

October 24, 2023

Subject: 700 Dawson; Letter of Support for Rezoning and Plan Amendment

To City Staff, Planning Commission, and City Council:

As the closest neighbor to the 700 Dawson property, I ask that you SUPPORT the applicant's request to rezone the property to CS-MU-CO-NP with the attached conditional overlay provisions.

My house is directly south of 700 Dawson; I share a lot line with the property. Accordingly, I have actively engaged with the Terry Black family regarding their plans for several months – and ultimately negotiated a conditional overlay to address some of my concerns as the closest neighbor to this site.

I have attached a copy of the full agreed-upon provisions to this letter, which include (but are not limited to) a 50-ft. setback area from my property line, a 40-ft. height limit between 50 ft. and 100 ft. from my property line, and limits on impervious cover, building cover, hotel/motel uses, amplified sound, lighting, and allowable uses.

The attached provisions address many of the concerns I have had regarding this proposal – and I would ask you honor the work that has been done on this case by supporting a conditional overlay that includes these provisions and, with that in place, supporting the Black family's request for CS-MU-CO-NP zoning.

Thank you for your consideration – and I hope we can count on your support.

Sincerely,



Brett Rhode
808 Dawson



Wendy Rhode
808 Dawson

**Zoning to GR-MU-CO
Conditional Overlay
(700 Dawson – 10-9-2023)**

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

- A. A structure may not be constructed less than 50 feet from a southern property line where the Property abuts a property with a single-family use. In this section, the term “structure” excludes fences, walls, gardens, vegetation, trails, benches, lights, or tables (without food or beverage service); except that driveways used exclusively for emergency access may be constructed not less than 25 feet from a southern property line where the Property abuts a property with a single-family use.
- B. A structure may not be constructed less than 50 feet from a property line abutting Dawson Road right-of-way. In this section, the term “structure” excludes fences, walls, gardens, vegetation, trails, benches, lights, tables (without food or beverage service), drives, driveways, any driveway approach, fire lanes, streets, or sidewalks.
- C. Between 50 feet and 100 feet from a southern property line where the Property abuts a property with a single-family use, a building’s height may not exceed 40 feet.
- D. The maximum building coverage shall be 65%.
- E. The maximum impervious coverage shall be 80%.
- F. The maximum Floor Area Ratio shall be .85:1
- G. The following permitted uses will be conditioned as follows:
 - a. Restaurant Use shall be limited to 15,000 square feet of interior area and 10,000 square feet of outdoor area.
 - b. Indoor Entertainment Use, and Indoor Sports and Recreation Use shall be allowed as an Accessory use to Restaurant or Hotel-Motel or Club-Lodge Uses and shall be limited to a total of 20,000 square feet.
 - c. Outdoor Entertainment Use, Outdoor Sports and Recreation Use, and Community Recreation (Private) Use shall be allowed as an Accessory use to Restaurant or Hotel-Motel or Club-Lodge Uses and shall be limited to a total of 20,000 square feet.
 - d. Commercial Off-Street Parking Use shall be limited to 85 spaces.
 - e. General Retail Sales (Convenience) shall be allowed as an Accessory use to Restaurant or Hotel-Motel or Club-Lodge Uses and shall be limited to 2,000 square feet.

- f. Personal Improvement Services and Personal Services shall be allowed as an Accessory use to Restaurant or Hotel-Motel or Club-Lodge Uses and shall be limited to a total of 10,000 square feet.
- g. Cultural Services shall be allowed as an Accessory use to Restaurant or Hotel-Motel or Club-Lodge Uses and shall be limited to 5,000 square feet.
- h. Day Care Services (Commercial), Day Care Services (General), Day Care Services (Limited) shall be allowed as an Accessory use to Restaurant or Hotel-Motel or Club-Lodge Uses and shall be limited to 5,000 square feet.
- i. Community Recreation (Public) shall be limited to parks or parkland.

[continued on the following page with Prohibited Uses].

SIGNATURE CERTIFICATE



REFERENCE NUMBER

EEBC30F8-BD6C-4B44-82E5-9A36F8F39AC0

TRANSACTION DETAILS

Reference Number
EEBC30F8-BD6C-4B44-82E5-9A36F8F39AC0

Transaction Type
Signature Request

Sent At
10/24/2023 12:11 EDT

Executed At
10/24/2023 12:13 EDT

Identity Method
email

Distribution Method
email

Signed Checksum
1c2f56effd1526696c604a10031b58bf1e56ec94b3fba7ede9d81347a45e2f30

Signer Sequencing
Disabled

Document Passcode
Disabled

DOCUMENT DETAILS

Document Name
Letter of Support Rhode

Filename
Letter_of_Support_Rhode.pdf



Pages
1 page

Content Type
application/pdf

File Size
47.4 KB

Original Checksum
558e593d093af1ed355dc4293bebdd547333b8a00f5c4efda4295a8570a96d2a

SIGNERS

SIGNER	E-SIGNATURE	EVENTS
<p>Name Wendy Rhode</p> <p>Email wendy@wendyrhode.com</p> <p>Components 1</p>	<p>Status signed</p> <p>Multi-factor Digital Fingerprint Checksum 493f4dac6075611d56d16d27d3de973e052ca2e5dcacce16a2d98ebde86c2a28</p> <p>IP Address 101.53.5.133</p> <p>Device Mobile Safari via iOS</p> <p>Drawn Signature </p> <p>Signature Reference ID E0993E8A</p> <p>Signature Biometric Count 5</p>	<p>Viewed At 10/24/2023 12:11 EDT</p> <p>Identity Authenticated At 10/24/2023 12:13 EDT</p> <p>Signed At 10/24/2023 12:13 EDT</p>
<p>Name Jonathan B. Rhode</p> <p>Email brhode@rhodepartners.com</p> <p>Components 1</p>	<p>Status signed</p> <p>Multi-factor Digital Fingerprint Checksum aeb42527dda370db5056279cebc53c2d4e9913ebb4344d33b0d713f0a0747258</p> <p>IP Address 104.28.119.141</p> <p>Device Safari via Mac</p> <p>Drawn Signature </p> <p>Signature Reference ID 082E9B0E</p> <p>Signature Biometric Count 2</p>	<p>Viewed At 10/24/2023 12:11 EDT</p> <p>Identity Authenticated At 10/24/2023 12:12 EDT</p> <p>Signed At 10/24/2023 12:12 EDT</p>

AUDITS

TIMESTAMP	AUDIT
10/24/2023 12:11 EDT	Martha Adams (madams@abaustin.com) created document 'Letter_of_Support_Rhode.pdf' on Chrome via Windows from 216.201.214.194.
10/24/2023 12:11 EDT	Jonathan B. Rhode (brhode@rhodepartners.com) was emailed a link to sign.
10/24/2023 12:11 EDT	Wendy Rhode (wendy@wendyrhode.com) was emailed a link to sign.

TIMESTAMP**AUDIT**

10/24/2023 12:11 EDT

Jonathan B. Rhode (brhode@rhodepartners.com) viewed the document on Safari via Mac from 104.28.119.141.

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

Administrative and Business Office	Alternative Financial Services
Art Gallery	Automotive Repair Services
Art workshop	Automotive Washing (of any type)
Agricultural Sales and Services	Building Maintenance Services
Automotive Rentals	Business Support Services
Automotive Sales	College and University Facilities
Bail Bond Services	Communication Service Facilities
Business or Trade School	Conservation Single-Family Residential
Campground	Consumer Repair Services
Commercial Blood Plasma Center	Custom Manufacturing
Community Events	Electronic Prototype Assembly
Construction Sales and Services	Equipment Repair Services
Convenience Storage	Exterminating Services
Drop-Off Recycling Collection Facility	Financial Services
Electronic Testing	Hospital Services (General)
Food Preparation	Indoor Crop Production
Equipment Sales	Laundry Services
Exterminating Services	Local Utility Services
Funeral Services	Medical Offices—exceeding 5,000 sq. ft. gross floor area
Hospital Services (Limited)	Mobile Home Residential
Kennels	Pawn Shop Services
Limited Warehousing and Distribution	Pet Services
Maintenance and Service Facilities	Printing and Publishing
Medical Offices—not exceeding 5,000 sq. ft. gross floor area	Private Secondary Educational Facilities
Monument Retail Sales	Public Primary Educational Facilities
Pedicab Storage and Dispatch	Research Services
Plant Nursery	Retirement Housing (Small Site)
Private Primary Educational Facilities	Safety Services
Professional Office	Software Development
Public Secondary Educational Facilities	Theater
Residential Treatment	Vehicle Storage
Retirement Housing (Large Site)	Group Residential
Service Station	Group home, Class I (limited
Telecommunication Tower	Group home, Class I (general)
Transportation Terminal	Group home, Class II
Veterinary Services	Short-term rental
	Congregate Living
	Counseling Services
	Family Home
	Community Garden
	Urban Farm