



Project Review Form (PRF) Statement of Applicable Codes

This completed form must accompany all applications for site plans or subdivisions.

One Texas Center | 505 Barton Springs Rd | Austin, TX 78704 | Phone: (512) 974-1770 | DevelopmentATX.com

For Office Use Only — See Vested Rights Determination (if applicable) for additional information

File # Assigned: SP-2020-0269C Date Filed: 7/2/2020 Original Application Vesting Date: 8/28/1985

Signature: Jim Dyzkowski Date: 7/8/2020

Director's Determination of Vested Rights (select one): ☐ Not Applicable ☒ Approved ☐ Denied

Proposed Project Name: _____

Address/Location: _____

Legal Description: _____

- ☐ A. The proposed application is submitted for **review under regulations currently in effect**.

*** NOTE: If "A" is checked above, proceed to the signature block at the bottom.

- ☐ B. The proposed application is for a **project requesting review under regulations other than those currently in effect based on a claim of vested rights** (i.e., "grandfathering") to earlier City of Austin regulations under Chapter 245 or Section 43.002 of the Texas Local Government Code. Please list file number and type of prior permit here:
Original Application Filing Date: _____ File #: _____ Type: _____

*** NOTE: If "B" is checked above, the applicant must complete the "Information Required for Vested Rights Review" below, and attach a Vested Rights Petition that provides additional information and more fully describes the basis for the claim.

- ☐ C. The proposed application is for a **project requesting review under regulations other than those currently in effect based on a City of Austin ordinance or agreement** that establishes entitlements specific to the property which differ from those generally applicable under current regulations. Provide a brief description of the basis for this request here:

*** NOTE: If "C" is checked above, the applicant must attach a copy of the City of Austin ordinance or agreement for which rights are claimed.

Information Required for Vested Rights Review

In addition to providing the information below, attach a completed Vested Rights Petition (VRP) and supporting documentation, including project history from the Original Application to the present, with a copy of the original application for which vested rights are claimed and any subsequent permits or approvals issued for the property.

Project Application History	File #	Application Date	Approval Date
Annexation/Zoning Cases			
Preliminary Subdivision			
Final Subdivision Plat			
Site Plan/Development Permit			

Proposed Project Application (select one): ☐ Preliminary Subdivision ☐ Final Plat ☐ Site Plan ☐ Building Permit

Proposed Project Land Use Acreage (specify acreage in each of the following land use categories): Single-Family/Duplex: _____

Townhouse/Condo/Multifamily: _____ Office: _____ Commercial: _____ Industrial/R&D: _____ Other (specify): _____

Total acreage: _____ Watershed: _____ Watershed Class:

This proposed project application will still be reviewed under those rules and regulations that are not subject to chapter 245, such as those to prevent imminent destruction of property or injury to person, including regulation dealing with stormwater detention, temporary erosion and sedimentation controls, and regulations to project critical/significant recharge features.

Property Owner/Agent Printed Name: _____ Phone: _____

Signature: _____ Date: _____



City of Austin
Development Services Department
P.O. Box 1088, Austin, Texas 78767

VESTED RIGHTS DETERMINATION

Findings

This determination is made under City Code 25-1-541 in response to a claim that the project identified below is vested to earlier regulations and entitled to be reviewed under those regulations. The determination may be reconsidered once at the request of the applicant.

Project Name: TGSACA New Church Building (245 only)

Address: 2913 Ferguson Lane

Case No. SP-2020-0269C

Date of Application: 7/2/2020

Date of Determination: 7/8/2020

Signature: *Jim Dyzkowski* **Date:** 7/8/2020

See "Grounds for Determination" (reverse) for a summary of the most common grounds for approval or denial. Additional grounds may also apply.

(X) APPROVED

Vesting Date: 8/28/1985

Findings: Ongoing project

GROUNDS FOR DETERMINATION

In general, the evaluation of a vested rights claim is based on comparing (1) the development that is now being proposed, and (2) an original project for which fair notice was provided to the City of Austin, usually in the form of a permit application. If these two are linked together as a single and continuous project, then all permits for the project are vested (i.e., “grandfathered”) to the older regulations in effect on the date that the first application for the project was submitted. A permit may not be entitled to vested rights, however, if it is for a different project or if the original project has expired or become dormant. The following is a summary of the most common grounds for approval or denial of vested rights claims.

APPROVAL:

ONGOING PROJECT: *Development now being proposed would initiate, continue, or complete a project for which vested rights are claimed and for which fair notice was provided to the City of Austin. The project remains active and has not expired or become dormant.*

OTHER: *Development now being proposed is subject to earlier regulations based on other grounds, such as entitlements under common law, a development agreement, or a special city enactment unique to the project.*

DISAPPROVAL:

NEW PROJECT: *Development now being proposed is not an initiation, continuation, or completion of the original project for which vested rights are claimed. Not every deviation will prevent subsequent vesting, but significant changes in use or in the scale or intensity of a project may result in a New Project determination.*

CHANGE OF PROJECT: *Development has already occurred which differs from the original application to such an extent that it would constitute a New Project if proposed today. Not every deviation is sufficient to change a project. However, a prevalence of actual build-out that materially differs from an original project breaks the “series of permits” required to establish vested rights to an initial application and will result in a Change of Project determination.*

PROJECT COMPLETE: *Development has already occurred that is sufficient to establish the uses shown on the original application for the project. Once a project is complete, further development must comply with current regulations and cannot vest back to the original application.*

NO FAIR NOTICE: *The original application for which vested rights are claimed does not provide “fair notice” of a project or was not submitted to the City of Austin.*

DORMANT PROJECT: *The project is vested to a permit that doesn’t have an expiration date and for which no progress towards completion has been made as specified under City Code 25-1-554 (Dormant Projects).*

PROJECT EXPIRATION: *Either: (1) all permits for the project have expired; or (2) for a project begun after June 23, 2014, the project was not completed or kept active prior to the expiration dates established under City Code 25-1-552 (Expiration of Projects Begun on or After June 23, 2014).*

INSUFFICIENT INFORMATION: *Vested Rights Petition submitted by applicant does not include required information necessary to determine whether project is entitled to vested rights*



DP-01 Development Plan (Site Plan) Application

*This application is in conjunction with either a Vested Rights Petition or
a Fair Notice Site Plan (new project, current code)*

For Office Use Only

Application Date: _____ File Number: _____
Development Review Type of Site Plan: ☐ Vested Rights Petition —OR— ☐ Fair Notice
Application Accepted By: _____ Development Plan Expiration Date: _____

***To complete this form electronically: Open with Internet Explorer,
then Click Here to Save and continue.***

The following information must be provided.

Section 1: Project Information

Project Name: TGSACA New Church Building

Project Street Address: 2913 Ferguson Lane Zip: 78754

Project Summary – describe the nature, scope, and intensity of project (***and provide letter from owner or agent***):

Development of a religious assembly building, parking lot and detention pond for the site at
2913 Ferguson Lane. The Limits of construction will be approx 2 acres. Summary Letter
attached.

Provide either Subdivision Reference or Legal Description if not platted:

☒ Subdivision Reference

Name: Walnut Creek Business Park

Approval Date: 11/05/1985

Block(s): E Lot(s): 16-A Outlot: _____

Plat Book: 86 Page Number: 84

Document Number: C8-85-07.1 Case Number: C8-85-07.1

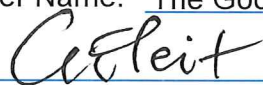
☐ Legal Description:

Tax Parcel Number(s): 0233280218
Grid Number(s): MN28

Section 2: Applicant/Agent Information – Principle Contact

Applicant Name: William Linhart
Firm: Place Designers
Applicant Mailing Address: 304 East Main Street
City: Round Rock State: Texas Zip: 78664
Email: wlinhart@PlaceDesigners.com Phone 1: (412) 979-7296 Type 1: Mobile
Phone 2: _____ Type 2: Select Phone 3: _____ Type 3: Select

Section 3: Owner Information

☐ Same as Applicant Owner Name: The Good Shepherd Anglican Church Austin (TGSACA)
Owner Signature: 
Firm: The Good Shepherd Anglican Church Austin (TGSACA)
Owner Mailing Address: P. O. Box 141188
City: Austin State: TX Zip: 78714
Email: tgsaca1@gmail.com Phone 1: (512) 900-5862 Type 1: Work
Phone 2: _____ Type 2: Select Phone 3: _____ Type 3: Select

Section 4: Property Attributes

Watershed: Walnut Creek Watershed Class: Suburban Watershed
County(s): Travis County
Land Development Jurisdiction: ☒ Full-Purpose ☐ Limited-Purpose ☐ 2-Mile ETJ ☐ 5-Mile ETJ
Acreage: 2.00
On a Hill Country Roadway? ☐ Yes ☒ No
Specify Hill Country Roadway: _____
In Combining District/Overlay Zone? (NCCD, CVC, WO, AO, etc.): ☐ Yes ☒ No
If Yes, please specify: _____

Section 5: Application Assessment

Administrative Approval? ☒ Yes ☐ No
Land Use Approval? ☒ Yes ☐ No
Land Use Site Plan only (part A)? ☒ Yes ☐ No
Construction Plan only (part B)? ☐ Yes ☒ No
Consolidated Planning Commission Approval? ☒ Yes ☐ No
Boat Dock and Shoreline Modification? ☐ Yes ☒ No

Section 6: Site Area Information

Site Area Acres: 2.00 -OR- Sq. Ft.: 86,988.65
Limits of Construction Acres: 2.00 -OR- Sq. Ft.: 86,988.65

Existing Zoning	Existing Use	<input type="radio"/> Tract # <input type="radio"/> Lot #	<input type="radio"/> Acres <input type="radio"/> Sq. Ft.	Proposed Use
W/LO-CO	Vacant Lot	16-A	2.00	Religious Assembly

Section 7: Related Cases

CASE NUMBERS

Zoning Case? ☐ Yes ☒ No _____
Restrictive Covenant? ☒ Yes ☐ No (2004193633)
Existing Site Plan? ☒ Yes ☐ No SP-2019-0173C
Subdivision? ☒ Yes ☐ No C8-85-07.1
Subdivision Name: Walnut Creek Business Park
Lots and Blocks: 14 Block E

Section 8: Submittal Verification

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

Please type or print Name below Signature, and indicate Firm represented, if applicable:

William Linhart Digitally signed by William Linhart
DN: C=US, E=wlinhart@placedesigners.com,
CN=William Linhart
Date: 2020.06.17 13:30:18-05'00' June 17 2020
Signature Month Day Year

William Linhart
Name (Typed or Printed)

Place Designers
Firm

Section 9: Inspection Authorization

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

Please type or print Name below Signature, and indicate Firm represented, if applicable:

William Linhart Digitally signed by William Linhart
DN: C=US, E=wlinhart@placedesigners.com,
CN=William Linhart
Date: 2020.06.17 13:30:33-05'00' June 17 2020
Signature Month Day Year

William Linhart
Name (Typed or Printed)

Place Designers
Firm

Section 10: Acknowledgment Form

I, William Linhart have checked for any information that may
(Printed Name of Applicant)

affect the review of this project, including but not limited to: subdivision plat notes, deed notes, deed restrictions, restrictive covenants, zoning conditional overlays, and/or Subchapter E design standards prohibiting certain uses and/or requiring certain development restrictions (height, access, screening, etc.) on this property, located at:

2913 Ferguson Lane, Austin Texas 78754

(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to any of the aforementioned information, it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of the aforementioned information.

I understand that if requested I must provide copies of any and all of the aforementioned information that may apply to this property.

William Linhart

Applicant's Signature

Digitally signed by William Linhart
DN: C=US, E=willhart@placedesigners.com,
CN=William Linhart
Date: 2020.06.17 14:13:56 -05'00'

Select

Month

Select

Day

Select

Year

Submittal Requirements

In addition to the completed application, the following information is required:

- 1. Plans (24"x36" format only):** Four (4) copies
- 2. Summary Letter:** Required at submittal to demonstrate enough information regarding nature, scope, and intensity of the proposed project
- 3. Full-Size Tax Maps (1"=100'):** One (1) blueline copy of each of the current tax plats, showing all properties within 500 feet of the red-lined site area (limits of construction)
Tax maps may be obtained from:
 - Hays County: Hays County Clerk's Office, 137 N. Guadalupe St., San Marcos, phone: (512) 393-7330
 - Travis County: Travis Central Appraisal District, Walnut Creek Business Park, 8314 Cross Park Drive, Austin (Hwy 290 East and Cross Park Drive), phone: (512) 834-9138. Tax plats for Travis County may be printed online at <http://www.traviscad.org/>.
 - Williamson County: Williamson County Clerk, Justice Center Building, 405 Martin Luther King St., Georgetown, phone: (512) 943-1515

For projects located outside of Travis County: Submit a list of names and addresses of all property owners within a 500-foot radius of the site.

- 4. Location Map:** Legible 4"x 4" map on separate 8½"x11" sheet

SAVE Form

June 20, 2020

City of Austin
505 Barton Springs Road
Austin, TX 78704

RE: Legal Description: Lot 16-A BLK E Walnut CK Business PK PH C AMD LT 16&17< 15 BL E
2913 Ferguson lane Austin, TX 78754
Chapter 245 Determination/Vested Rights

To Whom It May Concern:

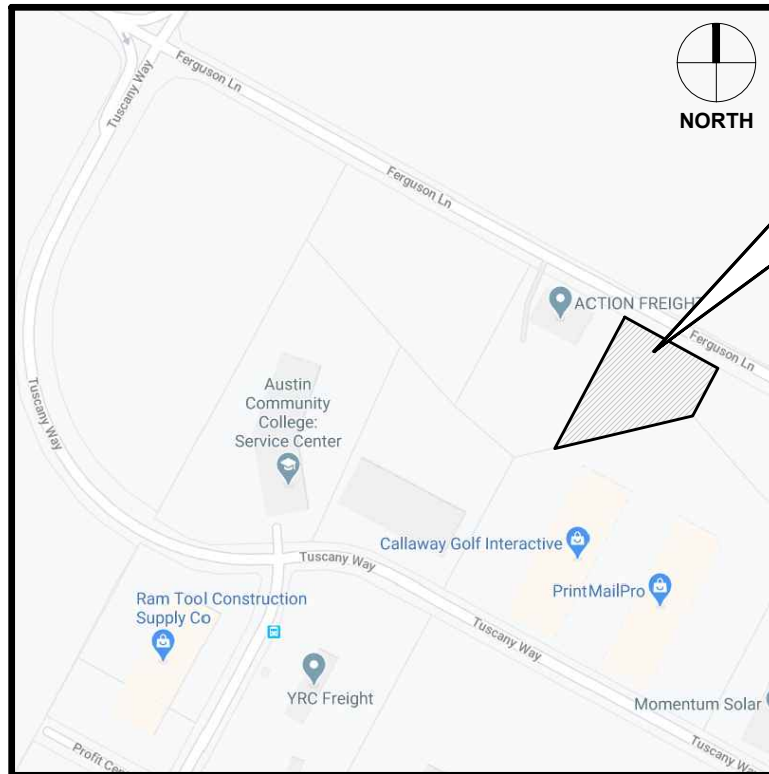
The information contained within this letter is intended as a summary for the proposed site development located at 2913 Ferguson Lane. The proposed development is for a new single-story religious assembly building. The site is being prepared for The Good Shepard Anglican Church of Austin.

The lot is approximately 2 acres in size and is currently undeveloped. The proposed church is planned to be approx. 10,000 sq-ft with an estimated 17,000 sq-ft of parking/sidewalk. The construction of a religious assembly building at 2913 Ferguson Lane will satisfy the guidelines of the W/LO zoning code.

Place Designers is seeking vested rights for this lot, as the Walnut Creek Business Park was originally platted and approved in 1985. Additionally, similar lots within the Walnut Creek Business Park have successfully been granted Vested rights. Attached with this letter is the DP-01 application, along with the vested rights petition and supporting documentation from neighboring lots which have previously been granted Vested Rights.

Thank you for your consideration,

William Linhart, EIT
PLACE designers, Inc



**PROJECT
LOCATION**

VICINITY MAP NTS

TGSACA NEW CHURCH BUILDING
2913 FERGUSON LANE
AUSTIN 78754, TX



PLACE designers, inc.

PLANNING | LANDSCAPE | ARCHITECTURE | CONSULTING | ENGINEERING

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