

P E T I T I O N

Date: August 6, 2008  
File Number: C14-2008-0115

Address of 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any zoning classification other than SF-2.

Petitioners state the following reasons for the protest:

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- City of Austin's focus is on nodal commercial growth at major intersections such as the one at Wm Cannon at Mopac rather than expansion of mid-block commercial growth.
- Existing retail and office space is available in the surrounding area negating the need for additional mid-block expansion.
- Rezoning would establish a precedent for the rezoning of the Wm Cannon property between Brush Country and McCarty Lane.
- Adjacency - surrounding property on all sides is zoned SF, making this 'pocket' zoning.
- Subject property has significant CEFs (Critical Environmental Features) and it is located in the Edwards Aquifer Contributing Zone, in the Drinking Water Protection Zone and is located within the endangered species survey area.
- Commercial development of the property will exacerbate flooding along Williamson Creek and may increase pollution in the creek.
- Re-zoning this property will reduce trees, vegetative cover and native habitat when impervious cover is increased. Several 'protected' oak trees exist on the property.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Renée Tuggle Renée Tuggle 4620 Wm Cannon Dr #14,  
Austin TX  
78749

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<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
Corrie Umscheid	Corrie L. Umscheid	4620 W. William Cannon #45
Linda L. Burrichter	Linda L. Burrichter	4620 W. William Cannon #15

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Signature

Printed Name

Address

*Michael Cossette*

Michael Cossette

4808 W. WILLIAM  
Cannon Dr # 19

Austin, TX 78749

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Joseph C. Holub

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4620 W. William Cannon #20  
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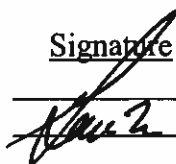
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Printed Name

Address

	GENE MCMENAMIN	4620 W. WM. CANNON #21
		AUSTIN, TX 78749

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Signature

Printed Name

Address

Shelley Johnson Shelley Johnson 4620 Wm Cannon  
II 25  
Austin, TX 78749

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Printed Name

Address

A.C. Schultz ALEXANDER C. SCHULTZ 4620 W. WM CANNON #26  
AUSTIN, TX 78749

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*Julie Krosting* Julie Krosting 4620 W. Wm. Cannon #29 Austin 78749



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Address

<u>Jennifer Loftis</u>	<u>Jennifer Loftis</u>	<u>4620 W. Wm. Cannon #30</u>

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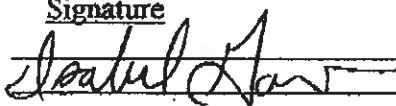
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	ISABEL GARCIA	4620 W Wm CANN #32 AUSTIN, TX 78749

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Signature

Sylvia Y. Pin

Printed Name

SYLVIA Y. PIN

Address

4620 W. W. CANNON DR.  
#34.



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<i>Thomas J. Johnson</i>	THOMAS J. JOHNSON	4620 Wm Cannon DR #42 Austin
<i>Carole S. Johnson</i>	Carole S. Johnson	4620 Wm Cannon Dr #42 Austin

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*Susan Cisco*

*SUSAN CISCO*

*4620 W. Wm. Cannon #47  
AUSTIN TX 78749*

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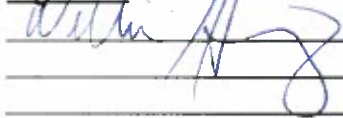
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#49 Austin, Tx 78749



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Address

Jaime A. Gauthier Jaime A. Gauthier 4620 W. William Cannon #50  
Austin, TX 78749

Date: August 7, 2008

Contact Name: Charlotte Wallace

Phone Number: 512-554-1773

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Printed Name

## Address

Adrian A. Arriaga

4620 W. William Cannon, # 59  
Austin, TX 78749

Signature	Printed Name	Address
Angela Alencelle	Angela Alencelle	4020 W. William Cannon #60 Austin TX 78749

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File Number: C14-2008-0115

Address of 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2. Sec. 1-2-1 of the Land Development Code, Protest of a Proposed Rezoning, states that:

a proposed rezoning shall not become effective except by the favorable vote of three-fourths of all members of the Council, if a petition has been filed, signed by the owners of 20% or more of

- 1) the land included in such a proposed change, or
- 2) the land immediately adjoining the same and extending 200 ft. there from.

Petitioners state the following reasons for the protest:

- Oak Hill Neighborhood Plan and FLUM as well as City Planning Commission Staff support the subject property as SF-2.
- City of Austin's focus is on nodal commercial growth at major intersections such as the one at Wm Cannon at Mopac rather than expansion of mid-block commercial growth.
- Existing retail and office space is available in the surrounding area negates the need for additional mid-block expansion.
- Rezoning would establish a precedent for the rezoning of the Wm Cannon property between Brush Country and McCarty Lane.
- Adjacency – surrounding property on all sides is zoned SF-2, making this 'pocket' zoning.
- Subject property has significant CEFs (Critical Environmental Features) and it is located in the Edwards Aquifer Contributing Zone, in the Drinking Water Protection Zone and is located within the endangered species survey area.
- Commercial development of the property will exacerbate flooding along Williamson Creek and may increase pollution in the creek.
- Re-zoning this property will reduce trees, vegetative cover and native habitat when impervious cover is increased. Several 'protected' oak trees exist on the property.

The signatures to follow represent 20% or more of the owners of the land immediately adjoining 4808 W. William Cannon and extending 200 ft. there from. Thank you for your consideration and attention to this matter.

Respectfully Submitted,

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	First	Last	Street #	Street	City	State	Z
	Dan	Bailard	4900	W William Cannon Dr	Austin	TX	78
	Venturina	Biggs	8400	Treehouse Ln	Austin	TX	78
	Gary	Cataldo	6801	Hitching Post	Austin	TX	78
X	Brett	Darter	4812	White Elm Dr	Austin	TX	78
	Bill & Nancy	Dobrinski	4817	White Elm Dr	Austin	TX	78
	Gordana	Easterling	4903	White Elm Dr	Austin	TX	78
	Richard A	Frazer	4819	White Elm Dr	Austin	TX	78
	Norma	Galindo	6701	One Oak Rd	Austin	TX	78
	Elizabeth & James L	Harkin	4900	White Elm Dr	Austin	TX	78
	George O & Dorothy G	Harrison	6700	One Oak Rd	Austin	TX	78
	David	Hinds	6701	One Oak Rd	Austin	TX	78
	David & Susan	McConnell	4809	White Elm Dr	Austin	TX	78
	William C	McMillan	4913	White Elm Dr	Austin	TX	78
	WestCreek Ranch HOA C/O Dan Parmer	Parmer	4620	W William Cannon Dr	Austin	TX	78
	Angelica Carone	Reeve	4815	White Elm Dr	Austin	TX	78
	Cecilia M & Mark R	Rohloff	4810	White Elm Dr	Austin	TX	78
	Ruben & Deborah	Salinas	4814	White Elm Dr	Austin	TX	78
Charles Stonefield	Charles W II	Stonefield	4811	White Elm Dr	Austin	TX	78
	Charlotte	Wallace	4901	White Elm Dr	Austin	TX	78
	Jeff	Warner	6801	One Oak Rd	Austin	TX	78
	Melba R	Zett	4813	White Elm Dr	Austin	TX	78

Date: August 13, 2008

Contact Name: **Charlotte Wallace**

Phone Number: (512) 554-1773

**P E T I T I O N**

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon  
Rezoning Request: Austin, Texas 78749

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any zoning classification other than SF-2.

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- Existing retail and office space is available in the surrounding area negating the need for additional mid-block expansion.
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- Adjacency – surrounding property on all sides is zoned SF, making this 'pocket' zoning.
- Subject property has significant CEFs (Critical Environmental Features) and it is located in the Edwards Aquifer Contributing Zone, in the Drinking Water Protection Zone and is located within the endangered species survey area.
- Commercial development of the property will exacerbate flooding along Williamson Creek and may increase pollution in the creek.
- Re-zoning this property will reduce trees, vegetative cover and native habitat when impervious cover is increased. Several 'protected' oak trees exist on the property.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress Giancarlo Daneri 4620 W. William Cannon #41

P E T I T I O N

Date: August 6, 2008

File Number: C14-2008-0115

Address of 4808 Wm Cannon

Rezoning Request: Austin, Texas 78749


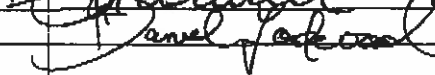
To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	RACHEL LOCKWOOD	4620 W. WILLIAM CANNON #61
	DANIEL LOCKWOOD	4620 W. William Cannon #61

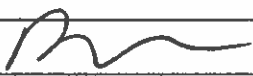
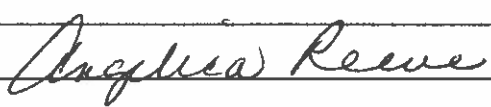
Date: August 7, 2008

Contact Name: Charlotte Wallace

Phone Number: 512-554-1773



(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	First	Last	Street #	Street	City	State	Zip
	Dan	Ballard	4900	W William Cannon Dr	Austin	TX	78749
	Venturina	Biggs	8400	Treehouse Ln	Austin	TX	78749
	Gary	Cataldo	6801	Hitchling Post	Austin	TX	78749
	Brett	Darter	4812	White Elm Dr	Austin	TX	78749
	Bill & Nancy	Dobrinski	4817	White Elm Dr	Austin	TX	78749
	Gordana	Easterling	4903	White Elm Dr	Austin	TX	78749
	Richard A	Frazer	4819	White Elm Dr	Austin	TX	78749
	Norma	Galindo	6701	One Oak Rd	Austin	TX	78749
	Elizabeth & James L	Harkin	4900	White Elm Dr	Austin	TX	78749
	George O & Dorothy G	Harrison	6700	One Oak Rd	Austin	TX	78749
	David	Hinds	6701	One Oak Rd	Austin	TX	78749
	David & Susan	McConnell	4809	White Elm Dr	Austin	TX	78749
	William C	McMillan	4913	White Elm Dr	Austin	TX	78749
	WestCreek Ranch HOA C/O Dan Parmer	Parmer	4620	W William Cannon Dr	Austin	TX	78749
	Angelica Carone	Reeve	4815	White Elm Dr	Austin	TX	78749
	Cecilia M & Mark R	Rohloff	4810	White Elm Dr	Austin	TX	78749
	Ruben & Deborah	Salinas	4814	White Elm Dr	Austin	TX	78749
	Charles W II	Stonefield	4811	White Elm Dr	Austin	TX	78749
	Charlotte	Wallace	4901	White Elm Dr	Austin	TX	78749
	Jeff	Warner	6801	One Oak Rd	Austin	TX	78749
	Melba R	Zett	4813	White Elm Dr	Austin	TX	78749

Date: 8-17-08

Contact Name: **Charlotte Wallace**

Phone Number: (512) 554-1773

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	First	Last	Street #	Street	City	State	Zip
	Dan	Ballard	4900	W William Cannon Dr	Austin	TX	78749
	Venturina	Biggs	8400	Treehouse Ln	Austin	TX	78749
	Gary	Cataldo	6801	Hitching Post	Austin	TX	78749
	Brett	Darter	4812	White Elm Dr	Austin	TX	78749
<i>Bill Dobrinski Nancy Dobrinski</i>	Bill & Nancy	Dobrinski	4817	White Elm Dr	Austin	TX	78749
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	William C	McMillan	4913	White Elm Dr	Austin	TX	78749
	WestCreek Ranch HOA C/O Dan Parmer	Parmer	4620	W William Cannon Dr	Austin	TX	78749
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	Cecilia M & Mark R	Rohloff	4810	White Elm Dr	Austin	TX	78749
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	Charles W II	Stonefield	4811	White Elm Dr	Austin	TX	78749
	Charlotte	Wallace	4901	White Elm Dr	Austin	TX	78749
	Jeff	Wamer	6801	One Oak Rd	Austin	TX	78749
	Melba R	Zett	4813	White Elm Dr	Austin	TX	78749

Date: \_\_\_\_\_

Contact Name: **Charlotte Wallace**

Phone Number: (512) 554-1773



**WESTCREEK RANCH  
HOMEOWNERS ASSOCIATION  
4620 WEST WILLIAM CANNON  
AUSTIN, TEXAS**

**ATTN: WENDY RHOADS  
NEIGHBORHOOD PLANNING AND ZONING  
PH 974-7719 FX 974-6064**

**Refer: Rezoning Request: C14-2008-0115 William Cannon**

**The Board of Directors of Westcreek Ranch Homeowners  
Association has voted in support of the Planning Commission Staff to  
NOT RECOMMEND a zoning change from SF-2 to LR-MU on this property.**

**Thank You,**

A handwritten signature in black ink, appearing to be 'Dan Palmer', written over a horizontal line.

**Dan Palmer  
President**

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:** C14-2008-0115

**Contact:** Wendy Rhoades, (512) 974-7719

**Public Hearing:**

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor  
☒ I object

James L. Harkin

Your Name (please print) Elizabeth Sue Harkin

4900 White Elm Drive

78749

Your address(es) affected by this application

James L. Harkin

6-25-08

Elizabeth Sue Harkin

Date

6-25-08

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

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: C14-2008-0115**

**Contact:** Wendy Rhoades, (512) 974-7719

**Public Hearing:**

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor  
☒ I object

Diana HajAli Hawad

Your Name (please print)

4807 White Elm Drive, Austin TX 78749-1619

Your address(es) affected by this application

Diana HajAli

Signature

6/25/08

Date

Comments: I object to the rezoning application. As a long time resident of westcrest neighborhood, I feel that we have adequate shopping and commercial services represented. Approval of commercial will drastically change the neighborhood feel and look and will create noise and environmental pollution. I live directly across the creek from the proposed property, I worry about the direct noise level and depreciation of my home value. Thank you for your consideration.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

**Rhoades, Wendy**

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**From:** RRF [fortune@austin.tn.com]  
**Sent:** Monday, June 30, 2008 1:35 PM  
**To:** Rhoades, Wendy  
**Subject:** Zoning Request

Richard R. Fortune  
6809 Hitching Post Cir.  
Austin, Tx 78749  
Western Oaks subdivision.

Subject: Rezoning request at 4808 William Cannon Dr.

Case Number: C14-2008-0115

Dear Ms. Rhoades,

This E-mail is to let you know that I am opposed to any change of zoning at the above address.

I have several issues, to wit:

1. Increased traffic. It is already a disaster, I have a hard enough time simply making a right turn out of my street now. Any commercial enterprise will simply exacerbate that situation.
2. Impervious cover through construction. You should be well-aware that Western Oaks is a 25 plus years old subdivision that lacks adequate drainage. Any additional construction will once again strain an environment that simply lacks the capabilities to deal with heavy rain even over a short duration.
3. This area has enough commercialization. Any additional such ventures/onslaughts would severely erode/degrade/deteriorate my and the neighborhood's quality of life.
4. Domino effect. Where does it end?
5. Environmental impact. Destruction by small slices over time still adds up to major ruination. Must a neighborhood of approximately 400 homes be relentlessly subjected to the greed of a few?

I would like to thank you for your time and consideration. Please reject any change in zoning regarding

6/30/2008

this property. I am fighting for my and my fellow residents quality of life.

Regards,

Richard Fortune

## Rhoades, Wendy

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**From:** Janelle Kuhn [jkuhn2@austin.rr.com]  
**Sent:** Wednesday, July 02, 2008 9:50 AM  
**To:** [redacted] Rhoades, Wendy  
**Subject:** Case # C14-2008-0115

Dear Wendy,

I live at 5104 Jacobs Creek Ct. in Western Oaks. I'm writing regarding Case# C14-2008-0115, which is a rezoning request for 4808 William Cannon Drive. This zoning request violates the proposed Oak Hill Future Land Use Map and I am strongly opposed to the property being rezoned. There is enough commercial property on William Cannon already and I feel this is an unnecessary request that will have a negative impact on the neighborhood.

Thank you for taking the residents opinions into consideration on this matter.

Warm regards,

*Janelle*

Janelle Kuhn  
5104 Jacobs Creek Ct.  
Austin, TX 78749

512-291-7934 Office  
512-796-8529 Cell

7/2/2008



**Rhoades, Wendy**

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**From:** Clifford & Jan Culver [cculver@austintexas.com]

**Sent:** Wednesday, July 02, 2008 5:10 PM

**To:** Rhoades, Wendy

**Subject:** Rezoning of 4808 William Cannon

Wendy:

I am the current chair for the Western Oaks Architectural Committee and have come to understand there has been an application to rezone the above referenced property from SF-2 single family to LR Neighborhood Commercial. I am opposed to this application and am aware this would be in violation of the proposed Oak Hill Future Land Use Map.

Are there any other ways or procedures to express my opposition.

Sincerely,  
Clifford Culver

7/2/2008

**Rhoades, Wendy**

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**From:** Timothy Massey [tim769@mon.com]  
**Sent:** Wednesday, July 02, 2008 9:54 AM  
**To:** Rhoades, Wendy  
**Cc:** [kolh@austin.tx.com]  
**Subject:** [Released] Rezoning Case # C14-2008-0115

Dear Wendy,

As a resident of Western Oaks I am writing to indicate that I **do not** support the rezoning of 4808 Wm Cannon from SF-2 to LR.

This change violates the proposed Oak Hill Future Land Use Map and would seriously undermine the effort it took to create a consensus on the Land Use Map and go against the desires of the majority of neighborhood residents and businesses. Additionally, it makes little sense to rezone to commercial as there are numerous commercial spaces available (meaning supply currently exceeds demand) within three different commercial shopping centers as close as 500 meters away on both the north and south side of Wm Cannon.

I hope you will relay my opposition to this change to other city officials.

Please let me know if you have any questions.

Thanks,

Tim Massey  
5108 Jacobs Creek Court  
Austin, TX 78749

512.358.8899  
[REDACTED]

7/3/2008

## Rhoades, Wendy

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**From:** Deborah Bryant [deborah.bryant@nicom]  
**Sent:** Monday, July 07, 2008 8:41 PM  
**To:** Rhoades, Wendy  
**Subject:** Case # C14-2008-0115

Hello,

We are writing this letter regarding Case # C14-2008-0115. This case is scheduled to be heard on Tuesday July 8th. It is the rezoning of the property at 4808 William Cannon from SF-2 to LR. WE ARE AGAINST THIS ZONING CHANGE. This lot is located right inbetween 2 smaller residential plots.

There is plenty of commercial property all around us in dedicated places.

This unnecessary change would place a commercial property in the middle of a small section of residential properties. Also, it is viotates the proposed Oak Hill Future Land Use Map.

Thank-you for your attention,

Troy and Deborah Bryant  
6905 Treaty Oak Circle  
Austin, Tx 78749

**Rhoades, Wendy**

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**From:** Randy Kolb [mailto:~~rkolb@austin.rr.com~~]  
**Sent:** Tuesday, July 08, 2008 9:14 AM  
**To:** Rhoades, Wendy  
**Subject:** Rezoning Case # C14-2008-0115

Dear Wendy,

As Vice President of the Western Oaks Property Owners Association and a member of the Oak Hill Future Land Use Map subcommittee representing OHAN (as Vice President of OHAN), I would like you to know that we are opposed to the proposed rezoning of 4808 W. William Cannon from SF-2 to LR-MU. The Western Oaks board approved a resolution against this property becoming Neighborhood Commercial.

I have been in talks with the attorney representing 4808 W. William Cannon, Jeffrey Howard about what kind of users would be compatible with the neighborhood and neighborhood plan and these are still ongoing and cordial. Western Oaks is strongly opposed to commercial uses such as the proposed storefront on William Cannon that violates the FLUM and would be the first step in commercializing a residential section of William Cannon. Currently William Cannon grades nicely from heavy commercial at Mopac to condos to residential as you go west. We are discussing other proposed uses of the property with Jeffrey Howard that both better use and increase its value of the property and fit in with the neighborhoods.

--- Randall Kolb  
6916 Robert Dixon Dr.  
Austin, TX 78749  
(512) 891-5341  
~~rkolb@austin.rr.com~~

7/8/2008

**Rhoades, Wendy**

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**From:** Anguiano, Dora  
**Sent:** Tuesday, July 08, 2008 9:31 AM  
**To:** Rhoades, Wendy; Patterson, Clark; Sirwaitis, Sherri; Harden, Joi  
**Cc:** Rusthoven, Jerry  
**Subject:** FW: I vote NO  
**Importance:** High

Not sure whose case this belongs to.

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**From:** Todd Sherron [mailto:~~mailto:todd@toddsherron.com~~]  
**Sent:** Tuesday, July 08, 2008 9:11 AM  
**To:** Anguiano, Dora  
**Subject:** I vote NO  
**Importance:** High

I vote NO to **ALL** of the following:

- The property for sale at 6110 Hill Forest [the old (1938) Westcreek Ranch House and 2 acre lot] – recommended rezoning from Single Family to High Density Single Family which would allow up to 29 units that might be as high as 3 stories tall
- Extension of Brush Country to Monterrey Oaks
- Proposal to zone for commercial properties on Old Fredericksburg Road.

Sincerely,  
Westcreek Neighbor  
Todd Sherron

## 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's hearing 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 announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone 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 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 seven 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](http://www.ci.austin.tx.us/development)

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Case Number: C14-2008-0115

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

July 8, 2008 Planning Commission

August 7, 2008 City Council

☐ I am in favor  
☒ I object

MELBA R. ZETT

Your Name (please print)

4813 WHITE ELM DR.

Your address(es) affected by this application

Meelva R. Zett

Signature

7-7-08

Date

Comments: objection is loss of privacy. the green-  
belt was one of my reasons for buying this  
property. Also possible noise and/or lights  
from a business, possible pollution to creek  
from run-off. (Cars, parking etc.) Although  
it is a dry creek, with heavy rain, a lot  
of water flows through the creek. Commercial  
zoning could decrease value of my  
property, adjacent to rezoning area.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810