

Item# 107

RECEIVED

NOV 07 2007

Neighborhood Planning & Zoning

November 6, 2007

**Ms Sherril Sirwaitis
City of Austin Zoning
505 Barton Springs Rd #525
Austin, Texas 78704**

Dear Ms Sirwaitis

We are requesting a postponement of zoning case C14-2007-0123 This is to allow the city time to verify the petition filed by our neighborhood association at the Planning and Zoning Commission hearing of this case. Apparently the cities GIS failed to include some relevant properties in their verifying process We also need time to comply with the cities 11/6 request for documentation validating one of the principal adjacent landowner's signatures

**Sincerely,
Roger Falk
Phil Williams
Summit Oaks**

TO: The City of Austin
Sherry Serwanis

RECEIVED

NOV 07 2007

Neighborhood Planning & Zoning

MY NAME IS SHAW HAMILTON, AGENT FOR
JOM MCCAY, OWNER OF THE PROJECT LOCATED
AT 11701 JOLLYVILLE RD CASE NO C141-2007-0123
WE WISH TO AMEND OUR ZONING REQUEST
FROM "LR-MU-CO" TO "LO-MU-CO."

THANK YOU
Shaw Hamilton
SHAW HAMILTON, AGENT
6815 A Thorncliffe DR
AUSTIN TX 78731

PETITION

(Revised)

Case Number

C14-2007-0123

Date

Nov 7 2007

Total Area within 200 of subject tract (sq ft)

286,701 11

1	<u>01 6201 0309</u>	<u>LOWE GARY & FELICIA</u>	<u>16499 98</u>	<u>5 76%</u>
2	<u>01 6201 0337</u>	<u>LOWE GARY & FELICIA</u>	<u>11398 82</u>	<u>3 98%</u>
3	<u>01 6201 0403</u>	<u>RILEY MICHAEL W ASIAN AMERICAN</u>	<u>1839 20</u>	<u>0 64%</u>
4	<u>01 6201 0106</u>	<u>CULTURAL</u>	<u>73563 29</u>	<u>25 66%</u>
5				<u>0 00%</u>
6				<u>0 00%</u>
7				<u>0 00%</u>
8				<u>0 00%</u>
9				<u>0 00%</u>
10				<u>0 00%</u>
11				<u>0 00%</u>
12				<u>0 00%</u>
13				<u>0 00%</u>
14				<u>0 00%</u>
15				<u>0 00%</u>
16				<u>0 00%</u>
17				<u>0 00%</u>
18				<u>0 00%</u>
19				<u>0 00%</u>
20				<u>0 00%</u>
21				<u>0 00%</u>
22				<u>0 00%</u>
23				<u>0 00%</u>
24				<u>0 00%</u>
25				<u>0 00%</u>

Validated By

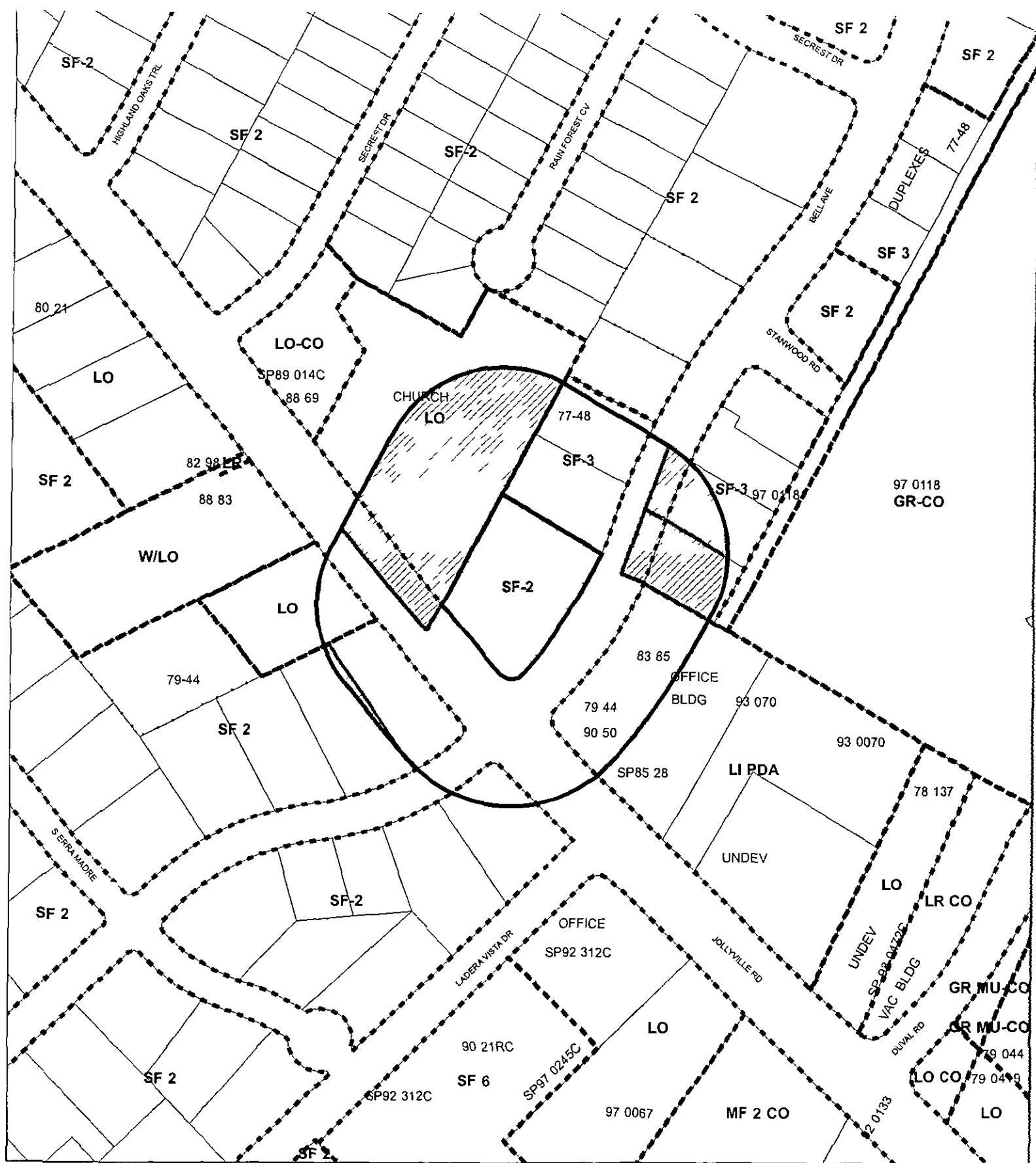
Stacy Meeks

Total Area of Petitioner

103,301 29

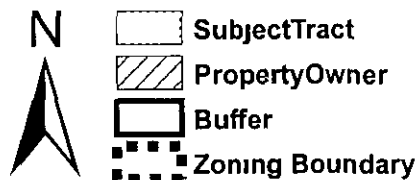
Total %

36 03%



PETITION

CASE# C14 2007 0123
 ADDRESS 11701 JOLLYVILLE RD
 GRID H35
 CASE MANAGER S SIRWAITIS



1 = 200 OPERATOR SM

This map has been produced by G I S Services for the sole purpose of geographic reference
 No warranty is made by the City of Austin regarding specific accuracy or completeness

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number C14-2007-0123

Contact Sherri Sirwaitis (512) 974-3057 512 974 3057

Public Hearing

September 4 2007 Zoning and Platting

Commission

Ray H. Herlocker
Your Name (please print)

5901 Sierra Leon, 78759
Your address(es) affected by this application

Ray H. Herlocker
Signature

8/28/07
Date

Comments

☐ I am in favor
☒ I object

If you use this form to comment, it may be returned to

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P O Box 1088

Austin, TX 78767-8810

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FELICIA LOWE
Your Name (please print)

11725, 11719, 11731, 11737 Bell Ave
Your address(es) affected by this application

Felicia Lowe
Signature

10/1/07
Date

Comments

This would not be the ideal environment for the families I live to, adjacent from the property in question. The volume and additional traffic that would be placing on parking in front of my home would lessen their value and ability to be leased. I am

Gratefully against any commercial establishment at this time. Please

understand it would devastate the community. If you use this form to comment, it may be returned to

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☐ I am in favor
☒ I object

would be a terrible loss to a quiet place to live

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Sally I. Frick

Your Name (please print)

11602 Bell Ave

Your address(es) affected by this application

Sally I. Frick

Signature

9-01-07

Date

Comments

I feel that the structure of 11701 Jollyville was added over a year ago or two years ago. was not in compliance with the Summit Order Home Owner. Arrive at that time and still is not in compliance. How could this structure be built before a rezoning ordinance is the first place? I do feel that it will be yet another traffic problem for this residential

community and will certainly impact our safety with the existing speed limit of 45 mph. I think it's a bike friendly road which current our sub lot 21 and sub lot 22

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Public Hearing

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Commission

Melissa Butler

Your Name (please print)

5802 Sierra Leon

Your address(es) affected by this application

Melissa Butler

Signature

8/28/07

Date

Comments

Rezoning to Commercial property with open up this neighborhood for other commercial expansion which we are severely opposed to.

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Public Hearing

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☐ I am in favor
☒ I object

Rachel Samplosky

Your Name (please print)

11507 Bell Ave, Austin, TX 78759

Your address(es) affected by this application

Rachel Samplosky

Signature

Date

9/11/07

Comments

I believe we should keep our neighborhood as it was original plan (residential)

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Public Hearing

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☐ I am in favor
☒ I object

Diane Shigley

Your Name (please print)

11503 Bell Avenue Austin TX 78759

Your address(es) affected by this application

Diane Shigley

Signature

Date

8-28-07

Comments

I oppose to changing the zoning on 11701 Jollyville to mixed use because of the increased traffic. I have children, including a 18 year old who frequently rides his bike around the neighborhood and walks the dog. The increased traffic would make this more dangerous.

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Public Hearing

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☐ I am in favor
☒ I object

Stephen Fogel

Your Name (please print)

5806 Sierra Madre Austin, TX 78759

Your address(es) affected by this application

Stephen Fogel

Signature

Date

1 Sept 07

Comments

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Public Hearing

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☐ I am in favor
☒ I object

DANIEL DALE

Your Name (please print)

5903 SIERRA MADRE AUSTIN, TX 78759

Your address(es) affected by this application

Daniel Dale

Signature

Date

9/4/07

Comments

I object to the rezoning request based on experience in previous Austin neighborhood. It is my wish to preserve the integrity of private family, residential community.

The adjacent neighbors to this property will suffer the consequence of this action, inclusive of property value considerations.

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Public Hearing

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☐ I am in favor
☒ I object

CORNELE COBURN

Your Name (please print)

5805 Sierra Madre

Your address(es) affected by this application

Cornelia Coburn

Signature

Date

8-30-07

Comments

See ranch traffic

If you use this form to comment, it may be returned to

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Public Hearing

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☐ I am in favor
☒ I object

ROSINA K GAYLORD

Your Name (please print)

5802 SIERRA MADRE AUSTIN, TX 78759

Your address(es) affected by this application

Rosina K Gaylord

Signature

Date

Aug 29 2007

Comments

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Case Number C14-2007-0123

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Public Hearing

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Commission

☐ I am in favor
☒ I object

Christopher J. Miller
Your Name (please print)

5902 Sierra Madre Austin, TX 78759

Your address(es) affected by this application

Christopher Miller 10/2/07
Signature Date

Comments I'm extremely displeased with both ~~me~~ McKay and the City. I'm displeased with McKay because he's built structures ahead of getting the proper permits/zoning for such structures within the City. I'm upset for them letting this happen. There has been zero regard for process here by both parties.

I'm fine w/ LO as long as the process starts from the first step and the City adheres to its responsive policies of supervision

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Public Hearing

September 4 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Benjamin Paddock
Your Name (please print)

5801 Sierra Madre

Your address(es) affected by this application

[Signature] 8/28/07
Signature Date

Comments

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☐ I am in favor
☒ I object

FLUWOOD
MAY
BAGGA
BAGGA

Your Name (please print)

5700 SIERRA MARIE

Your address(es) affected by this application

Sherri Sirwaitis

Signature

Date

01/5/2007

Comments

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☐ I am in favor
☒ I object

Steve Cordero

Your Name (please print)

5800 SIERRA MARIE 78759

Your address(es) affected by this application

8-30-07

Signature

Date

Comments

This boy owns several properties in the neighborhood that are failing. Down I was built on illegally to these houses, at the same corners to eventually change zoning.

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Public Hearing

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Commission

JOSEPH S PERINZOS
Your Name (please print)

11605 BELL AVE, AUSTIN, TX 78759

Your address(es) affected by this application

JS Perinzos

9/3/07

Signature

Date

Comments I AM NOT IN FAVOR OF THIS CHANGE AS I BELIEVE IT WILL CAUSE A DOMINO EFFECT CAUSING TO THE PROPERTY AT 11608 BELL AVE BEING A VERY SIMILAR 2 STORY BUILDING IN THE REAR OF THE SAME PHOTOS I BELIEVE IS, TO MY KNOWLEDGE, OWNED BY THE SAME PHOTOS I BELIEVE THAT IF CHANGE IS TO BE MADE I SHOULD BE NOTIFIED OCCURRENCE OF 65% OF THE SUB DIVISION OWNERS

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Public Hearing

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Michael Riley
Your Name (please print)

11606 Bell Ave Austin, TX 78759

Your address(es) affected by this application

Michael Riley

9-4-07

Signature

Date

Comments ① I bought my property with "No Business" restrict on just like he bought his I like it like that
② Variance For this parcel invites variance for others
③ This variance would bring increased traffic which is now beyond design Specs ④ Allowing this business idea is also allowing unknown uses we are not now able to describe
a change needed to increase success of the business
b complete different project because original, has did not work c changes come due to sale of parcel/new owner
⑤ changing variance in this way is like shortening my parcel width/depth It is a taking of some of my value.

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☐ I am in favor
☒ I object

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Public Hearing

September 4 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

WILLBUR L ROBINSON

Your Name (please print)

5903 SIERRA LEON

78759-3919

Your address(es) affected by this application

William L Robinson

8-28-07

Signature

Date

Comments

I oppose the proposed

change because it would most

certainly increase traffic

congestion in this area, and

and invite further invasion of

our residential only deed

restrictions.

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☐ I am in favor
☒ I object

Noushin Eslami

Your Name (please print)

1160312 Bell Ave

Your address(es) affected by this application

N. Eslami

8/31/07

Signature

Date

Comments

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☐ I am in favor
☒ I object

ROGER FALK

Your Name (please print)

5904 SIERRA MADRE

Your address(es) affected by this application

R. A. Falk

9-24-07

Signature

Date

Comments

THIS IS A CLEAR CASE OF 'CART BEFORE THE HORSE' DEVELOPMENT, THAT SHOOT CROCKETS THE CITY'S OVERSIGHT & SAFEGUARDS. THE 12-16,000 SQ. FT. BUILDING ON THE PROPERTY WAS CONSTRUCTED UNDER ESSENTIAL PERMIT AS A 'WHEELY DEAN'-PERSONAL OFFICE, AND NOW WOULD YOU LIKE THIS 'MAMMOTH' IN YOUR BACK YARD IT'S SHOCKING THE CITY ALLOWED IT ON A SF-2 LOT. THE BELL/BLUMBERG INTERSECTION IS MARGINAL NON-A HIGH BUSINESS CORNER AND THIS CORNER WILL COMPROMISE PUBLIC SAFETY. THIS CORNER CONSTITUTES THE PRINCIPAL ENTRANCE TO ONE NEIGHBORHOOD - A NEIGHBORHOOD FULL OF OLDER RESIDENTS

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☐ I am in favor
☒ I object

ANN KRISTOVICH

Your Name (please print)

AUSTIN TX

5902 SIERRA LEON 78789

Your address(es) affected by this application

Sherri Sirwatis

28 Aug '07

Signature

Date

Comments

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Public Hearing

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☐ I am in favor
☒ I object

Your Name (please print) Brian A. Scarbrough

5900 Sierra Leon

Your address(es) affected by this application

Brian A. Scarbrough 8-29-07

Signature

Date

Comments The Volleyville rd is already congested with traffic adding another commercial or retail residence only change will further congest this road. I object to this proposal.

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☐ I am in favor
☒ I object

Your Name (please print) William C. Mitchell

5805 Sierra Leon

Your address(es) affected by this application

William C. Mitchell 8/30/07

Signature

Date

Comments I have lived at this address for 40+ years and am opposed to any changes on zoning. As stated in our deed restrictions - "RESIDENTIAL ONLY" SPEAKS FOR ALL WHO PURCHASED HOMES IN SUMMIT OAKS, WHO SIGNED UPON PURCHASE WITH THAT UNDERSTOOD

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☐ I am in favor
☒ I object

Phillip Williams

Your Name (please print)

5803 SIERRA LEON AUSTIN, TX 78759

Your address(es) affected by this application

Phillip Williams

Signature

Date

9/01/07

Comments CONCERNED ABOUT TYPE OF BUSINESS, PARKING, WATER QUALITY AND OVERALL IMPACT ON COMMUNITY. PARTICULARLY CONCERNED ABOUT CREEP INTO OUR NEIGHBORHOOD AS THE APPLICANT HAS ALREADY CONSTRUCTED A 4500 SQ. FT. BUILDING AT 11608 BELLE (DIRECTLY ACROSS HOLLYVILLE) USING S.F.2 ZONING AS HE DID AT 11701 HOLLYVILLE. BLATANT MANIPULATION OF THE AUSTIN ZONING REQUIREMENTS

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☐ I am in favor
☒ I object

CLIVE LYNN

Your Name (please print)

5804 SIERRA LEON AUSTIN, TX 78759

Your address(es) affected by this application

Clive Lynn

Signature

Date

29 Aug 07

Comments

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☐ I am in favor
☒ I object

Susan B Graham

Your Name (please print)

5800 Sierra Leon

Your address(es) affected by this application

Susan B Graham

8/31/07

Signature

Date

Comments

A new building was constructed on this property with knowledge that it violated the deed restrictions. This behavior - if you build it the City will rezone the property - should not be endorsed by the City. Rezoning this property would further erode the quality of a lovely residential neighborhood and for what purpose? Merely the financial gain of the property owner?

If you use this form to comment it may be returned to

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P O Box 1088

Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number C14-2007-0123

Contact Sherri Sirwaitis (512) 974-3057 512 974 3057

Public Hearing

September 4 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

DANIEL O'Donnell

Your Name (please print)

5801 Sierra Leon

Your address(es) affected by this application

Daniel O'Donnell

9-5-07

Signature

Date

Comments

WE OBJECT TO RE-ZONING
CHANGE

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Case Number C14-2007-0123

Contact Sherri Sirwaitis (512) 974-3057 512 974 3057

Public Hearing

September 4 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Gene and Amy Taylor
Your Name (please print)

5904 Sierra Leon Austin, TX 78759
Your address(es) affected by this application

Gene Taylor Amy Taylor 8/28/07
Signature Date

Comments

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Public Hearing

September 4 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Thomas W. Wilder
Your Name (please print)

11501 Bell Ave. Austin
Your address(es) affected by this application

Thomas W. Wilder 8/29/07
Signature Date

Comments

This property was improved
as though it was commercial even
when it was residential. It was
then used as though it was
commercial without the correct
zoning. There is no residential
and the street is a
residential street not designed
for commercial traffic.

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Austin, TX 78767-8810

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Case Number C14-2007-0123

Contact Sherri Sirwaitis (512) 974 3057 512 974 3057

Public Hearing

September 4, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

FRANCES LANGERUD
Your Name (please print)

5901 SIERRA MADRE

Your address(es) affected by this application

Francesca Langerud 9-2-07

Signature

Date

Comments

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Sherri Sirwaitis
P O Box 1088
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Case Number C14-2007-0123

Contact Sherri Sirwaitis (512) 974-3057 512 974 3057

Public Hearing

September 4, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Peter Christian
Your Name (please print)

5905 Sierra Leon

Your address(es) affected by this application

8-30-07
Date

Signature

Comments

The proposed change is absolutely unacceptable as it would create a dangerous intersection within a residential neighborhood. Jollyville is already a very busy road, this change would create an inevitable accident.

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Austin, TX 78767-8810

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Case Number C14-2007-0123

Contact Sherri Sirwaitis (512) 974-3057 512 974 3057

Public Hearing

September 4 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Nancy McDow + Lanier Bayliss
Your Name (please print)

5900 SIERRA MADRE

Your address(es) affected by this application

9-03-07

9/3/07

Signature

Date

Comments We object to the rezoning request. We do not favor increasing traffic + noise in our residential area. It is already difficult to pull out onto Jollywine Rd from Bell Ave. The developer has proceeded against zoning and neighborhood restrictions & desires

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Sherri Sirwaitis

P O Box 1088

Austin, TX 78767-8810

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Case Number C14-2007-0123

Contact Sherri Sirwaitis (512) 974-3057 512 974 3057

Public Hearing

September 4 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Mary A. Farrington
Your Name (please print)

5906 Sierra Madre

Your address(es) affected by this application

9-3-07

Date

Signature

Comments

The owner of this property built on to the property assuming that the zoning would change. He also owns a lot of central property in our neighborhood that is poorly maintained. I strongly oppose any attempt to change the zoning as I believe it will increase traffic congestion and drive down our property values.

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Sherri Sirwaitis

P O Box 1088

Austin, TX 78767-8810

PUBLIC

HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission postpones a specific date and time for a postponement or continuation that is not later than 60 days from the announcement notice, their notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezoning the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development the Council may add to the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process visit our website

www.ci.austin.tx.us/development

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Case Number C14-2007-0148

Contact Sherri Sirwatis (512) 974-3057

Public Hearing

September 18, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Phillip Williams

Your Name (please print)

5003 Sierra Leon Austin TX 78759

Your address(es) affected by this application

Phillip Williams

Signature

9/13/07

Date

Comments ADDITIONAL TRAFFIC, SAFETY

CONCERNS DURING RUSH HOURS, POTENTIAL ON STREET PARKING. HAS THE APPROPRIATE OF WORKING THE SYSTEM TO BUILD A COMMERCIAL BUILDING ON SFB ZONING AND THEN CHANGING IT TO MU. WATER RETENTION PONDS ARE NOT AVAILABLE, MOST OF THE AREA IS NOW PAVED. WILL ENCOURAGE OWNER AND OTHERS TO INVOLVE IF NEIGHBORHOOD

If you use this form to comment, it may be returned to

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwatis

P O Box 1088

Austin, TX 78767-8810