

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

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: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

Cathy Maxine Beasley
Your Name (please print)

☐ I am in favor
☒ I object

12316 Little Emily Way, Austin, TX 78753
Your address(es) affected by this application

CM Beasley 6/16/09
Signature Date

Daytime Telephone: 512-965-2146

Comments:

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

P E T I T I O N

Page 1 for A, D, I, V, E, T, I, O, N

Page 1 of (two pages petition)

Date: April 4, 2009

File Number: C14-2009-0034- staff initiated new application for zoning to repeat case above. Staff changed legal description of properties in new case file. different than what Z.A.P. approved (RE: 11/18/08 Z.A.P.), and

File Number: C14-06-0140-owner requested SF-6 to GR on Copperfield Sec. 3-C, Block F, Lot 1, and -DR to GR on 5.87 unplatted acres, Tract 2.

Address of Rezoning Request: Copperfield Sec 3-C Block F, Lot 1, 1112 E Yager Lane, Tract 1, 3.01 acres and Sec 3-C, Tract 2, 5.87 acres

To: Austin City Council:

We, the undersigned owners of property affected by the 2006 zoning changes described in the original zoning case made by the owner Of the property in C14-06-0140, and it's repeat C14-2009-0034 application, do hereby protest against any change in the Land Development Code which would zone and/or allow anything other than DR, drainage, undeveloped acreage, on Tract 2, and the existing zoning base district, SF-6, single-family dwelling, duplex, two family dwelling, townhouse and condominium residence development with the requested conditional overlays below.

This case is an opportunity for neighbors within 200 feet of the church properties to officially oppose the changes requested in 2006. The City failed to notify neighbors and interested parties in 2006 of the owner's request to change both Tracts to Community Commercial, GR, due to a failure, on the part of the city staff, to mail the three letters of notification informing them of the owner's request and inviting them to the two public hearings to support or oppose the change in the zoning and land use of property in their neighborhood. Unfortunately, the owner began building a 19,000 square foot church within 100 feet of our houses and by the time the city staff agreed that the law had been broke, the church was close to being completed. Although NPZ staff assured us that all permits would be pulled and all building would stop on this property, the city made no attempt to stop the building or pull the building permits, and later, this same staff, agreed to only approve a "temporary certificate of occupancy". This would allow us to exercise our property rights and oppose this commercial zoning that would influence the traffic, our safety and the values of our residential investments, our homes. We never had the opportunity to speak 3 years ago and this "error" by the notification staff caused a building to be allowed to be built that is in no way representative and complimentary to the scale, color, height, design, lighting, parking or materials consistent with the residential character of the area, like the one-story commercial properties beside Tract 1, that has residential property behind it.

Request the owner submit an Application for Zoning to change the allow commercial office buildings on the 5.87 acre greenbelt Tract 2 after the property has been platted or until the owner a site plan exemption with details of their development plans that reflect the immediate residential community architecture, heights, lighting, and property designs. Request to be informed of the future plans for this Tract 2 before any base district zoning changes, so the public/neighbors to be informed of the proposed development behind their homes. This includes driveways.

Reasons for Protest:

1). The 5.87 acre Tract 2, located off of a residential subdivision collector street which is completely surrounded by a total of 97, ninety-seven single-family residential properties homes including thirty-one, 31 SF-2 homes to the north on Yarnout Way and west on Parnish Cove, twenty-one, 21 SF-4A homes east on Little Emily Way, one SF-6 lot east on Thompson Drive and 45 Townhomes south. Any commercial development on Tracts 1 or 2 would be inconsistent and an intrusion to the residential neighborhood. The 2006 zoning review sheet, composed by city staff, states that their recommendation for NO-CD, Neighborhood Office zoning would "allow the applicant to develop offices and a meditation garden on the site adjacent to existing single-family residential uses to the north, east and west," the undeveloped greenbelt behind 46 single family house. Since the owner's attorney and representative stated they have no plans to build on Tract 2 the currently DR district is appropriate, almost perfect, for land that is not to be left undeveloped, there is no need to change the base zoning district.

2). Keeping the existing SF-6 zoning, with its proximity to residential lots, allows building for religious assembly, with "complementary scale and appearance with the residential environment" with up to 55% maximum impervious cover. The new church has less 56%, so SF-6 would be a perfect fit for their needs. The same owner constructed a building for religious assembly on SF-2 zoned property at Metric Blvd and Bittern Hollow. RE: C14-03-0183.

3) In 2001, NPZ staff argued to support request for SF-6, on this very same lot, Tract 1: "because it will down zone the property to a less intensive use and the site in question is adjacent to existing residential uses and is appropriate....it will allow less intensive uses on this site....consistent with the residential character of the area." RE: C14-01-0051 & ORDINANCE NO.870507-H. Now they are opposing their own argument.

4). 25 years ago, Copperfield, Section 3-C was planned as a Residential Subdivision with deeds that included Restrictive Covenants for each and every property. RE: Vol. 85 Page 63B Plat Record Travis County, Texas, (C8-84 & C8-84-73.3). Only one section of Copperfield Sec 3-A's two lots, adjacent to duplexes and SF-3 lots, were designated as Commercial. Tract 2 was originally intended to be platted as Lot 23*and would likely have the exact same deed restrictions as Tract 1, and the other residential lots in Copperfield Sec 3-C. The restrictive covenants state: "no lot shall be used except for residential purposes and no building other than one detached single family dwelling or duplex with garage or carport for not more than 4 cars." Copperfield Sec 3-C Restrictive Covenants

5). Subject property, Tract 2 has significant CEFs (Critical Environmental Features) and is located within the Walnut Creek Watershed, a 100-year floodplain, and has been drainage property for more than 64 surrounding acres, with more than 16 marked feeder drains and four

unmarked drains.

- 6) NPZ Staff argued to deny request for SF-2 to LR on another Austin property completely surrounded by residential zoned properties, with a 100-year flood plain, on a 120 foot ROW, 95 foot pavement, 4-lane with a vegetation median major arterial road, at West William Canon Drive, but supports this DR to NO-CO change for subject property surrounded by residential lots, similar circumstances, located on a smaller, 74 foot ROW, 36 foot pavement two lane collector street without shoulders or sidewalks. Request equitable treatment of our neighborhood properties like the southwest Austin properties intended for residential use. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought....commercial district site development regulations and performance standards are designed to ensure that the (development, building, traffic, noise, lighting) is complementary in scale and appearance with the residential environment.
- 7) We oppose all Commercial Uses on Tract 1 and Tract 2. We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses On Tracts 1 and 2.

Request to amend the zoning district and to establish Conditional Overlay combining districts on the properties described in File C14-2006-0014 & C14-2009-0034 as follows:

- A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back property lines of residential lots surrounding these two tracts including Little Emily Way, Yarmont Way, Parnish Cove, and around the side entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:
1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement, provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide
- B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances; 100 feet from the Walnut Creek bed.
- C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-8-321

D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:

1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, streets or parking areas on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes.
2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb, into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets and our homes side and backyards.
3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.87 acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract 2. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected

Trees and the provisions of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1

5. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1

- 6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or Stone or brick walls.
- 7) Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light Source from the view of adjacent properties and limit light source to a height of 12 feet.
- 8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street, it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E. Yager Lane and 1100-1206 E. Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature	Printed Name	Address
	Susan I. Kephane	12325 Little Emily
	Sharon Harper	12327 Yarmont Way
	Shelly Almonelli	12319 Yarmont Way
	Omar Almonelli	

April 4, 2009

Contact Name: Elizabeth Quinlan Phone Number: (512) 339-8028

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature	Printed Name	Address
<i>Jorge Vasquez</i>	Jorge Vasquez	12300 Farnish CV
<i>Heidi Thomas</i>	HEIDI THOMAS	12301 FARNISH CV
<i>Kenneth Thomas</i>	Kenneth Thomas	12301 Farnish CV
<i>Jose H. Chehin</i>	JOSE H. CHEHIN	12303 Farnish CV
<i>Ignacio Cantu Jr</i>	Ignacio Cantu Jr	12305 Farnish CV
<i>Pauline Cantu</i>	Pauline Cantu	12305 Farnish CV
<i>Lucas HO</i>	LUCAS HO	12207 FARNISH CV
<i>Melissa Martinez</i>	Melissa Martinez	12205 Farnish CV
<i>Michael Roney</i>	Michael Roney	12206 Farnish CV.
<i>Doreen Roney</i>	Doreen Roney	12206 Farnish CV.
<i>Robert Stancel</i>	Robert Stancel	12202 FARNISH CV
<i>LeChelle Harris</i>	LeChelle Harris	12204 Farnish CV.
<i>Jose Sanchez</i>	JOSE SANCHEZ	12209 FARNISH CV.
<i>Gaudenice Van Peterson</i>	GAUDENICE VAN PETERSON	12206 FARNISH CV
<i>Jessie Delgado</i>	Jessie Delgado	12302 Farnish CV
<i>Michael Nemece</i>	MICHAEL NEMEC	12203 FARNISH CV
<i>Mervyn Ferrard</i>	MERVYN FERRARD	12208 FARNISH CV.
<i>Patrick O'Brien</i>	PATRICK O'BRIEN	12201 Farnish CV.
<i>Lee Harris</i>	Lee Harris	12204 Farnish CV.

Pat O'Brien

April 4, 2009

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Phone Number: (512) 339-8028

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Signature

Printed Name

Address

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<i>[Signature]</i>	Michael DeLeon	1015 Marham
<i>[Signature]</i>	Gilbert Acosta	12305 yarmou
<i>[Signature]</i>	Doracell Pelt	12291 Abbey Glen Ln
<i>[Signature]</i>	Michele Roanhe	12251 Abbey Glen Ln
<i>[Signature]</i>	Lisa Smith	12250 Abbey Glen Ln
<i>[Signature]</i>	Linda Brewer	12230 Abbey Glen Ln
<i>[Signature]</i>	James Woods	12215 Abbey Glen Ln

April 4, 2009

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Signature

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Address

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Peter J. Escalante 12213 CHESSINGTON PL. AUSTIN TX 78753
Billie E. Hightower 12333 YARMONT LANE AUSTIN TX 78753
Howard Patterson 12324 Yarmont Way

April 4, 2009.

Contact Name: Elizabeth Quintan Phone Number: (512) 339-8026

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arked drains.

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4. Trees and the provisions of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1
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PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature	Printed Name	Address
	Carolyn Cardon	12317 Little Emily Way 787
	Cynthia Castenedo	12327 Little Emily Way 78755
	Eirian Holtz	12318 Little Emily Way 78753
	Pedro Arbo	12336 Little Emily Way
	KAREN WINTER	12326 LITTLE EMILY WAY

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Elm M. Dunlon	Elm M. Dunlon	12313, Albany
Janet K. Lind	Janet K. Lind	10 B A Mark Hall
Chris Espirito	Chris Espirito	12337 Vermont Way
Cynthia Hill-Palmer	Cynthia Hill-Palmer	12324 Vermont Way
James M. Diaz	James M. Diaz	12361 Vermont Way
Jesus J. Paga	Jesus J. Paga	12325 Vermont Way
Handa Becht	Handa Becht	12307 Vermont Way
Jack Moncur	Jack Moncur	12311 Vermont Way
Emmett Steel	Emmett Steel	12306 Vermont Way
Forrest D. Corcoran	Forrest D. Corcoran	12341 Vermont Way
Troy Chan (Chan)	Troy Chan (Chan)	12295 Abbey Glen Ln
Terese Lynn Thompson	Terese Lynn Thompson	12271 Abbey Glen Ln
Kirk Peterson	Kirk Peterson	12283 Abbey Glen Ln
Doris M. Rake	Doris M. Rake	12269 Abbey Glen
Belinda Hall	Belinda Hall	12283 Abbey Glen
Renae Gilmore	Renae Gilmore	12229 Abbey Glen *
Mark Van Deventer	Mark Van Deventer	12225 Abbey Glen
Adrian H. Hurd	Adrian H. Hurd	12225 Chelsea Glen
Devon Denman	Devon Denman	12221 Chelsea Glen *
SO YOUNG YUN	SO YOUNG YUN	12239 Chelsea Glen Drive
Sylvia Pruett	Sylvia Pruett	12261 Chelsea Glen Pl
Laura Hill	Laura Hill	12265 Chelsea Glen Pl
Scott Rhoad	Scott Rhoad	12253 Abbey Glen Ln
Margaret Garwood	Margaret Garwood	12281 Mulligan Glen
Glen CT	Glen CT	

Steve Gillispie	Steve Gillispie	12275 Abbey Glen Ln
Charlie Nilmao	Charlie Nilmao	12249 Abbey Glen

April 4, 2009 Contact Name: Elizabeth Quinlan

(512) 339-8028

April 4, 2009 Contact Name: Elizabeth Quinlan

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Carol Y Jackson	Carol Y Jackson	12343 Yarmont Way 78753
Octavia Barnes	Octavia Barnes	12318 Yarmont Way 78753
John Ramirez	John Ramirez	12335 Yarmont Way 78753
Alice Ramirez	Alice Ramirez	12395 Yarmont Way 78753
Phyllis Eason	Phyllis Eason	12322 Yarmont Way 78753
Terrell Jelley	Terrell Jelley	12322 Yarmont Way 78753
Robert LeVaugh	Robert LeVaugh	12334 Yarmont Way 78753
Garden	Garden	12323 Yarmont Way Austin TX 78753
Jose Barrientos	Jose Barrientos	12330 Yarmont Way Austin TX 78753
Susie Vasquez	Susie Vasquez	12328 Yarmont Way Austin TX 78753
Saul Corona Jr	Saul Corona Jr	12332 Yarmont Way Austin TX 78753
Hana Gonzalez	Hana Gonzalez	12339 Yarmont Way Austin TX 78753
Elizabeth Quinalan	Elizabeth Quinalan	12339 Little Emily
Angie Nguyen	Angie Nguyen	12254 Abbey Glen
Lisa Smith	Lisa Smith	12750 Abbey Glen
Noe Ramirez	Noe Ramirez	12209 Abbey Glen
Shannon	Shannon	12261 Abbey Glen
Ana Rodriguez	Ana Rodriguez	12246 Abbey Glen
Jayon Majah	Jayon Majah	1006 Markham
Geary Yates	Geary Yates	1005B Markham
Martha Ramirez	Martha Ramirez	1001 B. Markham
Nicole Delcuzc	Nicole Delcuzc	1001 A Markham Ln
David Bernal	David Bernal	1001 A Markham Ln
Aileen Cavazos	Aileen Cavazos	909B Markham Ln
Guy Raines	Guy Raines	12328 Little Emily

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature

Printed Name

Address

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<i>[Signature]</i>	Ken THSWORTH	12344 Little Elm
<i>[Signature]</i>	Florence/Cheryl Carpus	12341 Yarnwood way
<i>[Signature]</i>	Sandra Claiborne	12407 Thompson Dr
<i>[Signature]</i>	Gene Taylor	12403 Thompson Dr
<i>[Signature]</i>	Gene R. LAYOR	12403 Thompson Dr
<i>[Signature]</i>	Sandra Smith	12305 Little Emily
* <i>[Signature]</i>	Long phan (Phan)	12331 Yarnwood W
<i>[Signature]</i>	Lynne Williams	12405 Thompson
<i>[Signature]</i>	Lisa Robinson	11218 Thompson
<i>[Signature]</i>	Thinh Vu	B 11216 Thompson
<i>[Signature]</i>	Kristin Buchanan	12219 Abbey Glen Ln

PLEASE USE BLACK INK WHEN SIGNING PETITION

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<i>[Signature]</i>	Kenneth Ward	12340 Little Emily Way
<i>[Signature]</i> (Gloria Pione)	Gloria R. Pione	12337 Little Emily
Chris Ruesing	Chris Ruesing	12333 Little Emily
Jose Sanchez	Josephine Linda Sanchez	12323 Little Emily
<i>[Signature]</i>	Tom D. Norrington	12238 Abbey Glen Ln
<i>[Signature]</i>	PAT SCHEFF	12105 Abbey Glen Ln

April 4, 2009

Contact Name: Elizabeth Quinlan Phone Number: (512) 539-8028

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7) Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and limit light source to a height of 12 feet.

8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street; it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E. Yager Lane and 1100-1206 E. Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature

Printed Name

Address

Kandra Gillette - SANDRA Gillette

12330

Little Emily Way

IV

Staff argued to deny request for SF-2 to LR on another Austin property completely surrounded by residential zoned properties, on a 100-year flood plain, on a 120 foot ROW, 95 foot pavement, 4-lane with a vegetation median ~~major~~ arterial road, West William / Anon Drive, but supports this DR to NO-CO change for subject property surrounded by residential lots, similar circumstances, located on a smaller, 74 foot ROW, 36 foot pavement two lane collector street without shoulders or sidewalks. Request equitable treatment of our neighborhood properties like the southwest Austin properties intended for residential use. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought...commercial district site development regulations and performance standards are designed to ensure that the (development, building, traffic, noise, lighting) is complementary in scale and appearance with the residential environment. 7) We oppose all Commercial Uses on Tract 1 and Tract 2. We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses on Tracts 1 and 2.

Request to amend the zoning district and to establish Conditional Overlay combining districts on the properties described in File C14-2006-0014 & C14-2009-0034 as follows:

- A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back property lines of residential lots surrounding these two tracts including Little Emily Way, Yarmont Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:
1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement; provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide
- B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.
- C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-8-321
- D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:
1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, streets or parking area on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes.
 2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb, into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets and our home's side and backyards.
 3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.8 acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract 2
 4. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected trees and the provisions of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1
 5. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1
 - 6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone or brick walls.
 - 7) Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties block light source from the view of adjacent properties and limit light source to a height of 12 feet.
 - 8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street: it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E Yager Lane and 1100-1206 E Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature	Printed Name	Address
	David E. Hernandez	12334 Little Emily
	Annestelle Banks	12320 Little Emily Way
	Charles F. Pfeiffer	12312 Little Emily Way
	Nora Salinas	12310 Little Emily Way

April 4, 2009

Contact Name: Elizabeth Quinlan

Phone Number: (512) 339-8028

with a 100-year flood. Canon Drive, but supports this DR to NO on a smaller, 74 foot ROW, 36 foot pavement. The lower portion of our neighborhood properties like the southeast corner of the intersection of Canon Drive and Yager Lane. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought... commercial district size development regulations and performance standards are designed to ensure that the development, building, traffic, noise, lighting is complementary in scale and appearance with the residential environment. 7) We oppose all Commercial Uses on Tract 1 and Tract 2; We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses on Tracts 1 and 2

Request to amend the zoning district and to establish Conditional Overlay combining districts on the properties described in File C14-2006-0014 & C14-2009-0034 as follows:

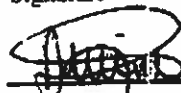
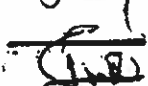
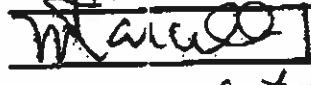
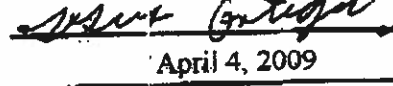
- A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back property lines of residential lots surrounding these two tracts including Little Emily Way, Yarmont Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:
1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation encasement, provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide
- B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.
- C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "clearing" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-8-321
- D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:
1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, streets or parking area on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes.
 2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets and our home's side and backyards.
 3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 3.87 acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract 2, two.
 4. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected trees and the provisions of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1
 5. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1
 - 6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone or brick walls.
 - 7) Require do not and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and limit light source to a height of 12 feet.
 - 8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street: it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E Yager Lane and 1100-1206 E Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature

Printed Name

Address

 Amina Nciri 12328 Little Emily Way
 Juan Franco 12328 Little Emily Way
 Marcella Walker 12329 Little Emily Way
 Amy Jesus Ortega 12324 Little Emily Way

April 4, 2009

Contact Name: Elizabeth Quinlan

Phone Number: (512) 339-8028

marked drains

1) NPZ Staff argued to deny request for SF-2 to DR on another Austin property completely surrounded by residential zoned properties, with a 100-year flood plain, on a 120 foot ROW, 95 foot pavement, 4-lane with 8' vegetation median major arterial road, at West William Canon Drive, but supports this DR to NO-CO change for subject property surrounded by residential lots, similar circumstances, located in a smaller, 74 foot ROW, 36 foot pavement two lane collector street without shoulders or sidewalks. Request equitable treatment of our neighborhood properties like the southwest Austin properties intended for residential use. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought... commercial district site development regulations and performance standards are designed to ensure that the (development, building, traffic, noise, lighting) is complementary in scale and appearance with the residential environment. 2) We oppose all Commercial Uses on Tract 1 and Tract 2. We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses on Tracts 1 and 2.

request to amend the zoning district and to establish Conditional Overlay combines districts in the properties described in File C14-2006-0014 & C14-2009-0834 as follows:

A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back property lines of residential lots surrounding those two tracts including Little Emily Way, Yarnall Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:
1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement, provided to screen adjoining properties from views of cooking, mechanical equipment, storage, and refuse collection.
2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a space, 50% of which are not deciduous. Provide
B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.
C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-8-321

D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:

1. Prohibit any motorized vehicular access from Tract 1 to Tract 2. prohibit parking and grass or impervious cover driveway, streets or parking areas on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes.
2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb, into side yards between houses and over the trip lines and to prohibit business traffic onto residential side streets and our homes side and backyards.
3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.87 acreage property, prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract 2. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected. **EM2**

Trees and the provisions of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990004-1

5. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1

6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone or brick walls.

7) Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and limit light source to a height of 12 feet.

8) Prohibit civilian crossing guards (guests of the owner) from directing the flow of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street. It is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E. Yager Lane and 1100-1206 E. Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature

Printed Name

Address

Kerry Stennett	KERRY STENNETT	12341 Little Emily Way Austin TX
Eric Scott		12446 Little Emily Way 78753
John Henderson	John N	12331 Little Emily Way 78753
Stephanie Bell	Stephanie Bell	12321 Little Emily Way 78753

April 4, 2009

Contact Name: Elizabeth Quintan Petition Number: (914) 304-0000

PLEASE USE BLACK INK WHEN SIGNING PETITION


E

Signature

Printed Name

Address

BLACK INK


Wendy Steward

Kevin Ringelstetter 12311 Little Emily Way
Wendy Steward 12309 Little Emily Way

April 1, 2009

Printer Name: Black Ink Petition Phone Number: (512) 337-6038

any other district.

6) NPZ Staff argued to deny request for SF-2 to LR on another Austin property completely surrounded by residential zoned properties, with a 100-year flood plain, on a 120 foot ROW, 95 foot pavement, 4-lane with a vegetation median major arterial road, at West William Canyon Drive, but supports this DR to NO-CO change for subject property surrounded by residential lots, similar circumstances, located on a smaller, 74 foot ROW, 36 foot pavement, two lane collector street without shoulders or sidewalks. Request compatible treatment of our neighborhood properties like the southwest Austin properties intended for residential use. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought... commercial district site development regulations and performance standards are designed to ensure that the development, building, traffic, noise, lighting is complementary in scale and appearance with the residential environment. 2) We oppose all Commercial Uses on Tract 1 and Tract 2. We oppose all Industrial uses on Tracts 1 and 2. We oppose all civic uses On Tracts 1 and 2.

Request to amend the zoning district and to establish Conditional Criteria combining districts on the properties described in File C14-2006-0014 & C14-2009-0034 as follows:

A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back property lines of residential lots surrounding these two tracts including Little Emily Way, Yarnmont Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:

1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement; provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
2. This fence may be either a privacy fence of 6 feet in height or a berm or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide

B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed

C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-8-321

D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:

1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, streets or parking areas on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes.

2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb, into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets and our homes side and backyards

3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.87 acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract 2. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected **EM2**

Trees and the provisions of Section 12-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1

4. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1

5. Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone or brick walls.

6. Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and limit light source to a height of 12 feet.

7) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street; it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1104-1106 E. Yager Lane and 1100-1206 E. Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature

Printed Name

Address

CM Beasley Cathy Maxine Beasley 12316 Little Emily Way
Austin 78753

April 4, 2009

Contact Name: Elizabeth Quintan

Phone Number: (512) 339-9128

unmarked drive.

- 6) NPZ Staff argued to deny request for SF-3 to LR on another Austin property completely surrounded by residential zoned properties, with a 100-year flood plain, on a 120-foot ROW, 95 foot pavement, 4-lane with a vegetation median major arterial road, at West William Canon Drive, but supports this DR to MC-CO change for subject property surrounded by residential lots, similar circumstances, located on a smaller, 74-foot ROW, 36 foot pavement two-lane collector street with shoulders or sidewalks. Request equitable treatment of our neighbor hood properties like the southwest Austin properties intended for residential use. **UNDER BASIS FOR LAND USE RECOMMENDATION (ZONING) (MC-CO) Staff cited 1.** The proposed zoning should be consistent with the purpose statement of the district sought... commercial district the development regulations and performance standards are designed to ensure that the (development, building, traffic, noise, lighting) is complementary in scale and appearance with the residential environment.
- 7) We oppose all Commercial Uses on Tract 1 and Tract 2. We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses On Tracts 1 and 2.

Request to amend the zoning district and to establish Conditional Overlay combining districts on the properties described in File E-14-2006-0034 and E-14-2009-0034 as follows:

A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front side and back property lines of residential lots surrounding these two tracts including Little Emily Way, Yarnost Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:

1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement, provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
2. This fence may be either a privacy fence of 8 feet in height or a wall, or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide

B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.

C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-2-321

D) Ordinance and amendments of the restrictive covenant on Tract 2, to include:

1. Prohibit any unauthorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, streets or parking areas on Tract 2 to prevent noisy commercial traffic and a parking lot, which is under and obstructs use of the sight because of its location behind residential homes.

2. Prohibit any unauthorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb, into side yards between houses and over tree drip-lines and to prohibit business traffic onto residential side streets and our homes side and backyards.

3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.87 acreage property, prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way ~~and~~ ^{and} ~~from~~ ^{from} ~~all~~ ^{all} ~~traces~~ ^{traces}, with a diameter of 6 inches or greater, for a period within 60 feet of the creek bed, and 6 inches or greater trees within 10 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are prohibited.

Trees and the provisions of Section 12-2-1 of the City Code apply. RE: ORDINANCE NO. 990204-1

5. Development on the properties within 100 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1

6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or Stone or brick walls.

7) Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and block light source to a height of 12 feet.

8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street; it is a danger to the pedestrians and drivers on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E. Yager Lane and 1100-1206 E. Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING HEREIN

Signature

Printed Name

Address

Irma Ospinal

Irma Ospinal

12305 Little Emily Way

Call argued to deny request for SP-2 to LR on another Austin property completely surrounded by residential zoned properties. 10-year flood plain, on a 120 foot ROW, 95 foot pavement 4-lane with a vegetation median major arterial road, in West William. Don2, but supports this DR to NO-CO change for subject property surrounded by residential lots, similar circumstances, located on a smaller, 74 foot ROW, 36 foot pavement two lane collector street without shoulders or sidewalks. Request equitable treatment of all neighborhood properties like the southwest Austin properties intended for residential use. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought...commercial district site development regulations and performance standards are designed to ensure that the development, building, traffic, noise, lighting is complementary in scale and appearance with the residential environment. We oppose all Commercial Uses on Tract 1 and Tract 2. We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses on Tracts 1 and 2.

Request to amend the zoning district and to establish Conditional Overlay combining districts on the properties described in File C14-2006-0014 & C14-2009-1054 as follows:

A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back property lines of residential lots surrounding these two tracts including Little Emily Way, Vermont Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:

1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement, provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide

B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed

C) Prohibit any "land development" i.e. removal of vegetation and improper pruning of trees, activity described as "clearing" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-8-321

D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:

1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, streets or parking areas on Tract 2 to prevent noise commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes

2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb, into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets and our homes side and backyards.

3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.8 acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract 2. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected

Trees and the provisions of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1

4. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1

5. Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone or brick walls

6. Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and limit light source to a height of 12 feet

7. Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street as an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street; it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E. Yager Lane and 1100-1206 E. Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature

Printed Name

Address

Fred H. Lister Fred H. Lister 12316 Vermont Way

Donald J. Furnish DONALD J. FURNISH 12314 VERMONT WAY

April 4, 2009

Contact Name: Elizabeth Quintan Phone Number: (512) 339-8028

PLEASE USE BLACK INK WHEN SIGNING PETITION

H

BLACK INK Signature
Paula Curo

Printed Name
LOUIS ARZASA

Address
12312 Vermont Way

April 4, 2009

Contact Name: Elizabeth Quinlan Phone Number: (312) 339-8028

(larger print - 3 pages)
1 page longer than
actual petition

B: C

P E T I T I O N

Page 1 of (two pages petition)

Date: April 4, 2009

File Number: C14-2009-0034- staff initiated new application for zoning to repeat case above. Staff changed legal description of properties in new case file, different than what Z.A.P. approved (RE: 11/18/08 Z.A.P.), and

File Number: C14-06-0140-owner requested SF-6 to GR on Copperfield Sec. 3-C, Block F; Lot 1, and - DR to GR on 5.87 unplatted acres, Tract 2.

Address of Rezoning Request: Copperfield Sec 3-C Block F, Lot 1, 1112 E Yager Lane, Tract 1, 3.01 acres, and Sec 3-C, Tract 2, 5.87 acres

To: Austin City Council:

We, the undersigned owners of property affected by the 2006 zoning changes described in the original zoning case made by the owner of the property in C14-06-0140, and it's repeat C14-2009-0034 application, do hereby protest against any change in the Land Development Code which would zone and/or allow anything other than DR, drainage, undeveloped acreage, on Tract 2, and the existing zoning base district, SF-6, single-family dwelling, duplex, two family dwelling, townhouse and condominium residence development, with the requested conditional overlays below.

This case is an opportunity for neighbors within 200 feet of the church properties to officially oppose the changes requested in 2006.

he city failed to notify neighbors and interested parties in 2006 of the owner's request to change both Tracts to Community Commercial, GR, due to a failure, on the part of the city staff, to mail the three letters of notification informing them of the owner's request and inviting them to the two public hearings to support or oppose the change in the zoning and land use of property in their neighborhood. Unfortunately, the owner began building a 19,000 square foot church within 100 feet of our houses and by the time the city staff agreed that the law had been broke, the church was close to being completed. Although NPZ staff assured us that all permits would be pulled and all building would stop on this property, the city made no attempt to stop the building or pull the building permits, and later, this same staff, agreed to only approve a "temporary certificate of occupancy". This would allow us to exercise our property rights, and oppose this commercial zoning that would influence the traffic, our safety and the values of our residential investments, our homes. We never had the opportunity to speak 3 years ago and this "error" by the notification staff caused a building to be allowed to be built that is in no way representative and complimentary to the scale, color, height, design, lighting, parking or materials consistent with the residential character of the area, like the one-story commercial properties beside Tract 1, that has residential property behind it.

Request the owner submit an Application for Zoning to change the allow commercial office buildings on the 5.87 acre greenbelt Tract 2, after the property has been platted or until the owner a site plan exemption with details of their development plans that reflect the immediate residential community architecture, heights, lighting, and property designs. Request to be informed of the future plans for this Tract 2 before any base district zoning changes, so the public/neighbors to be informed of the proposed development behind their homes. This includes driveways.

Reasons for Protest:

1). The 5.87 acre Tract 2, located off of a residential subdivision collector street with is completely surrounded by a total of 97, ninety-seven, single-family residential properties homes including thirty-one, 31 SF-2 homes to the north on Yarmont Way and west on Farnish Cove, twenty-one, 21 SF-4A homes east on Little Emily Way, one SF-6 lot east on Thompkins Drive and 45 Townhomes south. Any commercial development on Tracts 1 or 2 would be inconsistent and an intrusion to the residential neighborhood. The 2006 zoning review sheet, composed by city staff, states that their recommendation for NO-CO, Neighborhood Office zoning would "allow the applicant to develop

C14-06-0140

offices and a meditation garden on the site adjacent to existing single-family residential uses to the north, east and west." the undeveloped greenbelt behind 46 single family house. Since the owner's attorney and representative stated they have no plans to build on Tract 2 the currently DR district is appropriate, almost perfect, for land that is not to be left undeveloped, there is no need to change the base zoning district

2). Keeping the existing SF-6 zoning, with its proximity to residential lots, allows building for religious assembly, with "complementary scale and appearance with the residential environment" with up to 55% maximum impervious cover. The new church has less 56%, so SF-6 would be a perfect fit for their needs. The same owner constructed a building for religious assembly on SF-2 zoned property at Metric Blvd and Bittern Hollow. RE: C14-03-0183.

3) In 2001, NPZ staff argued to support request for SF-6, on this very same lot, Tract 1: "because it will down zone the property to a less intensive use and the site in question is adjacent to existing residential uses and is appropriate...it will allow less intensive uses on this site...consistent with the residential character of the area." RE: C14-01-0051 & ORDINANCE NO.870507-H. Now they are opposing their own argument.

4). 25 years ago, Copperfield, Section 3-C was planned as a Residential Subdivision with deeds that included Restrictive Covenants for each and every property. RE: Vol. 85 Page 63B Plat Record Travis County, Texas, (C8-84 & C8-84-73.3). Only one section of Copperfield Sec 3-A's two lots, adjacent to duplexes and SF-3 lots, were designated as Commercial. Tract 2 was originally intended to be platted as Lot 23*and would likely have the exact same deed restrictions as Tract 1, and the other residential lots in Copperfield Sec 3-C. The restrictive covenants state:

"no lot shall be used except for residential purposes and no building other than one detached single family dwelling or duplex with garage or carport for not more than 4 cars." Copperfield Sec 3-C Restrictive Covenants

5).Subject property Tract 2 has significant CEFs (Critical Environmental Features) and is located within the Walnut Creek Watershed, a 100-year floodplain, and has been drainage property for more than 64 surrounding acres. with more than 16 marked feeder drains and four unmarked drains.

6) NPZ Staff argued to deny request for SF-2 to LR on another Austin property completely surrounded by residential zoned properties, with a 100-year flood plain, on a 120 foot ROW, 95 foot pavement, 4-lane with a vegetation median major arterial road, West William Canon Drive, but supports this DR to NO-CO change for subject property surrounded by residential lots, similar circumstances, located on a smaller, 74 foot ROW, 36 foot pavement two lane collector street without shoulders or sidewalks. Request equitable treatment of our neighborhood properties like the southwest Austin properties intended for residential use. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought....commercial district site development regulations and performance standards are designed to ensure that the (development, building, traffic, noise, lighting) is complementary in scale and appearance with the residential environment.

7) We oppose all Commercial Uses on Tract 1 and Tract 2; We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses on Tracts 1 and 2.

Request to amend the zoning district and to establish Conditional Overlay combining districts

on the properties described in File C14-2006-0014 & C14-2009-0034 as follows:

A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back property lines of residential lots surrounding these two tracts including Little Emily Way, Yarmont Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:

1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement,: provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide

B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.

- C) .Prohibit any "land development", ie: removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-8-321
- D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:
1. Prohibit any motorized vehicular access from Tract 1 to Tract 2 , prohibit parking ^{on} grass or impervious cover driveway, streets or parking area on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes.
 2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb, into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets and our home's side and backyards.
 3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.87 acreage property; prohibit all but emergency vehicle access to ~~and from Tract 2,~~ to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract
- E) 4. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater tree within 25 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected trees and the provisions of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1
- F) 5. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1.
- G) 6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone or brick walls.
- H) 7) Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and limit light source to a height of 12 feet.
- I) 8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and for the across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street; it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E Yager Lane and 1100-1206 E Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature

Printed Name

Address

April 4, 2009

Contact Name: Elizabeth Quinlan
8028

Phone Number: (512) 339-

ids are designed to ensure that the (development, building, traffic, noise, lighting) is complementary in scale and appearance with the environment.

We oppose all Commercial Uses on Tract 1 and Tract 2; We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses on Tracts

Request to amend the zoning district and to establish Conditional Overlay combining districts on the properties described in File C14-2006-0014 & C14-2009-0034 as follows:

B

- A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back lines of residential lots surrounding these two tracts including Little Emily Way, Yarmont Way, Farnish Cove, and around the sole entryway 2 at 1200-1206 E Yager Lane with the following prescribed distances:
1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement, provided adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide
- B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, set Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.
- C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2, permit or site plan to prevent repeated removal of vegetation and red flag, on Tract 2, for failure to comply with Land Development Code: 25-1-21 & 2-1-8-321
- D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:
1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, parking area on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight by its location behind residential homes.
 2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving street curb, into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets home's side and backyards.
 3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.87 acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract
- E) 4. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 ft residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected trees and the p of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1
- F) 5. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet above ground level. RE: ORDINANCE NO. 990204-1.
- G) 6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone walls.
- H) 7) Require dimmed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source view of adjacent properties and limit light source to a height of 12 feet.
- I) 8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street, it is a danger to the pc and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E Yager Lane and 1 E Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature	Printed Name	Address
	Domingo Zuniga	12336 Yarmont
	Robert Malone	12326 YARMONT WAY
	Mike Banta	12325 Yarmont Way
	Francis Contreras	12320 Yarmont way
	David A. Payne	12317 Yarmont way
	Kimberly Schluke	12324 Yarmont Way
	Mariah Barnes	12308 Yarmont Way
	DAVID Jackson	12343 YARMONT WAY

April 4, 2009

Contact Name: Elizabeth Quinan Phone Number: (512) 339-8028

P E T I T I O N

Date: April 4, 2009

File Number: C14-2009-0034- staff initiated new application for zoning to repeat case above. Staff changed legal description of properties in new case file, different than what Z.A.P. approved (RE: 11/18/08 Z.A.P.), and

File Number: C14-06-0140-owner requested SF-6 to GR on Copperfield Sec. 3-C, Block F, Lot 1, and -DR to GR on 5.87 unplatted acres, Tract 2.

Address of Rezoning Request: Copperfield Sec 3-C Block F, Lot 1, 1112 E Yager Lane, Tract 1, 3.01 acres, and Sec 3-C, Tract 2, 5.87 acres

To: Austin City Council:

We, the undersigned owners of property affected by the 2006 zoning changes described in the original zoning case made by the owner of the prop. C14-06-0140, and it's repeat C14-2009-0034 application, do hereby protest against any change in the Land Development Code which would and/or allow anything other than DR, drainage, undeveloped acreage, on Tract 2, and the existing zoning base district, SF-6, single-family du duplex, two family dwelling, townhouse and condominium residence development, with the requested conditional overlays below.

This case is an opportunity for neighbors within 200 feet of the church properties to officially oppose the changes requested in 2006.

The city failed to notify neighbors and interested parties in 2006 of the owner's request to change both Tracts to Community Commercial, GR, and failure, on the part of the city staff, to mail the three letters of notification informing them of the owner's request and inviting them to the two hearings to support or oppose the change in the zoning and land use of property in their neighborhood. Unfortunately, the owner began building 19,000 square foot church within 100 feet of our houses and by the time the city staff agreed that the law had been broken, the church was close to completed. Although NPZ staff assured us that all permits would be pulled and all building would stop on this property, the city made no attempt to exercise our property rights, and oppose this commercial zoning that would influence the traffic, our safety and the values of our residential investments, or homes. We never had the opportunity to speak 3 years ago and this "error" by the notification staff caused a building to be allowed to be built that is in no way representative and complimentary to the scale, color, height, design, lighting, parking or materials consistent with residential character of the area, like the one-story commercial properties beside Tract 1, that has residential property behind it.

Request the owner submit an Application for Zoning to change the allow commercial office buildings on the 5.87 acre greenbelt Tract 2, if property has been platted or until the owner a site plan exemption with details of their development plans that reflect the immediate residential community architecture, heights, lighting, and property designs. Request to be informed of the future plans for this Tract 2 before any base zoning changes, so the public/neighbors to be informed of the proposed development behind their homes. This includes driveways.

Reasons for Protest:

1). The 5.87 acre Tract 2, located off of a residential subdivision collector street with is completely surrounded by a total of 97, ninety-seven, family residential properties homes including thirty-one, 31 SF-2 homes to the north on Yarmont Way and west on Parrish Cove, twenty-one, 21 homes east on Little Emily Way, one SF-6 lot east on Thompsons Drive and 45 Townhomes south. Any commercial development on Tracts would be inconsistent and an intrusion to the residential neighborhood. The 2006 zoning review sheet, composed by city staff, states the recommendation for NO-CO, Neighborhood Office zoning would "allow the applicant to develop offices and a meditation garden on 1 adjacent to existing single-family residential uses to the north, east and west." the undeveloped greenbelt behind 46 single family house. Sir owner's attorney and representative stated they have no plans to build on Tract 2 the currently DR district is appropriate, almost perfect, for land not to be left undeveloped, there is no need to change the base zoning district

2). Keeping the existing SF-6 zoning, with its proximity to residential lots, allows building for religious assembly, with "complementary appearance with the residential environment" with up to 59% maximum impervious cover. The new church has less 56%, so SF-6 would be a perfect for their needs. The same owner constructed a building for religious assembly on SF-2 zoned property at Metric Blvd and Bittern Hollow. RE: C 0183.

3) In 2001, NPZ staff argued to support request for SF-6, on this very same lot, Tract 1: "because it will down zone the property to a less intense and the site in question is adjacent to existing residential uses and is appropriate...it will allow less intensive uses on this site...consistent with residential character of the area." RE: C14-01-0051 & ORDINANCE NO.870507-H. Now they are opposing their own argument.

4). 25 years ago, Copperfield, Section 3-C was planned as a Residential Subdivision with deeds that included Restrictive Covenants for each acre property. RE: Vol. 85 Page 63B Plat Record Travis County, Texas, (C8-84 & C8-84-73.3). Only one section of Copperfield Sec 3-A's two lots, as to duplexes and SF-3 lots, were designated as Commercial. Tract 2 was originally intended to be platted as Lot 23*and would likely have the exact deed restrictions as Tract 1, and the other residential lots in Copperfield Sec 3-C. The restrictive covenants state:

"no lot shall be used except for residential purposes and no building other than one detached single family dwelling or duplex with garage or carport, not more than 4 cars." Copperfield Sec 3-C Restrictive Covenants

5). Subject property Tract 2 has significant CEFs (Critical Environmental Features) and is located within the Walnut Creek Watershed, a 10 floodplain, and has been drainage property for more than 64 surrounding acres, with more than 16 marked feeder drains and four unmarked drains

6) NPZ Staff argued to deny request for SF-2 to LR on another Austin property completely surrounded by residential zoned properties, with a 10 flood plain, on a 120 foot ROW, 95 foot pavement, 4-lane with a vegetation median major arterial road, West William Canon Drive, but support DR to NO-CO change for subject property surrounded by residential lots, similar circumstances, located on a smaller, 74 foot ROW, 36 foot par two lane collector street without shoulders or sidewalks. Request equitable treatment of our neighborhood properties like the southwest properties intended for residential use. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought....commercial district site development regulations and perform

standards are designed to ensure that the (development, building, traffic, noise, lighting) is complementary in scale and appearance with the environment.

7) We oppose all Commercial Uses on Tract 1 and Tract 2; We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses on Tracts

Request to amend the zoning district and to establish Conditional Overlay combining districts on the properties described in File C14-2006-0014 & C14-2009-0034 as follows:

- A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back lines of residential lots surrounding these two tracts including Little Emily Way, Yarmont Way, Farnish Cove, and around the sole entryway 2 at 1200-1206 E Yager Lane with the following prescribed distances:
1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement, provided adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height, dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide
- B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, set Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.
- C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2, permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code 25-1-21 & 25-9-321
- D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:
1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, parking area on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight by its location behind residential homes.
 2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving street curb, into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets home's side and backyards.
 3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.87 acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract
- E) 4. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 ft residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected trees and the p of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1
- F) 5. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet above ground level. RE: ORDINANCE NO. 990204-1.
- G) 6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone walls.
- H) 7) Require damped and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source view of adjacent properties and limit light source to a height of 12 feet.
- I) 8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street; it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E Yager Lane and 1107 E Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature

Printed Name

Address



Steve Davis

12301 Little Emily Way

Mark Everett

12313 Little Emily Way

April 4, 2009

Contact Name: Elizabeth Quinlan Phone Number: (512) 339-8028

marked drains.

is KPZ Staff agreed to deny request for SF-2 to LR on another Assin property completely surrounded by residential zoned properties with a 100-foot flood plain, on a 120 foot ROW, 95-foot pavement, 4-lane with a vegetation median major arterial road at West William Corner Drive. But supports this DR to NO-EO change for subject property surrounded by residential lots, similar circumstances, located on a smaller, 75 foot ROW, 36 foot pavement two lane collector street without shoulders or sidewalks. Request equitable treatment of our neighborhood properties like the southern Assin properties intended for residential use. Under BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES) Staff cited 1. The proposed zoning should be consistent with the purpose statement of the district sought... commercial district the development regulations and performance standards are designed to ensure that the development, building, traffic, noise, lighting is complementary in scale and appearance with the residential environment. 2) We oppose all Commercial Uses on Tract 1 and Tract 2. We oppose all industrial uses on Tracts 1 and 2. We oppose all civic uses on Tracts 1 and 2.

Request to amend the zoning district and to establish Conditional Overlay combining districts

on the properties described in File C14-2106-0014 & C14-2109-0034 as follows:

- A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side, and back property lines of residential lots surrounding these two tracts including Little Emily Way, Vermont Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:
 - 1) Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement, provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 - 2) This fence may be either a privacy fence of 8 feet in height or a berm or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide
- B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane. Setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.
- C) Prohibit any "land development", i.e. removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 24-1-21 & 24-8-321

D) Ordinance and amendment of the restrictive covenant on Tract 2 to include:

1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking and grass or impervious cover driveway, streets or parking areas on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes.
2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets and backyards.
3. Design the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5th acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract 4. Protect all trees with a diameter of 6 inches or greater located within 60 feet of the creek bed and 6 inches or greater trees within 25 feet of the residential fences, including between the residential property fences and the owner's 6-foot chain link fence, are protected.
4. Trees and the provisions of Section 13-7-16 of the City Code apply. RE: ORDINANCE NO. 990204-1
5. Development on the properties within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1
6. Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone or brick walls.
- 7) Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and limit light source to a height of 12 feet.
- 8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street; it is a danger to the pedestrians and drivers, on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E Yager Lane and 1100-1206 E Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

PLEASE USE BLACK INK WHEN SIGNING PETITION

Signature: John H. Bennett Printed Name: John H. Bennett Address: 12336 Little Emily Way

Black Ink

April 1, 2009

Contact Name: Elizabeth Quiblin Phone Number: (512) 379-8028

PETITION

Case Number:

C14-2009-0034

Date:

June 24, 2009

1112 E YAGER LANE

Total Area Within 200' of Subject Tract




793,524.76

1	0252281803	STREET EMMETT D & ELIZABETH	12226.84	1.54%
2	0252281805	VASQUEZ JORGE	7226.30	0.91%
3	0252281806	JERRARD MERVYN J & ESTELITA C	7361.82	0.93%
4	0252281807	PETERSON GAYLEN K & VAN T	7259.98	0.91%
5	0252281808	HARRIS LEE D & JEAN L	7686.27	0.97%
6	0252281809	STANCIL ROBERT T JR	8935.82	1.13%
7	0252281810	RANEY MICHAEL J & DEIDRA H	10208.87	1.29%
8	0252281811	OBRIEN PATRICK J & KAREN	15830.78	1.99%
9	0252281812	NEMEC MICHAEL J & KATHLEEN G	13415.00	1.69%
10	0252281814	HO LUC DINH & PHUOC THI PHAN	3257.15	0.41%
11	0252281816	THOMAS KENNETH W	2714.18	0.34%
12	0252281817	CHEHIN JOSE & VALERIANO MARTIN	3348.79	0.42%
13	0252281818	CANTU IGNACIO JR & PAULINE CEDILLO	2813.48	0.35%
14	0254280101	MONCURE JACK JR & CORDIE VERNE	3000.93	0.38%
15	0254280102	QUINLAN FRANCIS XAVIER & ELLA	2,837.15	0.36%
16	0254280104	KANDI	2,413.51	0.30%
17	0254280105	ALMOUSLLI MOHAMAD OMAR & MICHELLE	3,235.93	0.41%
18	0254280107	GARDEN EDWARD OSHAY & KAREN	3,043.74	0.38%
19	0254280108	BARTZ MICHAEL M & DEBBIE K	2,984.75	0.38%
20	0254280109	HARPER GLORIA	3,050.76	0.38%
21	0254280111	PHAN TAN D & XUAN N NGUYEN	3,025.63	0.38%
22	0254280112	HIGHTOWER BILLIE F	2,951.71	0.37%
23	0254280114	ESPIRITU CHRIS	3,945.54	0.50%

24	0254280116	CORPUS FLORANTE D & SHIRLEY B	254.53	0.03%
25	0254280619	TAYLOR GENE R	752.14	0.09%
26	0254280620	WILLIAMS DONNA L	791.89	0.10%
27	0254280621	CLAYBORNE SANDRA SCOTT FREDERICK W	1,084.65	0.14%
28	0254280622	IV TITSWORTH KENDALL	11,111.69	1.40%
29	0254280623	D	11,509.38	1.45%
30	0254280626	WANZER KAREN	5,765.76	0.73%
31	0254280627	BENNETT JOHN H & CAROL S	3,827.43	0.48%
32	0254280628	HERNANDEZ DAVID EDUARDO	2,696.95	0.34%
33	0254280630	GILMETTE SANDRA C	2,465.59	0.31%
34	0254280631	RAINES GUY M & AMINA NCIRI	2,708.57	0.34%
35	0254280637	BEASLEY CATHY MAXINE	2,854.11	0.36%
36	0254280639	PFEIFER CHARLES E & SANDRA M	2,995.65	0.38%
37	0254280640	SALINAS NORA	9,818.56	1.24%
38	0254280702	LEVAUGHN ROBERT E & CHARLENE E	8,035.70	1.01%
39	0254280703	CORONA SAUL JR	7,164.57	0.90%
40	0254280704	BARRIENTOS JOSE E & REBECCA C	6,954.47	0.88%
41	0254280705	VASQUEZ SUSIE L	6,796.38	0.86%
42	0254280707	PATTERSON HOWARD & CYNTHIA H	7,232.92	0.91%
43	0254280708	JOLLEY JERRELL T & PHYLLIS O EASON	6,852.64	0.86%
44	0254280711	LISTER FREDERICK H	7,512.42	0.95%
45	0254280712	FURNISH DONALD J	8,094.15	1.02%
46	0254280713	ARRIAGA LOUIS & EULALIA	6,828.82	0.86%
47	0254280716	OSPINAL IRMA & NANCY	5,343.48	0.67%
48	0254280719	RINGELSTETTER KEVIN	6,954.61	0.88%
49	0254280720	JEFFCOAT MARK	7,185.93	0.91%
50	0254280722	HOUSTON CAROLYN ANN	6,452.56	0.81%
51	0254280724	BELL STEPHANIE DIANNE	5,313.48	0.67%
52	0254280725	LINDA	5,654.48	0.71%
53	0254280726	& SUSAN S	5,481.16	0.69%
54	0254280727	CASTANEDA GERALD G & CYNTHIA A	5,521.48	0.70%

55	0254280728	WALKER MARCELLA LYNETTE	5,466.97	0.69%
56	0254280729	HENDERSON JOHN & TERESA CLEAVE	5,656.17	0.71%
57	0254280730	RUESING CHRIS QUINLAN ELIZABETH	5,486.50	0.69%
58	0254280733	M STENNETT KERRY	10,436.29	1.32%
59	0254280734	ANN	7,967.01	1.00%
60				0.00%
61				0.00%
62				0.00%
63				0.00%
Validated By:		Total Area of Petitioner:	Total %	
Stacy Meeks		339,804.01	42.82%	



-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

OPERATOR: S. MEEKS

PETITION

CASE#: C14-2009-0034
 ADDRESS: 1112 E YAGER LANE
 GRID: N32 & N33
 CASE MANAGER: J. RUSTHOVEN



1" = 200'

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.