

SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2008-0123 – Bennett Tract

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 7309 South IH 35 Service Road Northbound (South Boggy Creek; Onion Creek Watersheds) from interim-rural residence (I-RR) district zoning and community commercial (GR) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning with conditions. The conditional overlay limits residential development to 36 units per acre and prohibits the following uses: adult-oriented businesses, automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, convenience storage, commercial blood plasma center, pawn shop services, service station and vehicle storage. The Restrictive Covenant is for the conditions of the Traffic Impact Analysis and prohibits 24-hour commercial operations to be located within 200 feet of Bluff Springs Road. The Street Deed is for the dedication of a 13-foot wide segment of right-of-way on Bluff Springs Road.

DEPARTMENT COMMENTS:

The Conditional Overlay, Restrictive Covenant and Street Deed incorporate the conditions imposed by the City Council at First Reading.

OWNER: South Austin I-35 Associates c/o Bennett Realty Group, Inc. (Delbert C. Bennett).

AGENT: BIG RED DOG Engineering / Consulting (Will Schnier).

DATE OF FIRST READING: January 28, 2010, approved CS-MU-CO combining district zoning with conditions, on First Reading (7-0).

CITY COUNCIL HEARING DATE: February 25, 2010

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0123 – Bennett Tract

Z.A.P. DATE: June 2, 2009
December 1, 2009
January 5, 2010
January 19, 2010

ADDRESS: 7309 South IH 35 Service Road Northbound

OWNER: South Austin I 35 Associates c/o
Bennett Realty Group, Inc.
(Delbert C. Bennett)

AGENT: BIG RED DOG
Engineering / Consulting
(Will Schnier)

ZONING FROM: I-RR; GR **TO:** CS-MU-CO **AREA:** 60.597 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services – mixed use (CS-MU-CO) combining district zoning. The Conditional Overlay prohibits adult-oriented businesses, bail bond services, pawn shop services and vehicle storage, and limits residential density to 36 units per acre.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated January 14, 2010, as provided in Attachment A.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 2, 2009: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE APPLICANT; BY CONSENT.*

[C. HAMMOND; D. TIEMANN – 2ND] (4-0)

December 1, 2009: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 5, 2010; BY CONSENT.*

[D. TIEMANN; C. BANKS – 2ND] (7-0)

January 5, 2010: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO FEBRUARY 16, 2010; BY CONSENT.*

*[D. TIEMANN, C. BANKS – 2ND] (5-0) T. RABAGO – NOT YET ARRIVED;
G. BOURGEOIS – ABSENT*

January 19, 2010: *APPROVED CS-MU-CO DISTRICT ZONING WITH CONDITIONS OF THE TIA AS STAFF RECOMMENDED WITH THE FOLLOWING ADDITIONAL PROHIBITED USES: AUTOMOTIVE RENTALS, AUTOMOTIVE REPAIR SERVICES, AUTOMOTIVE SALES, AUTOMOTIVE WASHING (OF ANY TYPE), CONVENIENCE STORAGE, COMMERCIAL BLOOD PLASMA CENTER, SERVICE STATION AND*

PROHIBITING 24-HOUR COMMERCIAL OPERATIONS TO BE LOCATED WITHIN 200 FEET OF BLUFF SPRINGS ROAD.

[D. TIEMANN; C. BANKS – 2ND] (7-0)

ISSUES:

The Applicant distributed flyers to all properties within 500 feet of the subject tract, plus representatives of the Silverstone Neighborhood Association and the Circle S Ridge Neighborhood Association. The flyer announced a community meeting that provided the opportunity to learn and ask questions about the proposed rezoning, meet with the owner's representatives, and solicit input and comments. The meeting was held between 6 and 7 p.m. on Wednesday, November 11, 2009 at Langford Elementary School. Three persons were in attendance in addition to the owner and his representatives.

DEPARTMENT COMMENTS:

The subject zoning/rezoning area is undeveloped, has access to the IH-35 frontage road and Bluff Springs Road. The area adjacent to the IH 35 frontage road is zoned community commercial (GR) and the remainder of the subject area is zoned interim – rural residence (I-RR) district. There is an adult-oriented use, apartments and warehouse to the north (CS-CO; I-RR), undeveloped land, the Los Jardines subdivision and an automobile repair business to the east (CS-CO, SF-4A-CO; I-RR) and an auto repair business and apartments to the south (GR-CO; MF-4-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to zone and rezone the property to the general commercial services – mixed use – conditional overlay (CS-MU-CO) district for 100,000 square feet of shopping center uses, an AISD bus depot facility (a maintenance and service facilities use, a civic use first allowed in the CS district) and an AISD office for 200 employees. The Mixed Use designation would allow for residential development to occur in conjunction with commercial development at MF-3 density (36 units per acre). The Applicant has offered to prohibit adult-oriented businesses, bail bond services, pawn shop services and vehicle storage uses, and these have been incorporated into the Staff recommendation.

Staff recommends CS-MU-CO district zoning based on the following considerations of the property: 1) location on the northbound IH-35 frontage road which is suitable for and compatible with established commercial uses in the area; 2) a multifamily component would be consistent with the zoning and use of the adjacent property to the south; and 3) the Traffic Impact Analysis establishes improvements with fiscal posting for William Cannon Drive with the IH 35 frontage road, Bluff Springs Road and Congress Avenue.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR; GR	Undeveloped
<i>North</i>	CS-CO; I-RR; SF-3	Adult-oriented business; Apartments; Warehouse; Campground
<i>South</i>	GR-CO; MF-4-CO	Automobile oriented business; Apartments
<i>East</i>	I-RR; SF-4A-CO; LR-CO	Automobile repair; Single family homes within the Los Jardines subdivision; Undeveloped
<i>West</i>	N / A	Northbound lanes of the IH 35 frontage road

AREA STUDY: N / A**TIA:** Is required – please refer to Attachment A**WATERSHEDS:** South Boggy / Onion Creeks**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association
 27 – Franklin Park Neighborhood Association
 96 – Southeast Corner Alliance of Neighborhoods
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 430 – Silverstone Neighborhood Association 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association
 646 – Circle S. Ridge Neighborhood Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 948 – South by Southeast Neighborhood Organization
 1037 – Homeless Neighborhood Organization 1113 – Austin Parks Foundation

SCHOOLS:

Langford Elementary School

Mendez Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-84-457 (RCA) – Chrysler Auto Dealership n6905 South IH 35 Service Road	To Delete the Restrictive Covenant as it applies to the property	To Terminate the RC as it applies to the subject property but retain a restriction that prohibits pawn shops	Approved an Amendment to the RC as the Commission recommended (4-30-09).

Northbound		and residential treatment uses.	
C14-2008-0211 - The Waters at Bluff Springs – 7707 South IH-35 Service Road Northbound	I-RR; GR to MF-4	To Grant MF-4-CO with the CO limiting height to 45 feet and 2,000 vehicle trips per day.	Approved MF-4-CO as Commission recommended (11-20-08).
C14-04-0128 – 7501 Conn – 7501 South IH-35 Service Road Northbound	I-RR to GR	To Grant GR-CO with the CO prohibiting building openings for access purposes other than emergency access from facing the east property line, and limiting development to 2,000 trips per day.	Approved GR-CO with the CO for vehicle trips and an RC for access and (10-7-04).
C14-99-2089 – Bluff Springs Commercial – 1900 Bluff Springs Road	CS-CO to CS-CO to change conditions of zoning	To Grant CS-CO thereby allowing two previously prohibited uses, automotive washing and general retail sales (general) with a RC to limit hours to 7 a.m. to 7 p.m. with an attendant on duty	Approved CS-CO with RC as Commission recommended (5-18-00).
C14-98-0224 – The 33 at Bluff Springs – 7101 Bluff Springs Road and 1901 Blue Meadow Drive	I-RR; I-SF-3 to MH; GR	To Grant SF-4A-CO for Tract 1 and LR-CO for Tract 2 with CO prohibiting food sales and fast food restaurants on Tract 2 and a 2,000 trip limit across Tracts 1 and 2	Approved SF-4A-CO for Tract 1 and LR-CO for Tract 2 as Commission recommended (5-6-99).
C14-93-0086 – Leon’s South – 7111 South IH 35 Service Road Southbound	SF-2 to LI	To Grant CS-CO	Approved CS-CO with CO limiting general retail sales (general) to 20,000 s.f. and prohibiting financial services, food sales, restaurants, and service station (09-02-93).

RELATED CASES:

That portion of the property within 200 feet of the IH 35 frontage was annexed into the City limits on June 3, 1982 (C7A-80-023) and was zoned GR in November 1988 (C14R-86-327 / 328). The remainder was annexed into the full-purpose City limits on December 31, 2001 (C7A-01-017).

A Preliminary Plan for the entire property, known as South Bluff Park was approved by Planning Commission on April 24, 1988 (C8-86-115). At the time of approval, the property was located within the County and identified commercial and retail tracts, with a street known as Wardian Drive extending between the IH 35 frontage road and Bluff Springs Road. Since the Preliminary Plan did not advance to the final plat stage, it has expired and remains unplatted. Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Bluff Springs Road	82 feet	50 feet	Arterial	No	No	Yes
IH 35 Northbound Frontage Road	351 feet	Varies	Freeway	No	No	No

CITY COUNCIL DATE: January 28, 2010

ACTION: Approved CS-MU-CO district zoning with a Restrictive Covenant for the Traffic Impact Analysis and prohibiting 24-hour commercial operations to be located within 200 feet of Bluff Springs Road, as the Zoning and Platting Commission recommended, on First Reading (7-0).

February 25, 2010

ORDINANCE READINGS: 1st January 28, 2010 2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719

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.

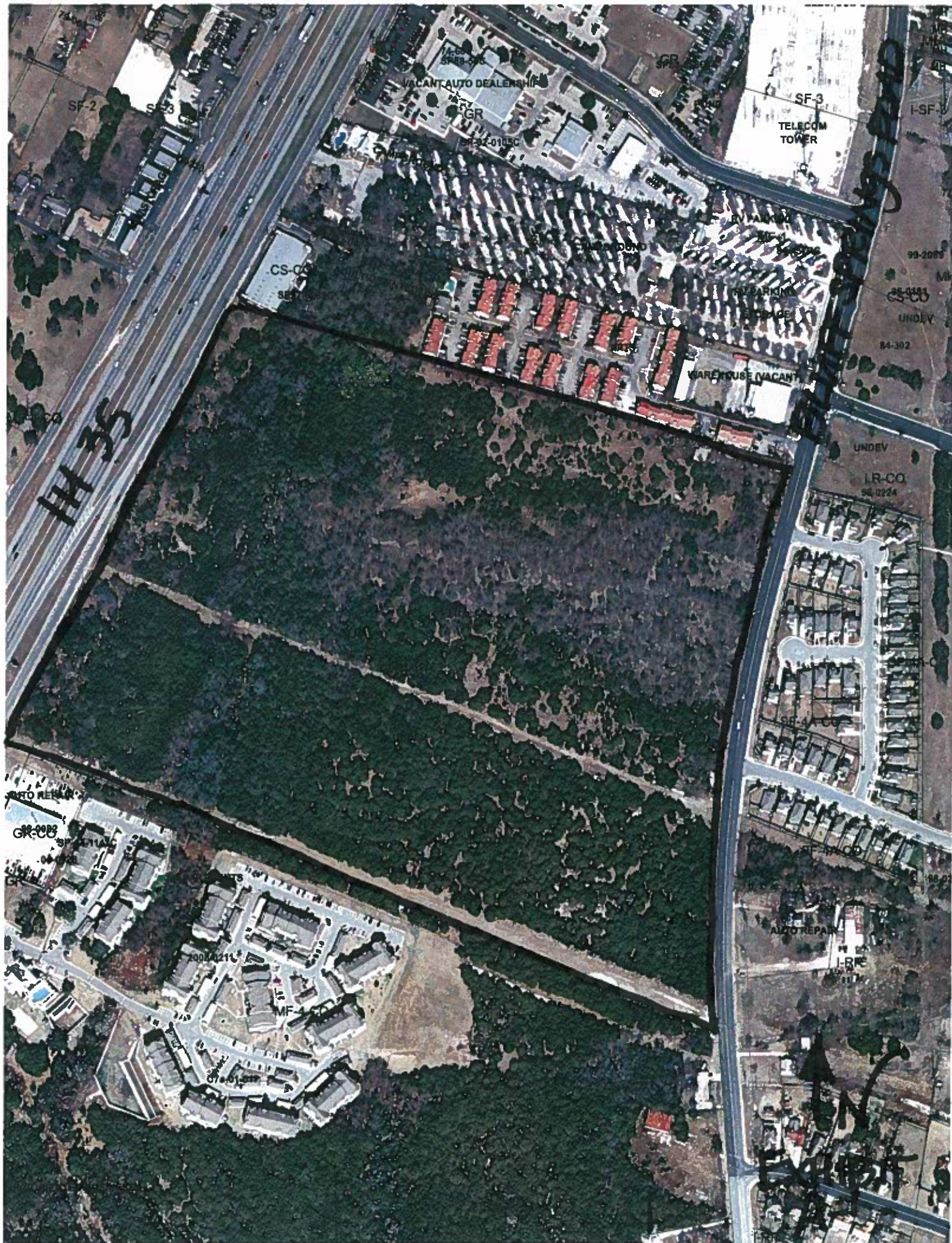




EXHIBIT - CERTIFICATION

I hereby certify that I am certified to practice the profession of medicine by the State of Texas; that I prepared/revised the plan/patient medical history, and that all information thereon is complete and correct to the best of my knowledge as reflected in the supporting documents thereto.

I further certify that I have reviewed the patient's chart dated 1981, and all other applicable books and ordinances.

C. M. D. RATE OF FRICTIONAL FLUX - ENERGY LOSS CORRECTION

EXHIBIT B



Date: January 14, 2010
To: Wendy Rhoades, Case Manager
CC: Kathy Homaday, P.E., HDR/WHM Transportation Engineering, inc.
Reference: BRG Tract TIA, C814-2008-0123

The Transportation Review Section has reviewed the Traffic Impact Analysis (TIA) for the BRG Tract, dated October 15, 2009, prepared by HDR/WHM Transportation, and offers the following comments:

The BRG Tract TIA covers a total of 60.597 acres. The site is located in southeast Austin and is bound by Bluff Springs and IH 35 northbound service road, south of William Cannon Drive.

The property is currently zoned Community Commercial (GR) and Interim Rural Residential (I-RR). The property is currently vacant. The applicant has requested a zoning change to General Commercial Services – Mixed Use with a conditional overlay (CS-MU-CO) and proposes to develop the site with 100,000 ft² of retail, and an AISD bus depot. The estimated completion of the project is expected in the year 2014.

TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 8,228 new unadjusted average daily trips (ADT).

The table below shows the unadjusted trip generation by land use for the proposed development:

Table 1. Trip Generation						
			AM Peak		PM Peak	
LAND USE	Size	ADT	Enter	Exit	Enter	Exit
Bus Depot	200 Employees	1,437	267	175	183	271
Retail	100,00 SF	6,791	94	60	312	324
Total		8,225	361	235	495	595

ASSUMPTIONS

1. Based on traffic volumes collected from TxDOT, a three percent annual growth rate was applied to all roadways within the study area.
2. In addition to these growth rates, background traffic volumes for 2014 included estimated traffic volumes for the following projects:
 - Goodnight Ranch C814-04-0187.SH
 - Southpark Meadows C14-04-0037, C14-04-0059, C14-04-0075, C14-04-0094, C14-04-0126, C14-05-0002
 - Zachary Scott C14-06-0084-0085.SH

ATTACHMENT A

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3. No reductions for pass-by, internal capture, or transit were assumed for the proposed project.

EXISTING AND PLANNED ROADWAYS

IH 35 – The AMATP classifies IH 35 as a six-lane freeway between Slaughter and US 290 (W). According to TxDOT traffic counts, the 2008 traffic volume on IH 35, north of William Cannon, was approximately 163,000 vehicles per day (vpd). According to the AMATP, IH 35 is committed to be upgraded to an eight-lane freeway with one managed lane, between Cesar Chavez Street and US 290 (W) by 2025.

William Cannon – The AMATP classifies William Cannon as a six-lane divided major arterial from Pleasant Valley to Manchaca Rd. Based on peak period traffic counts, 35,000 vpd are estimated along this roadway. The Austin Bicycle Plan recommends Priority 1 Route 80 from Circle S to Bluff Springs Rd.

Congress Avenue – The AMATP classifies Congress Avenue as a two-lane minor arterial between Eberhart Lane to Slaughter Lane. Per TxDOT traffic counts, the 2008 traffic volume on S Congress, north of William Cannon, was approximately 21,000 vehicles per day (vpd). According to the AMATP, Congress is committed to be upgraded to a four-lane major arterial between Eberhart Lane and Slaughter Lane by 2025. The Austin Bicycle Plan recommends Priority 1 Route 47 from Eberhart Lane to Ditmar Rd.

Bluff Springs Rd – Bluff Springs is currently a four-lane undivided roadway. Based on peak period traffic counts, 10,100 vpd are estimated along this roadway. The CAMPO 2030 Mobility Plan recommends that Bluff Springs be upgraded to a four-lane major divided arterial from William Cannon to Slaughter Lane. The Austin Bicycle Plan recommends Priority 2 Route 224 from William Cannon Dr to the Travis County line.

Blue Meadow Drive – Blue Meadow is currently a four-lane undivided roadway from William Cannon to Quicksilver Lane. Based on peak period traffic counts, 3,600 vpd are estimated along this roadway. No improvements are currently planned for Blue Meadow.

Alegre Pass – Alegre Pass is currently a two-lane undivided roadway in the vicinity of the site. Based on peak period traffic counts, 200 vpd are estimated along this roadway. No improvements are currently planned for this roadway in the vicinity of the site.

Tranquillo Trail – Tranquillo Trail is currently a two-lane undivided roadway in the vicinity of the site. Based on peak period traffic counts, 300 vpd are estimated along this roadway. No improvements are currently planned for this roadway in the vicinity of the site.

Quicksilver Blvd. – Quicksilver is currently a two-lane undivided roadway in the vicinity of the site. Based on peak period traffic counts, 4,300 vpd are estimated along this roadway. No improvements are currently planned for this roadway in the vicinity of the site.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 10 intersections, of which 5 are or will be signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Intersection	2009 Existing		2014 Forecasted		2014 Site + Forecasted**	
	AM	PM	AM	PM	AM	PM
IH 35 & William Cannon*	F	F	F	F	F	F
Congress Ave & William Cannon*	E	E	F	F	F	F
Bluff Springs & William Cannon*	C	C	E	D	D	D
Bluff Springs & Blue Meadow*	A	A	A	A	B	B
Bluff Springs & Alegre Pass/Driveway A	A	A	A	A	A	A
Bluff Springs & Tranquilo Trail/Driveway B*	A	A	A	A	B	C
Bluff Springs & Quicksilver Blvd	A	A	E	B	C	B
Bluff Springs & Driveway C	-	-	A	A	A	A
IH 35 E Svc Rd & Driveway D	-	-	A	A	A	A
IH 35 E Svc Rd & Driveway E	-	-	A	A	A	A

*SIGNALIZED

**WITH RECOMMENDED IMPROVEMENTS

RECOMMENDATIONS

1) Prior to City Council approval, fiscal is required to be posted for the following improvements:

Intersection	Improvements	Pro-Rata Share
Bluff Springs & William Cannon	Northbound restriping & signal head change	37.1%
IH 35 & William Cannon	Extend NB right turn lane	66.1%
Congress Ave & William Cannon	Construct additional EB left-turn lane	3%
Bluff Springs & Driveway B	Signal Installation	100%

3) All site drives shall be constructed as recommended per the TIA.

4) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-3428.


Amber Mitchell
 Sr. Planner – Transportation Review Staff
 Planning & Development Review Department

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services – mixed use (CS-MU-CO) combining district zoning. The Conditional Overlay prohibits adult-oriented businesses, bail bond services, pawn shop services and vehicle storage, and limits residential density to 36 units per acre.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated January 14, 2010, as provided in Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

CS, Commercial Services, zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The MU, Mixed-Use district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

The property has access to the IH-35 northbound frontage road and Bluff Springs Road.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*

Staff recommends CS-MU-CO district zoning based on the following considerations of the property: 1) location on the northbound IH-35 frontage road which is suitable for and compatible with established commercial uses in the area; 2) a multifamily component would be consistent with the zoning and use of the adjacent property to the south; and 3) the Traffic Impact Analysis establishes improvements with fiscal posting for William Cannon Drive with the IH 35 frontage road, Bluff Springs Road and Congress Avenue.

EXISTING CONDITIONS**Site Characteristics**

The subject property consists of undeveloped land. Two pipelines extend in an east-west direction through the southern portion of the property as well: a 50-foot wide Exxon pipeline easement through the south-central portion and a 60 foot-wide Phillips Pipeline along the south property line.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district is 80% based on the more restrictive watershed regulations described below.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the South Boggy Creek and the Onion Creek Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

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

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

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

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

Transportation

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC, Sec. 25-6-142]. Comments are provided in Attachment A.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the

utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

- a. The site is subject to compatibility standards. Along the East & South property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. No parking or driveways are allowed within 25 feet of the property line.
- f. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- g. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- h. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Additional design regulations will be enforced at the time a site plan is submitted.

This site is subject to the Hazardous Pipeline Ordinance. Review by the Fire Department is required. LDC, 25-2-516. Before a person may place a road, surface parking lot, or utility line in a restricted pipeline area, the person must deliver to the Director a certification by a registered engineer stating that the proposed construction activity and structure are designed to prevent disturbing the pipeline or impeding its operation [LDC, 25-2-516(D)(2)].

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la Internet:

www.ci.austin.tx.us/development

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Número de caso : C14-2008-0123

Persona designada : Wendy Rhoades, 512-974-7719

Audiencia Publica : Dec. 1, 2009 Zoning & Platting Commission
Jan. 28, 2010, City Council

FELIPE SALDANA

Su nombre (en letra de molde)

<input checked="" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

2005 TRANQUIL TRAIL AUSTIN TX 78744

Su domicilio(s) afectado(s) por esta solicitud

[Signature]

Firma

12-4-09

Fecha

Daytime Telephone: 512-704-2310

Comments: ADELANTE CON ESTE PROYECTO

YO NO TENGO INCONVENIENTE

YO PIENSO QUE ESTO NOS PUEDE

BENEFICIAR A TODOS COMO COMUNIDAD

Si usted usa esta forma para proveer comentarios, puede retornarlos :

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application'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: C14-2008-0123

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Zoning and Platting Commission

PAUL RABBITZ ARMAUS LTD

Your Name (please print)

☐ I am in favor
☐ I object

7111 S TH 35

Your address(es) affected by this application

Paul Rabbitz

Signature

Daytime Telephone: 214 770-0909

Date

5/26/09

Comments: AS SHOWN ON THE MAP THE

IS AN ADULT USE ADJACENT TO THE

PROJECT, MY STORE ADULT VIDEO

MEGAPLEX HAS BEEN THERE FOR

11 YEARS AND INTENDS TO BE THERE FOR

MANY MORE. I AM NOT AGAINST THIS

PROJECT BUT WANT ALL TO BE AWARE

OF THIS SITUATION.

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

City of Austin

Neighborhood Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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

Hearing date June 2 - 2009

Case Number: C14-2008-0123

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Zoning and Platting Commission

CARD MORAN

Your Name (please print)

☐ I am in favor
☒ I object

7100 Bluff Springs Rd AUSTIN 78749

Your address(es) affected by this application

Carol L. Moran

5-26-09

Signature

Date

Daytime Telephone: N/A

Comments:

Any further development
in this neighborhood will
cause overcrowding in the area.
This area needs to remain
non-commercial rather than
force residents out of what will
eventually become a business
area. Let them go elsewhere
and build.

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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

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Case Number: C14-2008-0123

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Zoning and Planning Commission

Toni Brown

Your Name (please print)

1901 Espino Cove

Your address(es) affected by this application

Yoni Brown

Signature

6-1-09

Date

Daytime Telephone: 925-4755

Comments: I live right on Bluff Spgs Rd. Having a large apt. complex would create an extremely large amount of noise & traffic. I bought a home to get away from the apartment lifestyle. Bluff Spgs would become heavily congested as the only 2-way street access to the apartments

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

City of Austin

Neighborhood Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object
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