

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0214 / Tex-Tar Waterproofing

ZAP DATE: January 6, 2009

ADDRESS: 11600 N IH 35 SVRD SB

OWNER: Richard Johnson, 512-491-0608

AGENTS: A.E.C., Inc. (Phil Moncada), 512-627-8815
Jackson Walker, L.L.P. (Katherine Loayza), 236-2259

ZONING FROM: LR

TO: LI-CO

AMENDED TO: CS-CO

SITE AREA: 0.273 acres (11,900 sq. ft.)

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to deny the change from LR (Neighborhood Commercial) district zoning to LI-CO (Limited Industrial Services – Conditional Overlay) combining zoning district. The Conditional Overlay would limit vehicle trips to less than 2,000 per day.

The staff recommendation is to deny the change from CS-CO (General Commercial Services – Conditional Overlay) combining zoning district, as described in the Issues section below.

SUMMARY ZONING AND PLATTING COMMISSION RECOMMENDATION: January 6, 2009: Zoning and Platting Commission approved staff's recommendation to *DENY* LI zoning; was approved by Commissioner Donna Tiemann's motion, Commissioner Betty Baker second the motion on a vote of 6-1; Commissioner Teresa Rabago voted against the motion.

ISSUES: On January 21, 2009, after the Zoning and Platting Commission hearing, the Applicant amended the request from LI-CO to CS-CO. The applicant's proposed Conditional Overlay would:

- Prohibit all permitted and conditional uses allowed in the General Commercial Services (CS) zoning district *except*: construction sales and services, plant nursery, limited warehousing and distribution, food preparation uses; and all other permitted and conditional uses allowed in the Neighborhood Commercial (LR) zoning district.
- Limit vehicle trips to less than 2,000 per day
- Establish a 25' building and parking setback from the residential property west of the site
- Limit building height to 40 feet or 3 stories and
- Screen the property from the adjacent residential uses.

Please refer to correspondence and comments in favor and opposition attached at the back of the staff packet.

Additionally, there is correspondence from the President of Walnut Creek Neighborhood Association (Wayne Tobias) stating that they would agree to CS-CO, but some of the conditions that the applicant is proposing are not the same as the neighborhood. There is also mention of a private restrictive covenant between the neighborhood and the property owner.

On May 23, 2008, the property owner was issued a Code Enforcement citation for the operation of a prohibited use in LR zoning, in addition to the absence of a Certificate of Occupancy.

DEPARTMENT COMMENTS: The 0.273-acre site is currently zoned LR (Neighborhood Commercial) district zoning and is located on northwest corner of Interstate Highway 35 and E. Covington Drive. The property has driveway access from the southbound service road of Interstate Highway 35 and E. Covington Drive, to which both ingress and egress access is taken. The site is surrounded by an Appliance Repair Business to the north, an undeveloped tract to the south, Interstate Highway-35 to the east and single family residences to the west.

The subject property is currently developed with a one story brick building with a canopy that is occupied by Tex-Tar Waterproofing. The existing use is classified as construction sales and services which is not permitted in LR (Neighborhood Commercial) zoning district. This use is conditional in the W/LO (Warehouse Limited Office district) and first permitted in CS (General Commercial Services district). The applicant wishes to change the zoning so that the existing use becomes compliant with the zoning regulations.

The staff recommendation is to deny the requested zoning change and maintain the existing LR zoning because it is adjacent to an established single residential neighborhood to the west. Additionally, similarly situated commercial tracts in the area are also zoned LR and granting more intensive zoning on this site would set a precedent for every other one of these tracts.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR	Construction Sales and Service
<i>North</i>	LR	Construction Sales and Service
<i>South</i>	LR-CO	Undeveloped Tract
<i>East</i>	Interstate Highway - 35	Expressway
<i>West</i>	SF-1	Large lot - Single Family residences

AREA STUDY: The property does not lie within a designated neighborhood planning area.

TIA: A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Scofield Farms Residents Assn.
 Austin Northwest Association
 Austin Independent School District
 Home Builders Association of Greater Austin
 Austin Neighborhoods Council
 Walnut Creek Neighborhood Assn., Inc.
 North Growth Corridor Alliance
 Yager Planning Area
 Homeless Neighborhood Organization
 River Oaks Lakes Estates Neighborhood
 Austin Parks Foundation

League of Bicycling Voters

SCHOOLS

Austin Independent School District
Walnut Creek Elementary School

Dobie Middle School

Lanier High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0229 – Walnut Forest Motel 11506 N. IH-35 SVRD Southbound	GO to GR-CO	Jan. 6, 2009: ZAP approved GR-CO. The CO prohibits the following uses: A DRIVE-THROUGH USE AS AN ACCESSORY USE, AUTOMOTIVE RENTALS, AUTOMOTIVE REPAIR SERVICES, AUTOMOTIVE SALES, AUTOMOTIVE WASHING (OF ANY TYPE), BAIL BOND SERVICES, COMMERCIAL BLOOD PLASMA CENTER, COMMERCIAL OFF-STREET PARKING, COMMUNITY RECREATION (PRIVATE), COMMUNITY RECREATION (PRIVATE), CONGREGATE LIVING, CONSUMER CONVENIENCE SERVICES, FOOD SALES, FUNERAL SERVICES, GENERAL RETAIL SALES (GENERAL), GUIDANCE SERVICES, INDOOR ENTERTAINMENT, OUTDOOR SPORTS AND RECREATION, PAWN SHOP SERVICES, RESIDENTIAL TREATMENT AND SERVICE STATION; LIMITING HEIGHT TO 35 FEET, AND LIMITING VEHICLE TRIPS TO 2,000 PER DAY.	Pending. Scheduled for Council hearing 2/12/09.
C14-05-0085 – Powers 20 11520 N. IH-35 SVRD Southbound	GO to CS	Nov. 15 2005: ZAP approved LR-CO with conditions of: 2,000 Vehicle trips limit, Prohibit Consumer repair services, Off-site accessory parking, Community recreation (public), Guidance services, Private secondary educational facilities, Printing and publishing, Service station,	November 2, 2006: CC approved LR-CO with conditions of: 2,000 Vehicle trips limit, Prohibit Consumer repair services, Off-site accessory parking, Community

		Financial services, Community recreation (private), Congregate living, Hospital services (limited), Residential treatment, College and university facilities, and Drive-in service use is prohibited as an accessory use to a commercial use.	recreation (public), Guidance services, Private secondary educational facilities, Printing and publishing, Service station, Financial services, Community recreation (private), Congregate living, Hospital services (limited), Residential treatment, College and university facilities, and Drive-in service use is prohibited as an accessory use to a commercial use.
C14-88-0138 – Texaco 11300 N. IH-35 SVRD	LR-GR	January 3, 1989: PC granted request with conditions.	January 26, 1989: CC APVD GR-CO; ALL 3 RDGS, EMERG. PASS. Conditions for LR uses, LR site development regulations, except front yard and street side setbacks are limited to 10 feet.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
IH 35	300'	Varies	Highway	No	No	No
E Covington Dr.	60'	30'	Local	No	No	No

CITY COUNCIL DATE:

February 12, 2009

February 26, 2009

ACTION:

The zoning change hearing was postponed to February 26, 2009 at the neighborhood's request (consent); 7-0

The public hearing was closed and the first reading Ordinance No. 20090226-043 for general commercial services-conditional overlay (CS-CO) combining district zoning on Council Member Cole's motion, Mayor Pro Tem McCracken's second

on a 5-0 vote. Mayor Wynn and Council Member Martinez' were off the dais. Construction sales and service is the only CS use allowed but all LR uses are allowed.

March 26, 2009

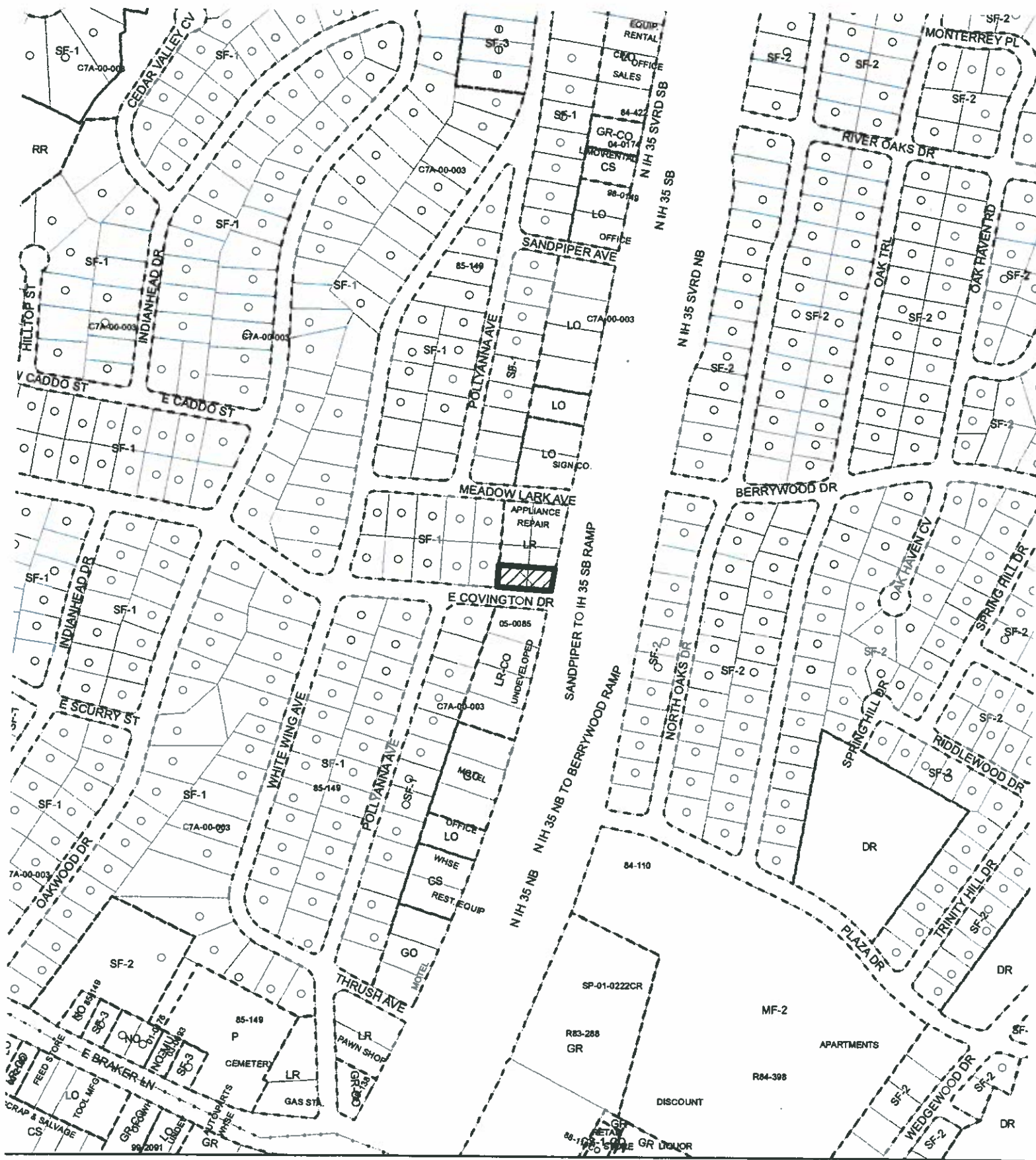
ORDINANCE READINGS: 1st 2nd 3rd




ORDINANCE NUMBER:

CASE MANAGER: Joi Harden

PHONE: 974-2212

E-MAIL: joi.harden@ci.austin.tx.us;



-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

ZONING

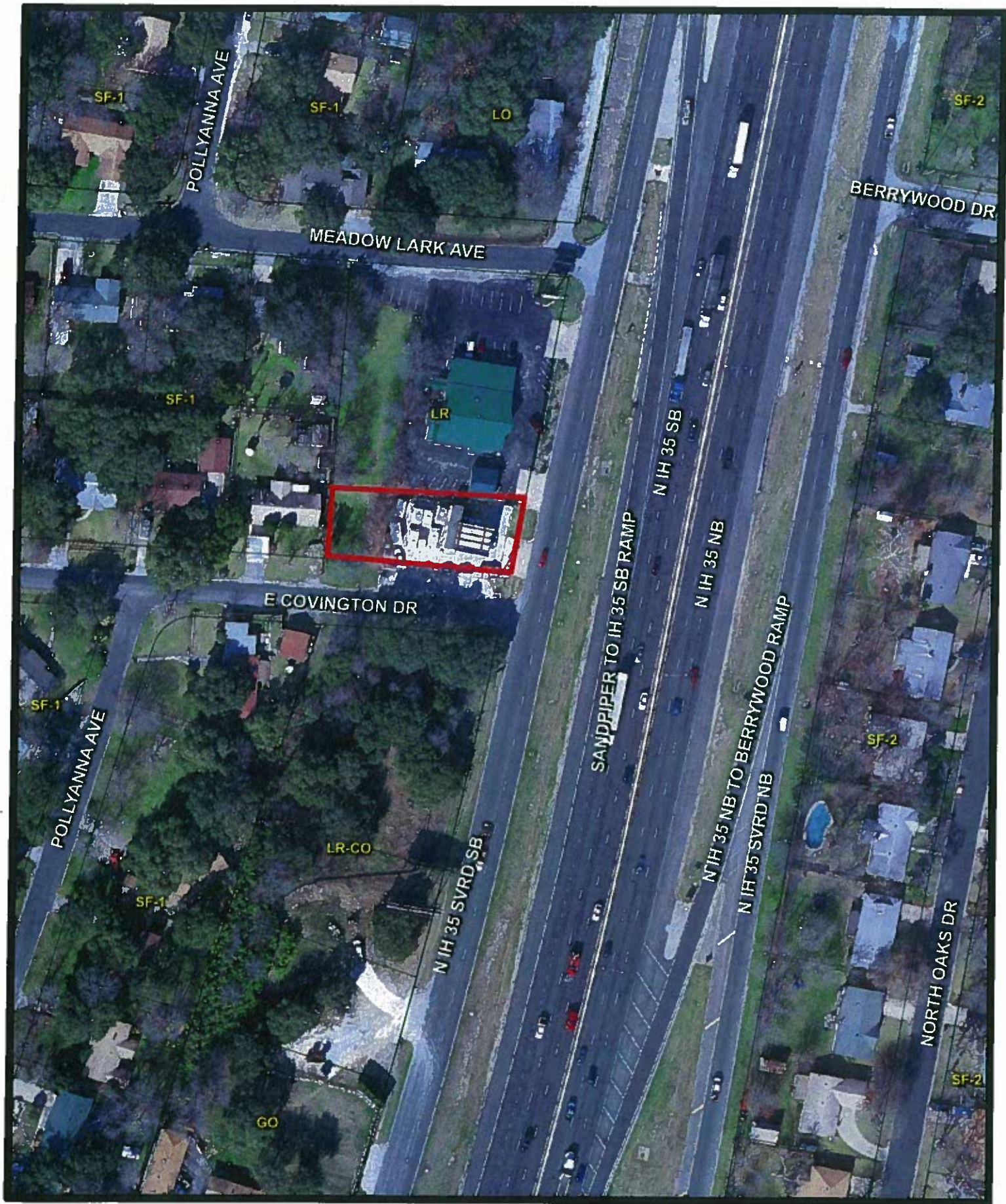
ZONING CASE#: C14-2008-0214
ADDRESS: 11600 N IH 35 SVRD SB
SUBJECT AREA: 0.273 ACRES
GRID: M32
MANAGER: J. HARDEN

OPERATOR: S. MEEKS

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.



1" = 400'



C14-2008-0214 11600 N IH-35 SVRD SB



**From Neighborhood Commercial District Zoning (LR)
to Limited Industrial Services (LI) District Zoning**



SUMMARY STAFF RECOMMENDATION

The staff recommendation is to deny the requested zoning change because it is adjacent to an established single family residential neighborhood to the west. Additionally, similarly situated commercial tracts in the area are also zoned LR and granting more intensive zoning on this site would set a precedent for every other one of these tracts.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The applicant's request of CS, 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. Staff's recommendation is to deny the requested zoning change and maintain the existing LR zoning because it is adjacent to an established single residential neighborhood to the west.

- 2. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

This zoning change would introduce a more intensive commercial zoning adjacent to an established single family residential neighborhood.

EXISTING CONDITIONS

Site Characteristics

The subject property is currently developed with a one story brick building with a canopy that is occupied by Tex-Tar Waterproofing. There is a fence that surrounds three sides of the site. The site is relatively flat.

Impervious Cover

The maximum impervious cover allowed by the LR zoning district is 80% which is a consistent figure between the zoning and watershed regulations.

The maximum impervious cover allowed by the CS zoning district is 95%. However, because the watershed impervious cover is more restrictive than zoning district's allowable impervious cover, the impervious cover is limited by watershed regulations as shown in the table below.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut 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. 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 Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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

Trees will likely be impacted with this rezoning case. Please be aware that an approved rezoning status does not eliminate the requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other 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 on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

A Neighborhood Traffic Analysis may be required to be performed for this project by the Transportation Review staff. Please contact this reviewer at your earliest convenience. LDC, Sec. 25-6-114.

Water and Wastewater

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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan 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. 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.

Site Plan Review

Any new development may be subject to Subchapter E: Design Standards and Mixed Use for a project located on a Suburban Roadway. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the western property line, the following standards apply:

- No structure may be built within 15 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 7 feet of the property line.
- A landscape area is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.



Katherine P. Loayza
(512) 236-2259 (Direct Dial)
(512) 236-2002 (Fax)
kloayza@jw.com

February 17, 2009

Mayor Wynn and City Council Members

Re: Rezoning application C14-2008-0214 Tex-Tar Waterproofing
11600 N. IH 35

Mayor Wynn and City Council Members,

This zoning case was postponed from February 12, 2009 to February 26, 2009 at the request of Wayne Tobias, president of the Walnut Creek Neighborhood Association. In order to ensure that the proposed "CS" zoning is compatible with the surrounding area, we offer the following as a conditional overlay for the proposed rezoning of the 0.273 acre site which is more restrictive than what we had previously proposed:

- Prohibit all permitted and conditional uses allowed in the General Commercial Services "CS" zoning district, **except:**

Construction sales and services, plant nursery, limited warehousing and distribution, food preparation uses; and all other permitted and conditional uses allowed in the Neighborhood Commercial "LR" zoning district.

- Limit vehicle trips to less than 2,000 per day
- 25' building and parking setback from the residential property west of the site
- Building height 40 feet or 3 stories
- Screening the property from the adjacent residential uses

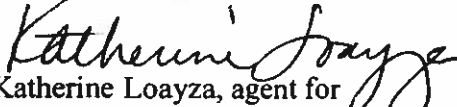
Mr. Johnson has the support of the property owners immediately adjacent to his property and a majority of the surrounding property owners for this rezoning request. We believe that the requested zoning is appropriate for the site with the application of the proposed conditional overlay use restrictions and that the requested zoning reflects the existing land uses along the frontage road of IH 35.

Mayor Wynn and City Council Members
C14-2008-0214
Page 2

Compatibility standards will prohibit any new buildings greater than 30 feet in height within 50 feet of property line and will require that any outdoor lighting be shielded and hooded to prevent glare onto neighboring properties. Mr. Johnson intends to improve the existing screening of the property and materials stored on-site subject to obtaining the zoning that he needs to be able to continue his business operations on the property.

We appreciate your support of this rezoning request and the small business owners serving the construction industry in Austin.

Sincerely,


Katherine Loayza, agent for
Richard Johnson, Tex-Tar Waterproofing

cc: Phil Moncada
Richard Johnson



JACKSON WALKER L.L.P.
ATTORNEYS & COUNSELORS

Katherine P. Loayza
(512) 236-2259 (Direct Dial)
(512) 236-2002 (Fax)
kloayza@jw.com

February 4, 2009

Mayor Wynn and City Council Members

Re: Rezoning application C14-2008-0214 Tex-Tar Waterproofing
11600 N. IH 35

Mayor Wynn and City Council Members,

Our firm, as well as Phil Moncada, agent, represent Richard Johnson, owner of the above referenced site. We respectfully request your favorable consideration of the rezoning of the subject property from "LR" Local Retail to "CS-CO" Commercial Services Conditional Overlay. The original request for rezoning was modified from "LI" to "CS".

The site is currently used as the office and incidental storage of equipment for Tex-Tar Waterproofing, which is classified as a construction sales and services use according to the Land Development Code. The property was originally developed as a service station, however the use was discontinued and the gasoline storage tanks have also been removed. The site has been vacant for some time until Mr. Johnson purchased the property over one year ago.

The property does not have wastewater service and because of the site size, only 0.273 acres; site development constraints do not make it conducive to a large-scale commercial operation, and therefore will naturally will limit the intensity of the use. Currently, the operations of Tex-Tar Waterproofing involve less than 20 trips per day and no customer generated trips. All of the construction services provided are off-site and no construction related activity is performed on-site. There is no noise, lighting or traffic impact with the use proposed for the site that would affect the adjacent residential neighborhood.

Based upon field verification of the existing uses immediately north and south of the subject property. (refer to attachment), it appears that there are at least nine existing uses between East Braker and Wren Avenue to the north which are uses permitted only in the "GR" or "CS" zoning districts, but they are zoned "GO", "LR" or "LO". Based upon these existing uses, it is apparent that the land use pattern along the frontage road of IH 35 supports the requested "CS" zoning.

In order to ensure that the proposed "CS" zoning is compatible with the surrounding area, we offer the following as a conditional overlay for the proposed rezoning of the 0.273 acre site:

- Limit vehicle trips to less than 2,000 per day
- 25' building and parking setback from the residential property west of the site
- Prohibit the following uses: automotive rental, automotive repair services, automotive sales, automotive washing, commercial off-street parking, drop-off recycling, and vehicle storage, bail bond services, exterminating services, pawn shop, congregate living, group home class II and residential treatment
- Building height 40 feet or 3 stories
- Screening the property from the adjacent residential uses

We have met with the Wayne Tobias, president of the Walnut Creek Neighborhood Association and other association members, but as yet do not have a formal position from the Association regarding the zoning request. We also indicated that we were receptive to including other uses allowed in the "CS" zoning district to be prohibited as well, but have not received any feedback at this time.

Mr. Johnson has the support of all the adjacent property owners and surrounding property owners for the original "LI" request. By supporting this request for "CS" zoning you will be recognizing the need for small business owners to be able to conduct commercial services uses along a high intensity traffic corridor, while at the same time not negatively affecting the residential neighborhood.

We appreciate your support of this rezoning request and the support of the small business owners servicing the construction industry in Austin. We believe that the requested zoning is appropriate for the site; with the application of the proposed conditional overlay use restrictions, and that the requested zoning reflects the existing land uses along the frontage road of IH 35.

Sincerely,



Katherine Loayza
Land Use Consultant

SF-1

MEADOW LARK AVE

SF-1

LR

WINGTON DR

LR-CO

SF-1

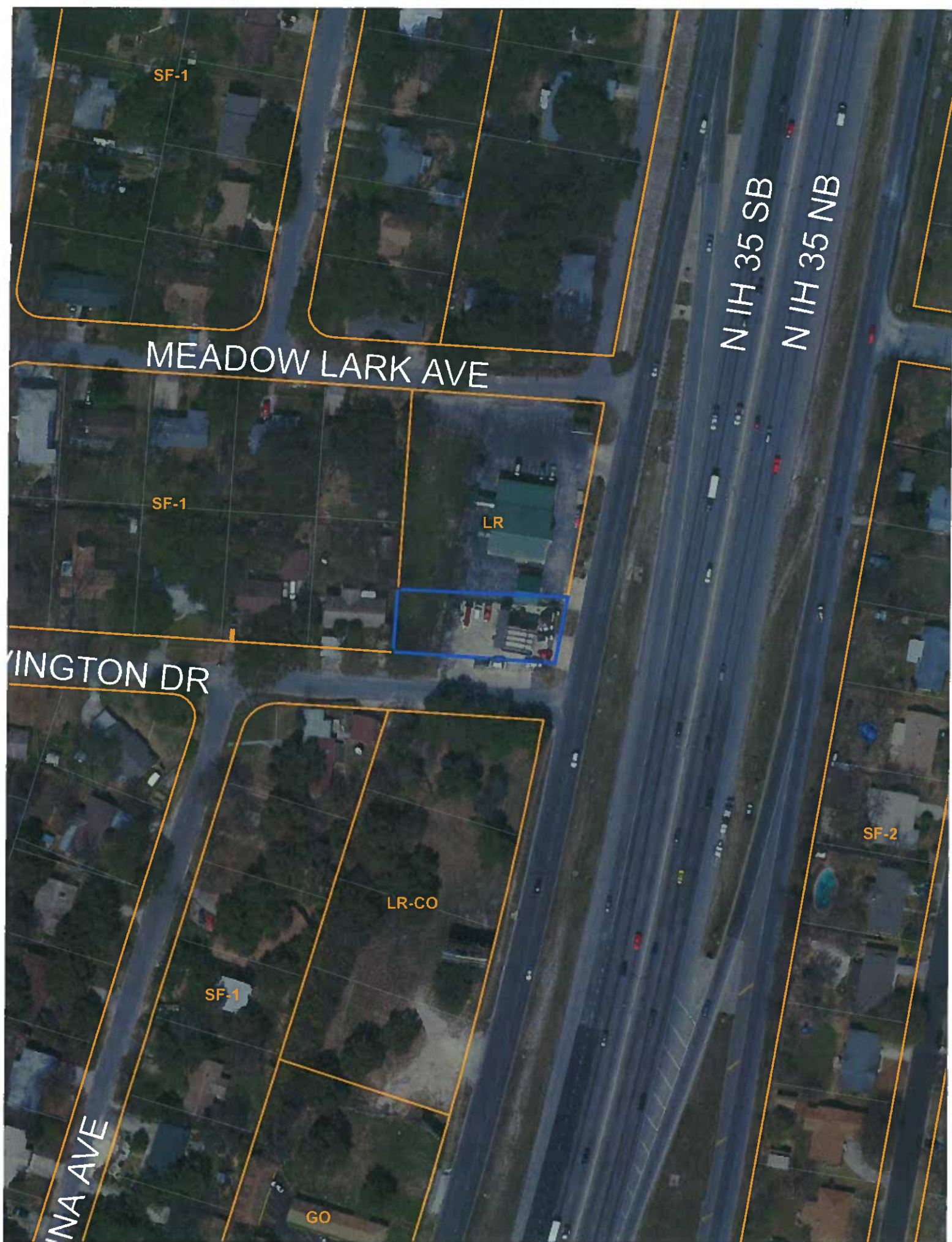
GO

N IH 35 SB

N IH 35 NB

SF-2

NA AVE



Harden, Joi

From: Wayne Tobias [watobias@us.ibm.com]
Sent: Friday, February 20, 2009 6:06 AM
To: Harden, Joi
Subject: Case C14-2008-0214 âTex-Tar Waterproofingâ

Joi,

The neighborhood is not against Tex-Tar Waterproofing rezoning and using the property. It is a small operation on a small lot and appears to be a good fit to the location-- provided they are properly screened and limited to only business use equipment on the premises. Please review the business restrictions below and determine if any part can be included or implied in the zoning ordinance if passed. Items not part of the ordinance will be included in a property covenant.

=====

Business Restrictions.

Screening & Security: Out-door storage for business related equipment and materials other than daily use vehicles/equipment shall be screened from general public view. A fence along the south and west property lines must be provided to screen all business related equipment, storage and refuse collection from public view. The perimeter screening fence must be a minimum height of six (6) feet and shall be maintained with no gaps or holes due to age or weather. Anti-intrusion fencing materials (barbed wire, etc.) shall not be visible on the screened fence lines. Security lighting shall not illuminate directly or indirectly into the benefited properties.

Business Related Storage: Only business related materials and vehicles shall be stored and maintained on the premises. No trucks greater than 1-ton capacity and large construction equipment shall be stored on the premises. No vehicle servicing other than general pre/post use of business related equipment shall be accomplished on the premises. Businesses shall limit public access and exterior storage area operational hours to between 6 AM and 10 PM.

=====

We also would like to prohibited most uses found in GR and CS zoning such that the zoning is similar to W-LO (a zoning designation allowed adjacent to residential properties). Most CS uses could not fit on the subject lot, however, the list of prohibited uses on this case will provide documented limits to be used when adjacent owners of large lots request intensive zoning. The following are Allowed and Prohibited uses we would like to implement with the zoning of the subject case

Allowed Uses list below indicate all zoned uses permitted in LR with exception of Off-Site Accessory Parking, Consumer Convenience [24 hour] Services and Service Station and includes Construction Sales and Services (to allow the Tex-Tar business).

ALLOWED USES

Administrative and Business Offices

2/23/2009

Professional Office
Software Development
Art and Craft Studio (Limited)
Medical Offices
Business or Trade School
Business Support Services
Personal Services
Consumer Repair Services
Financial Services
Food Sales
General Retail Sales (Convenience)
Pet Services
Restaurant (Limited)
Personal Improvement Services
Construction Sales and Services
Communication Service Facilities
Counseling Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Family Home
Group Home, Class I (General)
Group Home, Class I (Limited)
Local Utility Services
Private Primary Educational Facilities
Public Primary Educational Facilities
Public Secondary Educational Facilities
Religious Assembly
Safety Services
Convalescent Services
Cultural Services
College and University Facilities
Congregate Living
Group Home, Class II
Guidance Services
Hospital Services (Limited)
Private Secondary Educational Facilities

The Prohibited Uses list below utilizes prohibited uses found in W-LO zoning, a designation allowed adjacent to residential lots.

PROHIBITED USES

Communications Services
Off-Site Accessory Parking

Consumer Convenience Services
Service Station
Drop-Off Recycling Collection Facility
Automotive Rentals
Automotive Repair Services
Automotive Sales
Automotive Washing (of any type)
Commercial Off-Street Parking
Exterminating Services
Funeral Services
General Retail Sales (General)
Hotel-Motel
Indoor Entertainment
Indoor Sports and Recreation
Outdoor Sports and Recreation
Pawn Shop Services
Research Services
Restaurant (Drive-In, Fast Food)
Restaurant (General)
Theater
Art and Craft Studio (General)
Building Maintenance Services
Electronic Prototype Assembly
Commercial Blood Plasma Center
Agricultural Sales and Services
Campground
Convenience Storage
Equipment Repair Services
Equipment Sales
Kennels
Laundry Services
Monument Retail Sales
Plant Nursery
Vehicle Storage
Veterinary Services
Outdoor Entertainment
Custom Manufacturing
General Warehousing and Distribution
Light Manufacturing
Limited Warehousing and Distribution
Community Recreation (Private)
Community Recreation (Public)
Residential Treatment
Maintenance and Service Facilities

Wayne Tobias
President, Walnut Creek Neighborhood Association

2/23/2009

Exhibit A

CS-Conditional Overlay of Accepted Business Uses

for Zoning Case # C14-2008-0214 (the "Property")

Definitions found in Austin City Code Title 25-Chapter 25-2-1: Use Classifications

Prohibited Uses table below indicate all zoned uses we would like to prohibit if CS zoning were allowed. This table utilizes Prohibited uses found in W-LO zoning, a designation allowed adjacent to residential lots but includes most of the LR uses already available with the property.

PROHIBITED USES

Communications Services	Building Maintenance Services
Off-Site Accessory Parking	Electronic Prototype Assembly
Consumer Convenience Services	Commercial Blood Plasma Center
Service Station	Agricultural Sales and Services
Drop-Off Recycling Collection Facility	Campground
Automotive Rentals	Convenience Storage
Automotive Repair Services	Equipment Repair Services
Automotive Sales	Equipment Sales
Automotive Washing (of any type)	Food Preparation
Commercial Off-Street Parking	Kennels
Exterminating Services	Laundry Services
Funeral Services	Monument Retail Sales
General Retail Sales (General)	Plant Nursery
Hotel-Motel	Vehicle Storage
Indoor Entertainment	Veterinary Services
Indoor Sports and Recreation	Outdoor Entertainment
Outdoor Sports and Recreation	Custom Manufacturing
Pawn Shop Services	General Warehousing and Distribution
Research Services	Light Manufacturing
Restaurant (Drive-In, Fast Food)	Limited Warehousing and Distribution
Restaurant (General)	Community Recreation (Private)
Theater	Community Recreation (Public)
Art and Craft Studio (General)	Residential Treatment
	Maintenance and Service Facilities

Date: 12-12-08

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name Jarrell B Wilkinson

Signature Jarrell Wilkinson

Address 11700 North I 35
Austin TX 78753

Are you an adjacent property owner? Yes or No
within 300'

Date: 12-12-08

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name Sammie Wilkinson

Signature Sammie Wilkinson

Address 11700 North I 35
Austin TX 78753

Are you an adjacent property owner? Yes or No
within 300'

Date: 12/12/2008

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name Esmail Rowshan

Signature Esmail Rowshan

Address 11606 N. IH 35

Are you an adjacent property owner? Yes or No

Yes

Date: 17 Dec 2008

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name Wm & Donna Estes

Signature Wm & DONNA ESTES

Address 606 E. COVINGTON DR
AUSTIN TX 78753

Are you an adjacent property owner? Yes or No

Date: 12/17/08

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name MARGARET N. BLISS

Signature Margaret N Bliss

Address 700 E. COVINGTON DR. AUSTIN 78753

Are you an adjacent property owner? ☒ Yes or No

Date: 1/5/09

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name Jim DeLuca

Signature Jim DeLuca

Address 11424 N. IH35

Are you an adjacent property owner? ☒ Yes or No

Date: 1/6/08

I Am
We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name Gerald W. Horn
GERALD W. HORN

Signature _____

Address 11515 Pollyanna Ave. Austin Tx 78753

Are you an adjacent property owner? Yes or No No

Date: 1/05/08

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name ~~Drake~~ Kathleen Ford

Signature Kathleen Ford

Address 1602 White Wing Ave.

Are you an adjacent property owner? ☒ Yes ☐ No

Date: 1-06-09

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name JOSH MITCHELL

Signature [Handwritten Signature]

Address ~~1100 MEER~~
704 SANDPIPER AVE
AUSTIN TX 78753

Are you an adjacent property owner? Yes or No

550 FT

Date: 1-5-09

We are aware that Tex-Tar Waterproofing located at 11600 Interstate Hwy 35 North is proposing a zoning change from LR to LI. I do not oppose the zoning change for this project.

Name Travis Wilkes

Signature 

Address 12012 N I H 35

Are you an adjacent property owner? Yes or No

600 FT

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.

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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

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: C14-2008-0214

Contact: Joi Harden,, (512) 974-2122

Public Hearing:

January 6, 2009 Zoning and Platting Commission

☒ I am in favor
☐ I object

Your Name (please print) Robert L. Self

621 NE 16th St OKC City OK 73104

Your address(es) affected by this application

Robert

Signature

Date

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Joi Harden,}

P. O. Box 1088

Austin, TX 78767-8810

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Contact: Joi Harden,, (512) 974-2122

Public Hearing:

January 6, 2009 Zoning and Platting Commission

Julie Berg

Your Name (please print)

702 Wren Ave Austin TX 78753

Your address(es) affected by this application

Julie Berg

Signature

12/30/08

Date

Comments:

I'm in favor of this change
it will help the area of

Service RD of TH35 =

good for the Austin City Tax

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

City of Austin

Neighborhood Planning and Zoning Department

Joi Harden,,

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-2008-0214

Contact: Joi Harden,, (512) 974-2122

Public Hearing:

January 6, 2009 Zoning and Platting Commission

☐ I am in favor
☒ I object

Your Name (please print)

Jesse Pina

Your address(es) affected by this application

600 E. Cowling Ave

Signature

Date

Comments:

I believe this will negatively affect

improvement values and an increased about
noise and light pollution.

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

City of Austin

Neighborhood Planning and Zoning Department

Joi Harden,,

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0214

Contact: Joi Harden, (512) 974-2122

Public Hearing:

January 6, 2009 Zoning and Platting Commission

Your Name (please print)

Minta Atkin

Your address(es) affected by this application

600 E Covington Dr

Minta C. Atkins

Signature

Date

Comments: I don't want any more light

industry in my neighbor hood. There
is a stream less than 200 ft from my
house + I am concerned about potential
health effects for that stream + my own
garden, + property values. My neighborhood
shopping would be welcome; they are already
zoned for that purpose. Go a GR zoning
would also be o.k.

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

City of Austin

Neighborhood Planning and Zoning Department

Joi Harden, }

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object