed Use – Vertical Mixed Use – Conditional Overlay – Neighborhood Plan). The Property consists of two corner lots, each with frontage on both Caseybridge Ct and E Ben White Blvd, and the lots are currently undeveloped. The purpose of the rezoning is to allow higher density residential use across both sites through the Vertical Mixed Use Overlay. We plan to maintain the prohibition on adult-oriented businesses in the current conditional overlay.

The Property is located in the Southeast Neighborhood Plan Area, part of the Southeast Combined Neighborhood Plan Area. The Future Land Use Map (FLUM) requires an amendment to change from the split designations of Mixed Use, Major Planned Development, and Industry to only Mixed Use. Accompanying the zoning application is a NPA application. We have requested the Neighborhood Contact Teams permission and, per the attached email dated April 12, 2022, have received their support to file out of cycle.

This proposed rezoning and NPA aligns with the following stated goals of the Southeast NPA:

- Provide a balance of mixed-income housing options that will contribute to the neighborhood’s vitality and stability and encourage the development of land uses that promote the interaction between residential and non-residential uses.

April 25, 2022

Page 2

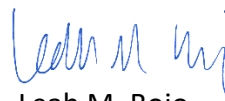
- Provide opportunities for the development of neighborhood and community-serving businesses and activities.
- Accommodate a range of land uses that will support the needs of the airport, commuters along US Highway 183, nearby residents, and businesses in the Southeast area, while updating land uses to be compatible with the airport overlay zone (AO3) ordinance.

The Traffic Impact Analysis ("TIA") has been waived until site plan, per the attached TIA waiver dated April 8, 2022, and executed by Justin Good.

The project is located in the Airport Overlay: Controlled Compatible Land Use Area; Scenic Roadway Sign District; and the Wildland Urban Interface and will comply with all applicable regulations of each.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,

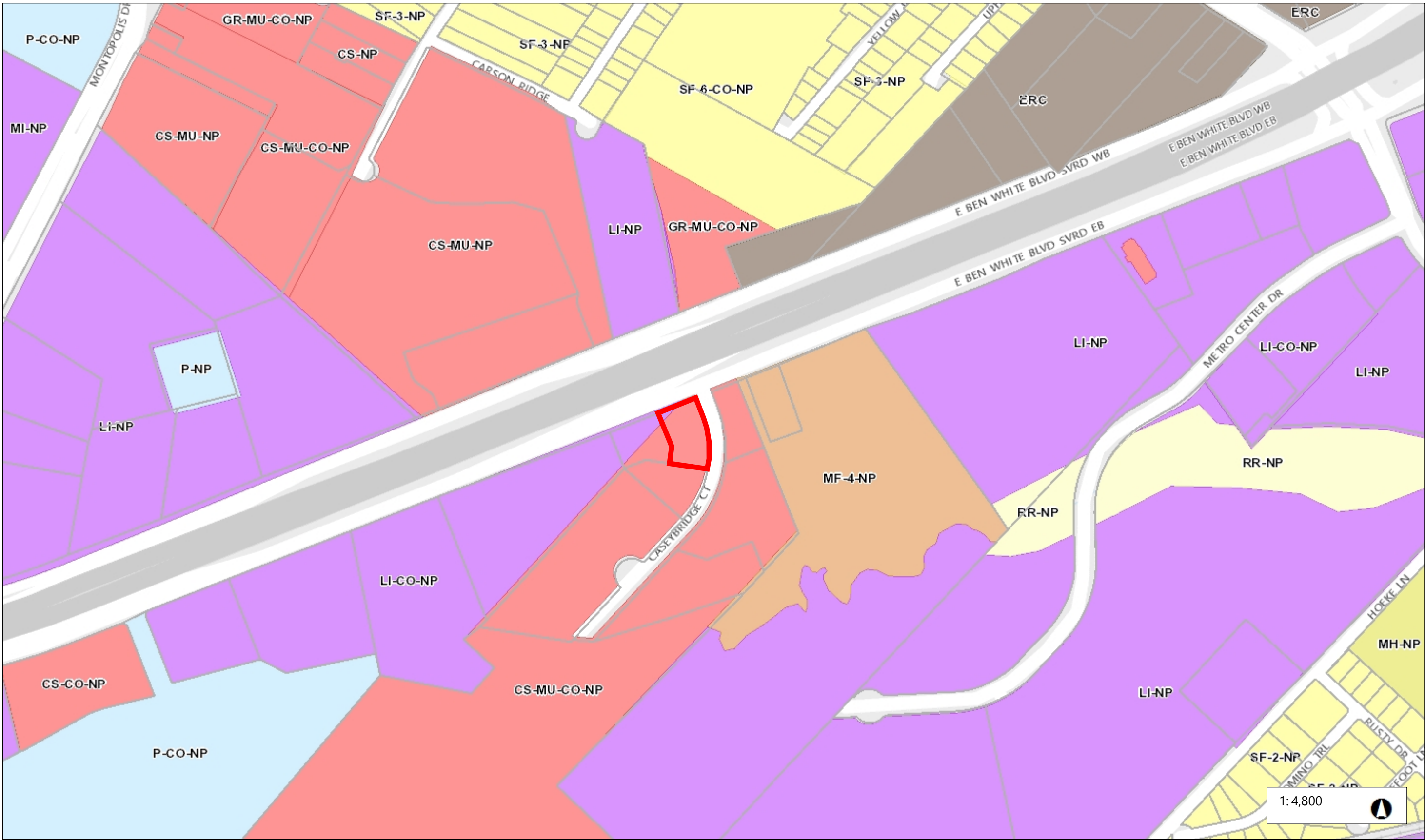


Leah M. Bojo

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



# Property Profile



## Legend

- ☐ TCAD Parcels
- Zoning**
  - Lake Austin, Rural Residence (LA; R)
  - Single Family (SF-1; SF-2; SF-3; SF-4)
  - Mobile Home (MH)
  - Multi-family (MF-1; MF-2; MF-3; MF-4)
  - Commercial (CH; CR; CS; CS-1; GR)
  - Office (GO; LO; NO)
  - Industrial (IP; LI; MI; R&D; W/LO)
  - CBD; Downtown Mixed Use (DMU)
  - ERC; NBG; TND; TOD
  - Planned Unit Development (PUD)
  - Agriculture, Development Reserve (A)
  - Aviation, Public, Unzoned (AV; P; UN)
  - Unclassified
- ☐ Zoning Text

## Notes

0.2 0 0.08 0.2 Miles

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

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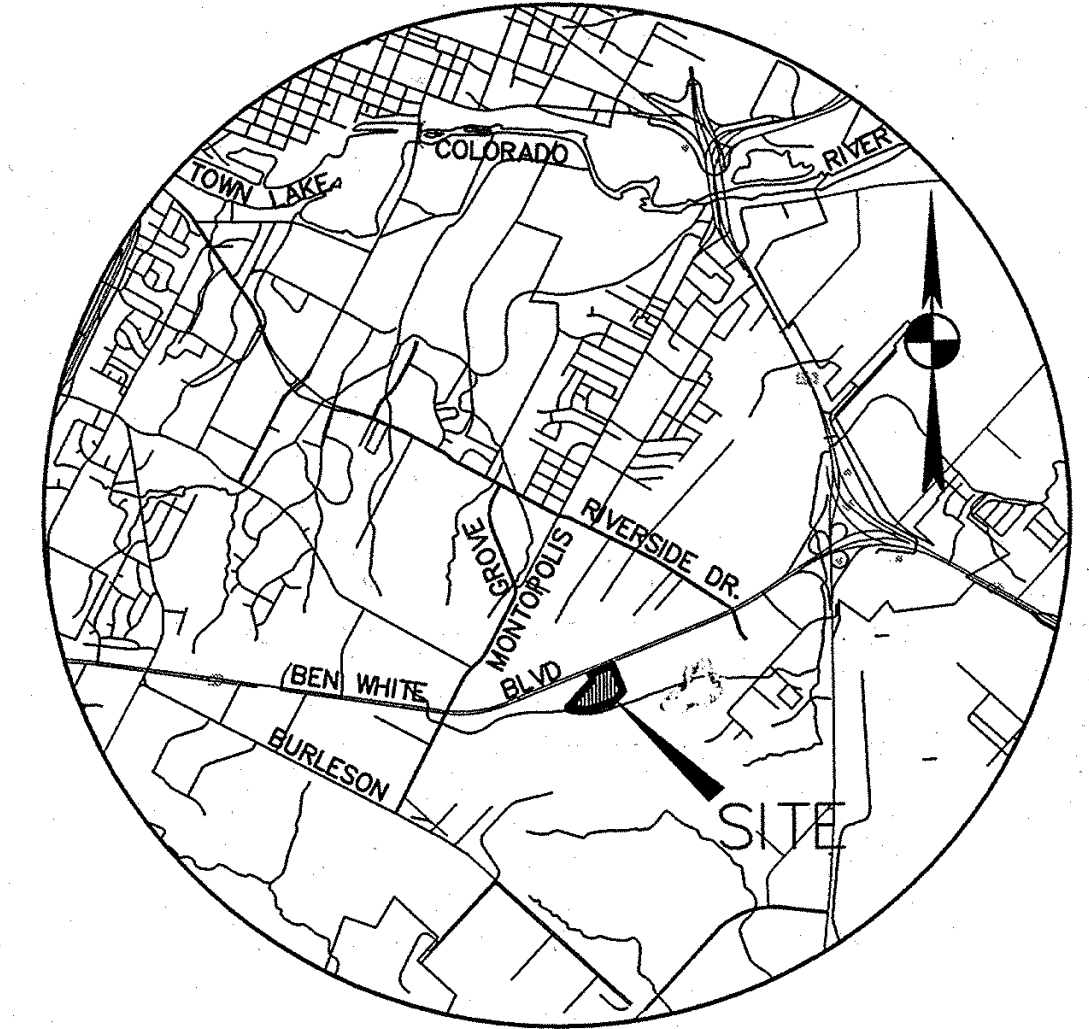


# AMENDED PLAT OF AIRPORT GATEWAY SUBDIVISION

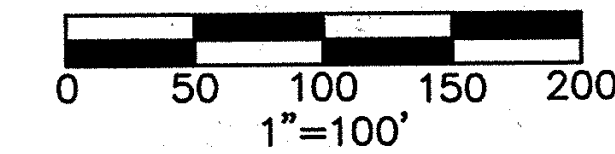
## LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH "BURY" CAP SET
- ⊙ IRON PIPE FOUND
- SBLT BOLT FOUND IN FENCE POST
- BRASS DISK FOUND
- CAP 1/2" IRON ROD WITH CAP FOUND
- PHOLE FOUND PUNCH HOLE IN CONCRETE FOUND
- SIDEWALK
- CRITICAL WATER QUALITY ZONE
- WATER QUALITY TRANSITION ZONE
- P.U.E. PUBLIC UTILITY EASEMENT
- CEF CRITICAL ENVIRONMENTAL FEATURE

LOT NO.	SQUARE FOOTAGE	ACREAGE
1	45,336 SF	1.041 AC.
3	261,274 SF	5.998 AC.
5	47,974 SF	1.101 AC.
6	40,381 SF	0.927 AC.
7	137,843 SF	3.165 AC.
8	123,635 SF	2.838 AC.
9	40,999 SF	0.941 AC.
TOTAL	697,442 SF	16.011 AC.



VICINITY MAP  
N.T.S.



No.	BEARING	DISTANCE
L1	S49°20'45"E	5.99'
L2	S42°21'09"W	97.98'
L3	S42°43'39"W	17.37'
L4	N48°33'19"W	22.15'
L5	N42°14'53"E	96.95'
L6	N43°50'11"E	19.12'
L7	N45°32'23"E	84.05'
L8	N36°06'43"E	32.51'
L9	S79°24'47"E	43.43'
L10	S47°27'19"E	70.00'
L11	N85°09'39"W	88.48'
L12	S42°32'36"W	12.20'

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	27°32'44"	505.00	242.78	240.45	N07°54'22"W
C2	36°40'36"	505.00	323.27	317.77	N24°12'18"E
C3	64°13'20"	435.00	487.59	462.46	N10°25'56"E
C4	172°00'35"	71.00'	213.15	141.65	S37°44'28"W
C5	81°12'09"	14.00	19.84	18.22	N83°08'41"E
C6	32°02'27"	435.00	243.26	240.10	N26°31'22"E
C7	32°10'53"	435.00	244.33	241.13	N05°35'18"W
C8	64°13'20"	505.00	566.05	536.88	N10°25'56"E

## AMENDED PLAT OF AIRPORT GATEWAY SUBDIVISION

A 7 LOT SUBDIVISION  
CONSISTING OF 16.011 ACRES

SUBMITTAL DATE: JUNE 27, 2014  
PREPARATION DATE: JUNE 27, 2014

# BURY

221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel. (512) 328-0011 Fax (512) 328-0325  
TBPE # F-1048 TBPLS # F-10107500  
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Drawn by: MJJ Approved by: JTB Project No.: 103377-10001 File: H:\103377\001\103377001PL6.dwg

C8-2014-0118.OA

SHEET  
**1**  
OF 2



# AMENDED PLAT OF AIRPORT GATEWAY SUBDIVISION

STATE OF TEXAS )  
COUNTY OF TRAVIS )

KNOW ALL MEN BY THESE PRESENTS )

THAT AIRPORT GATEWAY, LP, A TEXAS GENERAL PARTNERSHIP ACTING BY AND THROUGH KENNETH R. SATTERLEE ITS, GENERAL PARTNER, BEING THE OWNER OF THAT CERTAIN 16.011 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 16.011 ACRES BEING A PORTION OF THAT CERTAIN 60.261 ACRE TRACT AS CONVEYED TO AIRPORT GATEWAY, LP, A TEXAS GENERAL PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NO. 2008205115 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 16.011 ACRES OF LAND BEING LOTS 1, 3, AND 5-9, AIRPORT GATEWAY SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 201400081 OF SAID OFFICIAL PUBLIC RECORDS; DO HEREBY SUBDIVIDE SAID 16.011 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED PLAT TO BE KNOWN AS "AMENDED PLAT OF AIRPORT GATEWAY SUBDIVISION", AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS HEREON, SUBJECT TO ANY EASEMENT PREVIOUSLY GRANTED BUT NOT RELEASED, PURSUANT TO CHAPTER 212.016 OF THE TEXAS LOCAL GOVERNMENT CODE AND TITLE 25 OF THE AUSTIN CITY CODE.

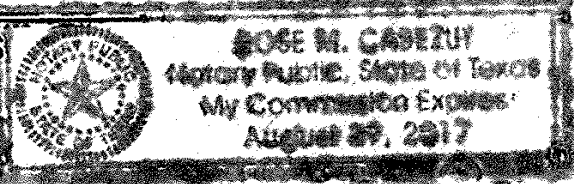
BY: Kenneth R. Satterlee DATE 8/20/14  
KENNETH R. SATTERLEE  
AIRPORT GATEWAY, LP  
901 S. MOUNTAIN EXPRESS WAY, BLDG 1, STE. 160  
AUSTIN, TEXAS 78701

STATE OF TEXAS §  
COUNTY OF TRAVIS §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 20th DAY OF August, 2014, BY Kenneth R. Satterlee KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HAS ACKNOWLEDGED TO ME THAT FOREGOING INSTRUMENT WAS EXECUTED FOR THE PURPOSES THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 20th DAY OF August, 2014 A.D.

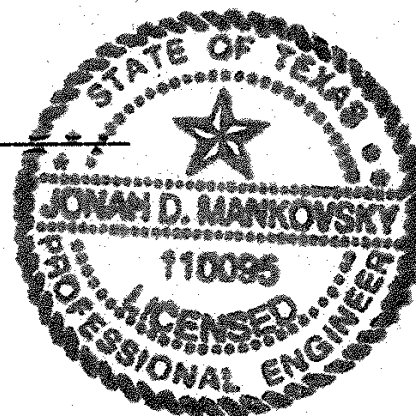
NOTARY PUBLIC [Signature] MY COMMISSION EXPIRES August 29, 2017  
IN AND FOR THE STATE OF TEXAS



**FLOOD PLAIN NOTE:**  
A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN, AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, SHOWN ON MAP NO. 48453C0605 H, DATED SEPTEMBER 26, 2008 FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.

**ENGINEER'S CERTIFICATION:**  
I, JONAH D. MANKOVSKY, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 30 OF THE AUSTIN CODE OF 2002, AS AMENDED, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

[Signature] 8/20/14 DATE  
JONAH D. MANKOVSKY, P.E.  
TEXAS REGISTRATION NO. 110095  
BURY-AUS, INC.  
211 WEST SIXTH STREET, SUITE 600  
AUSTIN, TEXAS 78701



**SURVEYOR'S CERTIFICATION:**  
I, JOHN T. BILNOSKI, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH TITLE 30 OF THE AUSTIN CODE OF 2002, AS AMENDED, AND WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION.

[Signature] 8/20/14 DATE  
JOHN T. BILNOSKI, R.P.L.S.  
TEXAS REGISTRATION NO. 4998  
BURY-AUS, INC.  
211 WEST SIXTH STREET, SUITE 600  
AUSTIN, TEXAS 78701



## GENERAL NOTES:

- NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER SYSTEM.
  - WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE AUSTIN WATER UTILITY. 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.
  - FACILITIES FOR OFF-STREET LOADING AND UNLOADING SHALL BE PROVIDED FOR ALL NON-RESIDENTIAL SITES.
  - ALL STREETS, DRAINAGE, SIDEWALKS, WATER AND WASTEWATER LINES, AND EROSION CONTROLS SHALL BE CONSTRUCTED AND INSTALLED TO CITY OF AUSTIN STANDARDS.
  - PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUN-OFF SHALL BE HELD TO THE AMOUNT ESTABLISHED BY THE REGIONAL DETENTION PLANS APPROVED BY THE CITY OF AUSTIN, EXCEPT THAT RUN-OFF IN EXCESS OF THE AMOUNT ESTABLISHED FOR THE REGIONAL DETENTION SYSTEM SHALL BE DETAINED BY THE USE OF ONSITE PONDING OR OTHER APPROVED METHODS.
  - NO BUILDING, FENCES, LANDSCAPING OR OTHER SUCH STRUCTURES ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY CITY OF AUSTIN/TRAVIS COUNTY.
  - PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITY.
  - ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR ASSIGNS.
  - PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS AND AS SHOWN BY DOTTED LINE ON THE FACE OF THE PLAT: CASEYBRIDGE COURT AND BEN WHITE BOULEVARD. THESE SIDEWALKS SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY.
  - BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
  - THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATTING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
- ALL FINISHED SLAB ELEVATIONS IN THIS SUBDIVISION SHALL BE 1.0 FOOT MINIMUM ABOVE THE 100 YEAR FREQUENCY FLOOD LEVEL. THE FOLLOWING LOTS WILL HAVE A MINIMUM ELEVATION:
- LOTS  
3 AND 8
- NO FILL SHALL BE PLACED, OR ALLOWED TO REMAIN, ON THESE LOTS EXCEPT BY SEPARATE PERMIT.
- AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
  - THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING, AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
  - THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION FOR ELECTRIC UTILITY WORK REQUIRED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT.
  - ANY ELECTRIC UTILITY ACTIVITY INSIDE THE SUBDIVISION SHALL BE INCLUDED UNDER THE DEVELOPMENT PERMIT.
  - ANY RELOCATION OF ELECTRIC FACILITIES SHALL BE AT OWNERS EXPENSE.
  - PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
  - THIS SUBDIVISION PLAT WAS APPROVED AND RECORDED BEFORE THE CONSTRUCTION AND ACCEPTANCE OF STREETS AND OTHER SUBDIVISION IMPROVEMENTS. PURSUANT TO THE TERMS OF A SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE SUBDIVIDER AND THE CITY OF AUSTIN, DATED APRIL 16, 2014. THE SUBDIVIDER IS RESPONSIBLE FOR THE CONSTRUCTION OF ALL IMPROVEMENTS NEEDED TO SERVE THE LOTS WITHIN THE SUBDIVISION. THIS RESPONSIBILITY MAY BE ASSIGNED IN ACCORDANCE WITH THE TERMS OF THAT AGREEMENT. FOR THE SUBDIVISION IMPROVEMENTS AGREEMENT PERTAINING TO THIS SUBDIVISION, SEE SEPARATE INSTRUMENT RECORDED IN DOCUMENT NO. 2014054356, IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
  - EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, PURSUANT TO THE CITY OF AUSTIN LAND DEVELOPMENT CODE AND THE ENVIRONMENTAL CRITERIA MANUAL.
  - ALL LOTS SHALL HAVE SEPARATE SEWER TAPS, SEPARATE WATER METERS, AND THEIR RESPECTIVE PRIVATE WATER AND WASTEWATER SERVICE LINES SHALL BE POSITIONED OR LOCATED IN A MANNER THAT WILL NOT CROSS LOT LINES.
  - NO CONSTRUCTION OR PLACEMENT OF STRUCTURES INCLUDING BUILDINGS, SHEDS, POOLS, LANDSCAPING OR GARDENS IS ALLOWED WITHIN A CRITICAL ENVIRONMENTAL FEATURE BUFFER ZONE PER THE CITY OF AUSTIN LAND DEVELOPMENT CODE. WASTEWATER DISPOSAL IS PROHIBITED WITHIN THE CEF BUFFER ZONE AND VEGETATIVE COVER MUST BE MAINTAINED TO THE MAXIMUM EXTENT PRACTICABLE.

- BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR OWNERS OF THE LOTS BEING OCCUPIED. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.
- THE WATER AND/OR WASTEWATER EASEMENTS INDICATED ON THIS PLAT ARE FOR THE PURPOSE OF CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, UPGRADE, DECOMMISSIONING AND REMOVAL OF WATER AND/OR WASTEWATER FACILITIES AND APPURTENANCES. NO OBJECTS, INCLUDING BUT NOT LIMITED TO, BUILDINGS, RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN AND TRAVIS COUNTY TEXAS.
- RESTRICTIONS FROM THE AIRPORT GATEWAY SUBDIVISION ARE APPLICABLE TO THE FINAL PLAT.
- PARKLAND FEES ARE REQUIRED PRE ORDINANCE 20070621-027, OR AS AMENDED, PRIOR TO APPROVAL OF ANY SITE PLAN IN THIS SUBDIVISION.
- ACCESS TO EAST BEN WHITE BOULEVARD FROM LOT 1 IS PROHIBITED.
- THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRIC SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF AUSTIN RULES AND REGULATIONS AND TEXAS STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT. AUSTIN ENERGY WILL NOT RENDER ELECTRIC SERVICE UNLESS REQUIRED CLEARANCES ARE MAINTAINED. ALL COSTS INCURRED BECAUSE OF FAILURE TO COMPLY WITH THE REQUIRED CLEARANCES WILL BE CHARGED TO THE OWNER.

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL PURPOSE CITY LIMITS OF THE CITY OF AUSTIN ON THIS THE 22 DAY OF August, 2014.

## CITY CERTIFICATIONS:

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR OF THE PLANNING AND DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.  
THIS THE 22 DAY OF August, 2014, A.D.  
Greg Guernsey  
GREG GUERNSEY, A.I.C.P., DIRECTOR  
PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

STATE OF TEXAS §  
COUNTY OF TRAVIS §

I, DANA DEBEAUVOIR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 21 DAY OF August, 2014, A.D. AT 4:39 O'CLOCK P.M., AND DULY RECORDED ON THE 21 DAY OF August, 2014, A.D. AT 4:39 O'CLOCK P.M., OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. 201400187

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE 21 DAY OF August, 2014, A.D.  
DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

BY: [Signature] 8/20/14 DATE  
DEPUTY  
FILED FOR RECORD AT 4:39 O'CLOCK P.M.  
THIS THE 21 DAY OF August, 2014 A.D.  
DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS  
BY: [Signature] 8/20/14 DATE  
DEPUTY

**AMENDED PLAT OF  
AIRPORT GATEWAY SUBDIVISION**  
A 7 LOT SUBDIVISION  
CONSISTING OF 16.011 ACRES  
SUBMITTAL DATE: JUNE 27, 2014  
PREPARATION DATE: JUNE 27, 2014

**BURY**  
221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel. (512) 328-0011 Fax (512) 328-0325  
TBPE # F-1048 TBPLS # F-10107500  
Copyright © 2014

**ORDINANCE NO. 021010-12c**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICT ON APPROXIMATELY 1,800 ACRES OF LAND GENERALLY KNOWN AS THE SOUTHEAST NEIGHBORHOOD PLAN AREA ("SOUTHEAST") AND TO CHANGE THE BASE ZONING DISTRICTS ON 24 TRACTS OF LAND IN SOUTHEAST.**

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 24 tracts of land within the property described in **Zoning Case No.C14-02-0128.03**, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 1,800 acres of land, more or less, in the City of Austin, Travis County, more particularly described and identified in the attached Exhibit "A", save and except the properties known as 2505 and 2507 Hoeke Lane, (the "Property")

generally known as the Southeast neighborhood plan, locally known as the area bounded by Ben White Boulevard/Highway 71 on the north, Highway 183 on the east, Burleson Road on the south, and Montopolis Drive on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The base zoning districts for the 24 tracts of land are changed from single family residence standard lot (SF-2) district, general commercial services-conditional overlay (CS-CO) combining district, limited industrial services-conditional overlay (LI-CO) combining district, and development reserve (DR) district to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, warehouse limited office-neighborhood plan (W/LO-NP) combining district, general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial highway-neighborhood plan (CH-NP) combining district, limited industrial services-neighborhood plan (LI-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below.



TRACT	PROPERTY ADDRESS	FROM	TO
59	7107-7119 BEN WHITE BV E (N 19 AC OUT OF 58 AC SANTIAGO DEL VALLE ABS 24 )	CS-CO	CS-MU-CO-NP
60	7121 BEN WHITE BV E	CS-CO	CS-MU-CO-NP
61	0 BEN WHITE BV E (LOT 1 THOMAS STEVEN B SUBD II;ABS 24 DELVALLE S ACR 3.952)	DR	CH-NP
62	0 BURLESON RD (ABS 24 DELVALLE S ACR 9.482; ABS 24 DELVALLE S ACR 28.405; ABS 24 DELVALLE S ACR 29.277); 0 BEN WHITE BV E (ABS 24 DELVALLE S ACR 28.606)	DR, LI-CO	P-NP
63	0 BURLESON RD (ABS 24 DELVALLE S ACR 2.64)	DR	LI-NP
64	0 BURLESON RD (ABS 24 DELVALLE S ACR 2.642; ABS 24 DELVALLE S ACR .650)	DR, SF-2	LI-NP
65	3601 SILVER DOLLAR CI; 0 BURLESON RD (LOT 1 MINCE B L INDUSTRIAL PARK SEC 2 AMENDED)	DR	LI-NP
66	7107-7119 BEN WHITE BV E (S 39 AC OUT OF 58 AC SANTIAGO DEL VALLE ABS 24)	DR	CS-MU-NP
67	7135 BEN WHITE BV E	DR	LI-NP
68	8214 RIVERSIDE DR E	DR	CS-NP
69	2501 HOEKE LN; 0 HOEKE LN (ABS 24 DELVALLE S ACR .692), 8015, 8105, 8109, 8200 ELLA LN; 0 ELLA LN (ABS 24 DELVALLE S ACR .384; ABS 24 DELVALLE S ACR .25; ABS 24 DELVALLE S ACR .288; ABS 24 DELVALLE S ACR .408; ABS 24 DELVALLE S ACR 4.50)	DR	W/LO-NP
70	0 LEE HILL DR (ABS 24 DELVALLE S ACR .266; ABS 24 DELVALLE S ACR .532)	DR	W/LO-NP
71	2703 HOEKE LN; 0 LEE HILL DR (ABS 24 DELVALLE S ACR .960; ABS 24 DELVALLE S ACR 1.340)	DR	W/LO-NP
72	2510, 2512 U S HY 183 S; 0 U S HY 183 S (LOT 3 LOCKHART HIGHWAY SUBD; PERSONAL PROPERTY MOBILE HOME 1965 12 X 62 S# MELODY; SE 6.536 AC OF LOT 4 LOCKHART HIGHWAY SUBD)	DR	CS-NP
73	2800 A HOEKE LN	SF-2	LI-NP

TRACT	PROPERTY ADDRESS	FROM	TO
74	0 MC CALL LN (ABS 24 DELVALLE S ACR 1.50 S#TXFL1AE198602837; 50% OF ABS 24 DELVALLE S ACR 1.50)	DR	LI-NP
75	3307 MC CALL LN; 3100, 3106, 3300, 3400, 3404, 3412 U S HY 183 S; 0 U S HY 183 S (ABS 24 DELVALLE S ACR 11.316; ABS 24 DELVALLE S ACR 1.809)	DR,SF-2	CS-NP
76	0 U S HY 183 S (ABS 24 DELVALLE S ACR 149.890 (1-D-1))	DR	CS-NP
77	0 U S HY 183 S (ABS 24 DELVALLE S ACR 149.890 (1-D-1)); Area begins 600 feet out from US Hwy 183	DR	LI-NP
78	4214 US HWY 183 S; 0 U S HY 183 S (ABS 24 DELVALLE S ACR 149.890 (1-D-1)); 600-ft. commercial buffer extending from US Hwy 183	DR, SF-2	CS-NP
79	0 BURLESON RD (TRT A BENNER ALVIN SUBD (1-D-1))	DR	LI-NP
80	7700 BURLESON RD; 0 BURLESON RD (ABS 24CR DELVALLE S ACR .371 MH S#S2151 (SKYLINE) MH S#900261 (NEW MOON))	SF-2	GR-MU-NP
81	7810; 7904, 7906 BURLESON RD; 0 BURLESON RD (LOT 1 BENNER ALVIN SUBD (1-D-1); LOT 2 BENNER ALVIN SUBD; LOT 3 BENNER ALVIN SUBD)	SF-2	GR-MU-NP
82	0 BURLESON RD (ABS 24 DELVALLE S ACR 2.63); 8208 BURLESON RD	DR	CS-NP

**PART 3.** The following applies to an existing legal lot with single-family residential use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 3,500 square feet or less, the impervious coverage may not exceed 65 percent.

**PART 4.** The Property identified as Tract 59 and Tract 60 within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the property may not be approved, released, or issued, if the completed development or uses of the property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day for Tract 59 and 2,000 trips per day for Tract 60.

2. The following uses are prohibited uses on Tract 59 and Tract 60:

Adult oriented businesses  
Convenience storage

Vehicle storage

Except as specifically restricted under this ordinance, Tract 59 and Tract 60 may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 5.** The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

**PART 6.** This ordinance takes effect on October 21, 2002.

**PASSED AND APPROVED**

October 10, 2002

§  
§  
§

*Gustavo L. Garcia*

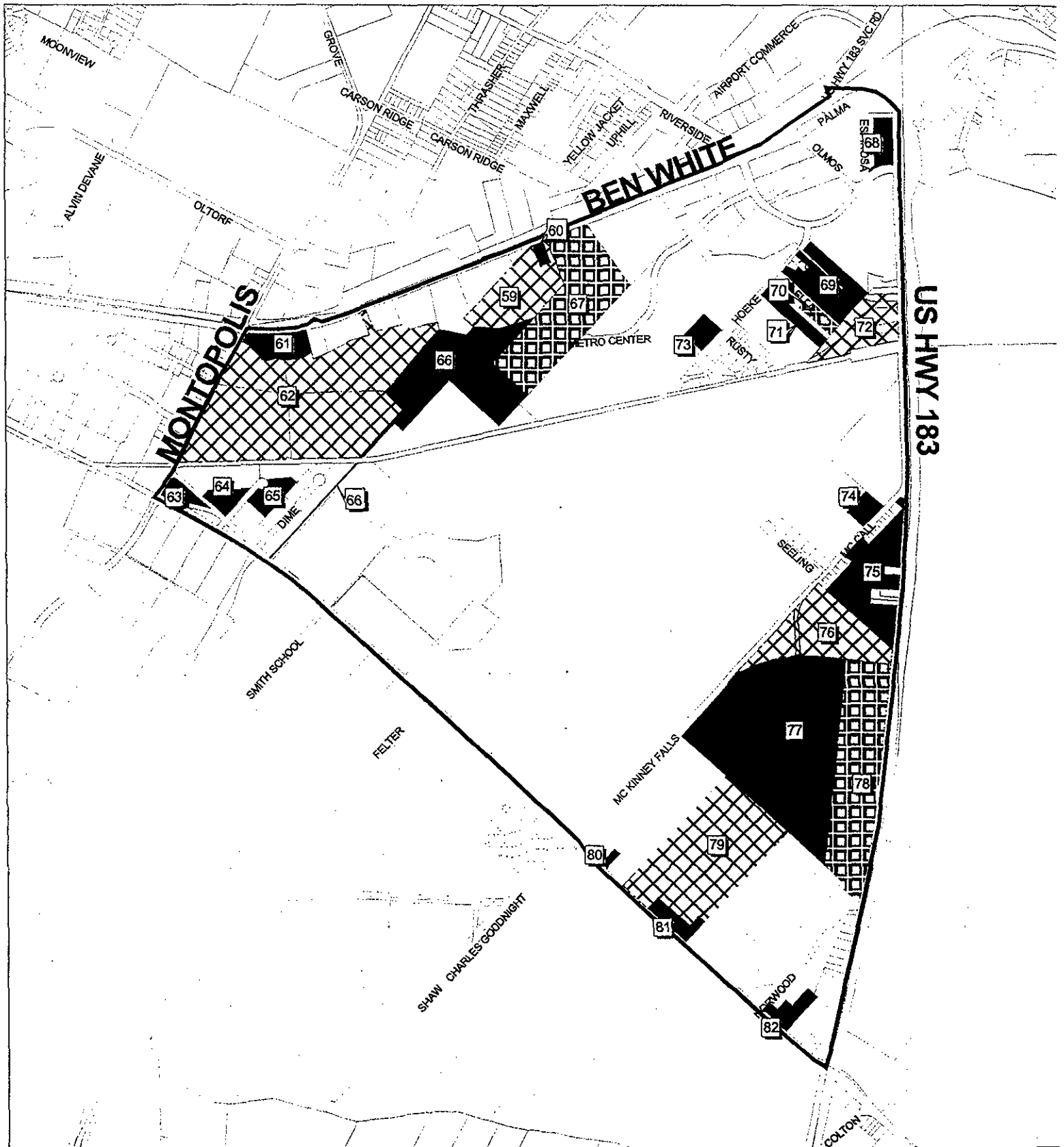
Gustavo L. Garcia  
Mayor

APPROVED:

*Sedora Jefferson*  
Sedora Jefferson  
City Attorney

ATTEST:

*Shirley A. Brown*  
Shirley A. Brown  
City Clerk



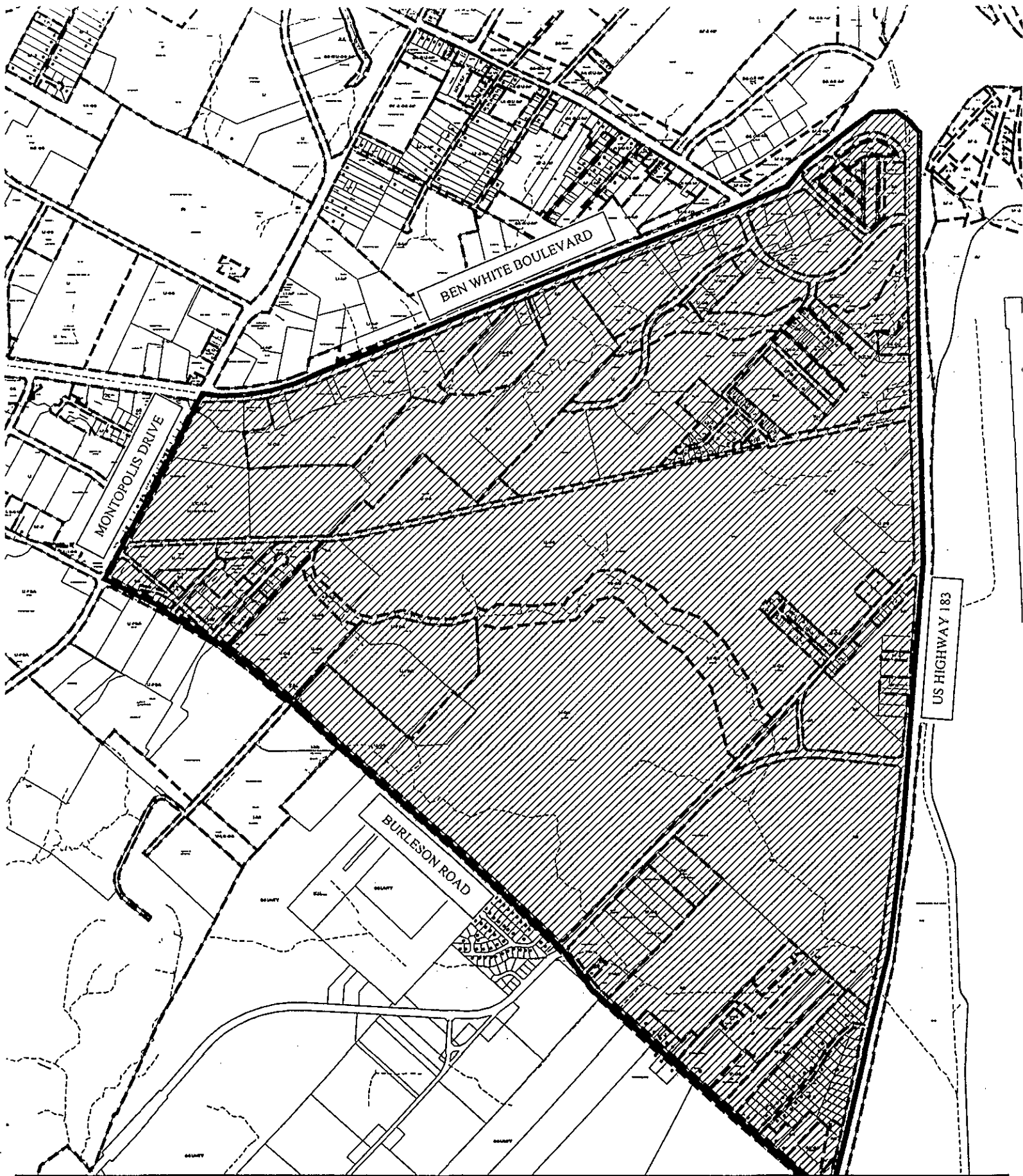
**Southeast Neighborhood Planning Area  
Tract Map of Rezoning**

Zoning Case #C14-02-0128.03  
Exhibit " "

Zoning Case Manager: Wendy Walsh (October 10, 2002)

*EXHIBIT A*

	<b>Subject Tracts</b>
	
	



BEN WHITE BOULEVARD

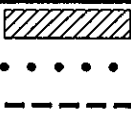
MONTOPOLIS DRIVE

BURLESON ROAD

US HIGHWAY 183



SUBJECT TRACT  
PENDING CASE  
ZONING BOUNDARY  
CASE MGR: W. WALSH



# ZONING EXHIBIT B

CASE #: C14-02-0128.03  
ADDRESS: SOUTHEAST COMBINED  
NEIGHBORHOOD PLANNING AREAS  
SUBJECT AREA (acres): N/A

DATE: 02-09  
INTLS: SM

CITY GRID  
REFERENCE  
NUMBER  
HJK&L 15-18

1" = 1600'

**ORDINANCE NO. 20190509-035**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3112 CASEYBRIDGE COURT IN THE SOUTHEAST COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) AND LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) AND LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING DISTRICT.**

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district and limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district and limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district on the property described in Zoning Case No. C14-2018-0108, on file at the Planning and Zoning Department, as follows:

Lots 1, 5 and 6, Amended Plat of Airport Gateway Subdivision, a subdivision in Travis County, Texas, according to the map or plat of record thereof, recorded in Document No. 201400187 of the Plat Records of Travis County, Texas (the "Property"),

locally known as 3112 Caseybridge Court in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "A"**.

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following uses are prohibited uses on the Property:

Adult oriented businesses  
Vehicle storage

Convenience storage

**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, limited industrial services (LI) base district, mixed use (MU) combining district and other applicable requirements of the City Code.

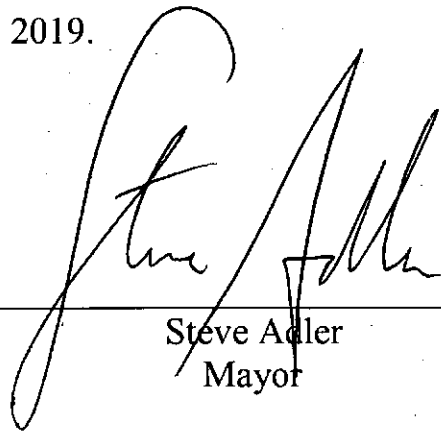
**PART 4.** The Property is subject to Ordinance No. 021010-12c that established zoning for the Southeast Neighborhood Plan.

**PART 5.** This ordinance takes effect on May 20, 2019.

**PASSED AND APPROVED**

\_\_\_\_\_, May 9, 2019

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§  
§



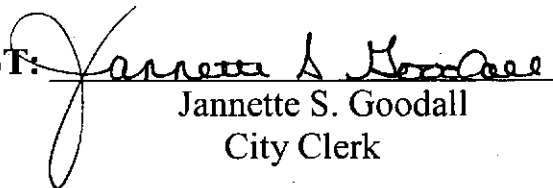
Steve Adler  
Mayor

**APPROVED:**

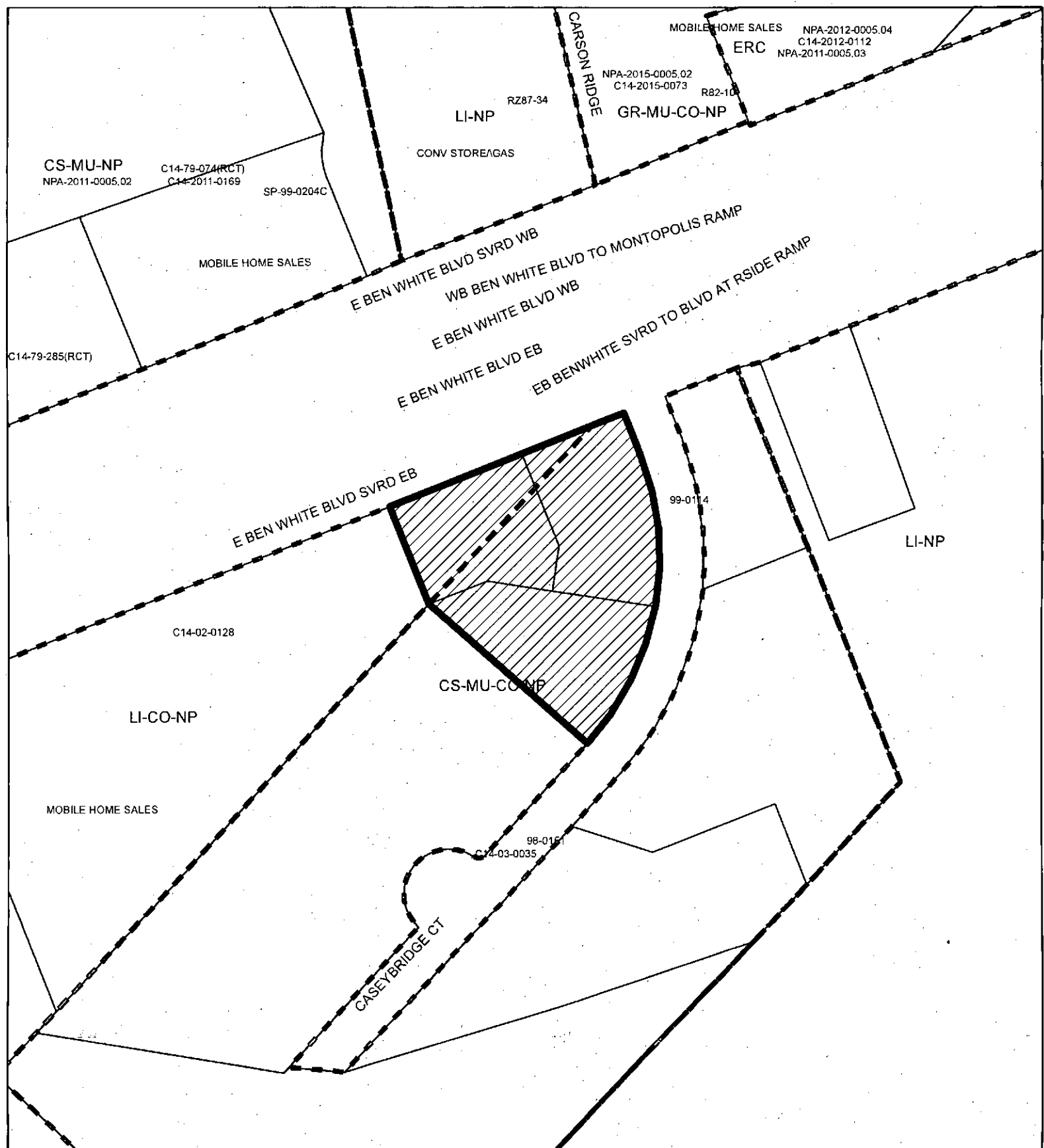






Anne L. Morgan  
City Attorney

**ATTEST:**



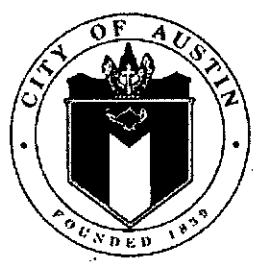
Jannette S. Goodall  
City Clerk




 SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY

**Zoning Case**  
C14-2018-0108

**EXHIBIT "A"**



1" = 200'

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.





3 pgs 2019077590

Zoning Case Nos. C14-2018-0108  
C14-2018-0109

**RESTRICTIVE COVENANT**

OWNER: Airport Gateway, LP, a Texas limited partnership

OWNER ADDRESS: 901 South MoPac Expressway  
Barton Oaks Plaza 1, Suite 160  
Austin, Texas 78746

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

PROPERTY: Lots 1, 5, 6 and 9, Amended Plat of Airport Gateway Subdivision, a subdivision in Travis County, Texas, according to the map or plat of record thereof, recorded in Document No. 201400187 of the Plat Records of Travis County, Texas (the "Property"),

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

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

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by Kimley Horn, dated March 4, 2019, or as amended, and approved by the Director of the Austin Transportation Department. All development on the Property is subject to the Austin Transportation Department's staff memorandum dated March 7, 2019 ("memorandum") and any amendments to the memorandum that address subsequent TIA updates for the Property. The TIA and memorandum shall be kept on file at the Austin Transportation Department.
2. If any person or entity shall violate or attempt to violate this Agreement, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such Agreement, to prevent the person or entity from such actions, and to collect damages for such actions.

3. If any part of this Agreement is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.
4. If at any time the City of Austin fails to enforce this Agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
5. This Agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the Owner of the Property, or a portion of the Property, subject to the modification, amendment or termination at the time of such modification, amendment or termination.

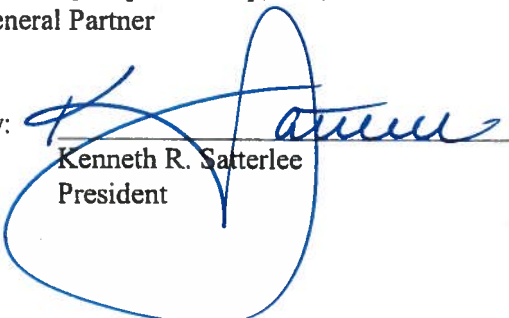
EXECUTED this the 16<sup>th</sup> day of April, 2019.

Owner:

Airport Gateway, LP, a Texas limited partnership

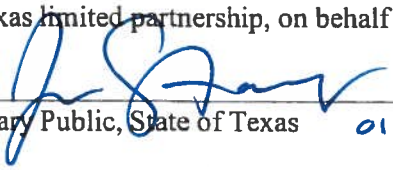
By: The Kelly Capital Group, Inc., a California corporation, its  
General Partner

By:

  
Kenneth R. Satterlee  
President

THE STATE OF TEXAS   §  
                                     §  
COUNTY OF TRAVIS   §

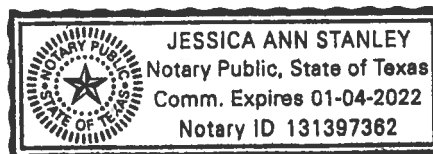
This instrument was acknowledged before me on this the 16 day of April 2019, by Kenneth R. Satterlee, President of The Kelly Capital Group, Inc., a California corporation, as general partner of Airport Gateway, LP, a Texas limited partnership, on behalf of said partnership.

  
Notary Public, State of Texas

01-04-2022

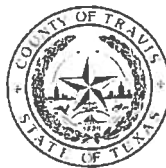
APPROVED AS TO FORM:

  
Assistant City Attorney  
City of Austin



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

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



**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS**

*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

**2019077590**

May 30, 2019 08:24 AM

Fee: \$34.00

TOMSR



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## MEMORANDUM

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**Date:** March 7, 2019  
**To:** Wendy Rhoades, Case Manager  
**CC:** Santiago A. Araque Rojas, P.E., Kimley Horn  
Eric Bollich, P.E., PTOE, Austin Transportation Department  
Upal Barua, P.E., P. Eng., PTOE, Austin Transportation Department  
**Reference:** Airport Gateway TIA – TIA Final Memo  
C14-2018-0108 & C14-2018-0109

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The Austin Transportation Department has reviewed the March 4, 2019 (received March 4, 2019) *"Airport Gateway TIA"*, prepared by Kimley Horn. The proposed land uses consist of 293,410 SF of Warehousing, 120 Rooms of Hotel, 125,000 SF of Office, 7,000 SF of Retail, 3,000 SF of Fast food restaurant w/ Drive Thru, and 12 VFP of Gas Station. The development will be located on the south side of State Highway 71 and Casey Bridge Court in Austin, Texas. The development is anticipated to be completed by 2022.

The following is a summary of review findings and recommendations:

**Trip Generation:**

Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (10<sup>th</sup> Edition), the development will generate approximately 6,478 adjusted average daily vehicles trips (ADT) upon build out. The Table 1 below shows the trip generation by land uses for the proposed development.

Table 1: Adjusted Trip Generation						
Proposed Land Use	Size	24-Hour Two Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Hotel (310)	120 Keys	1,004	33	23	37	35
General Office (710)	125,000 SF	1,218	125	30	23	121
Shopping Center (820)	7,000 SF	266	4	3	13	14
Gasoline/Service Station (944)	12 Fueling Positions	2,066	62	61	84	84
Fast Food Restaurant w/ Drive Thru (934)	3,000 SF	1,414	62	59	51	47
Warehousing (150)	293,410 SF	510	47	14	17	46
<b>Total</b>		<b>6,478</b>	<b>303</b>	<b>120</b>	<b>183</b>	<b>305</b>

**Assumptions:**

1. Based on TxDOT AADT volume data, a three (3) percent annual growth rate was assumed to account for the increase in background traffic.
2. Considerations were made for the following projects in the analysis:
  - a. Met Center II Building 11 (SP-2012-0262C)
  - b. Spaw Glass Office (SP-2010-0262C)
  - c. Met Center II Building 1 & 2 (SP-2012-0141C)
  - d. Tech Ridge South Business Park (SP-01-0099C)

**Staff Recommendations:**

1. Prior to the issuance of any site development permit, the applicant shall construct the following improvements as part of their development application. Note: Cost estimates provided in the TIA **should not** be assumed to represent the maximum dollar value of improvements the applicant may be required to construct. The Applicant shall design and construct 100% of the following improvement in coordination with TxDOT:
  - a. A right turn deceleration lane extending 400' west of Caseybridge Court on SH 71 EBFR to service both the site driveway and Caseybridge Court. TxDOT has already provided approval of the conceptual design. Additional right-of-way may be required at the time of site plan to accommodate the turn lane.
  - b. A dividing barrier along the entrance ramp gore to SH 71 across from site Driveway 1. TxDOT has already provided approval of the conceptual design.

2. Fee in-lieu contribution to the City of Austin shall be paid prior to the issuance of any site development permit for each tract by the amount identified in Table 3, for the improvements identified in Table 2, totaling \$128,399.

Table 2: Recommended Improvements				
Intersection	Improvement	Cost	Pro-Rata Share (%)	Pro-Rata Share (\$)
SH 71 WBFR & Montopolis Dr	Signal Retiming	\$5,000.00	100%	\$5,000.00
SH 71 EBFR & Montopolis Dr	Signal Retiming	\$5,000.00	100%	\$5,000.00
SH 71 WBFR & East Riverside Dr	250' Right Turn Lane	\$150,000.00	0%	\$0.00
	Signal Retiming	\$5,000.00	100%	\$5,000.00
SH 71 EBFR & East Riverside Dr	Signal Retiming	\$5,000.00	100%	\$5,000.00
US 183 & East Riverside Dr	Install Signal	\$300,000.00	36%	\$108,399.00
<b>Total</b>		<b>\$470,000.00</b>		<b>\$128,399.00</b>

Table 3: Fiscal Contribution Distribution		
Tract Number	Land Use	Fiscal Contribution
1	Gas Station	\$40,937.00
3	General Office	\$5,826.00
5	Hotel	\$19,894.00
6	Retail	\$5,271.00
9	Restaurant	\$28,018.00
10	Warehousing	\$10,105.00
	Office	\$18,348.00
<b>Total</b>		<b>\$128,399.00</b>

3. Two copies of the final TIA are required to be provided prior to third reading.
4. Development of this property should not vary from the approved uses or deviate from the approved intensities and estimated traffic generation assumptions within the finalized TIA document, including land uses, trip generation, trip distribution, traffic controls, driveway locations, and other identified conditions. Any change in the assumptions made to the TIA document shall be reviewed by ATD and may require a new or updated TIA/addendum.
5. City of Austin reserves the right to reassign any or all the above monies to one or more of the identified improvements in the TIA.
6. The findings and recommendations of this TIA memorandum remain valid until five (5) years from the date of this memo, after which a revised TIA or addendum may be required.

If you have any questions or require additional information, please contact me at 512-974-1449.

A handwritten signature in black ink, appearing to read 'Austin Jones', with a long horizontal flourish extending to the right.

Austin Jones, P.E.  
Austin Transportation Department