

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0060 – 8401 South 1st Street **Z.A.P. DATE:** October 16, 2012
November 6, 2012
December 4, 2012

ADDRESS: 8401 South 1st Street

OWNER: PV First Street Investors LLC
(Joe Simmons)

AGENT: Aquila Commercial
(Jim Gallegos)

ZONING FROM: DR; SF-2 **TO:** GR-MU **AREA:** 6.23 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) combining district zoning for the South 1st Street frontage to a depth of 200 feet (Tract 1), and townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning for Tract 2, the remainder of the property, as shown in Exhibit B. The Conditional Overlay limits the number of vehicle trips to no more than 2,000 per day, and limits vehicular access to Orr Drive to emergency only.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 16, 2012: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO NOVEMBER 6, 2012*
[P. SEEGER; C. BANKS – 2ND] (6-0) G. ROJAS – NOT YET ARRIVED

November 6, 2012: *APPROVED A POSTPONEMENT REQUEST BY AN ADJACENT PROPERTY OWNER TO DECEMBER 4, 2012*
[J. MEEKER; R. MCDANIEL – 2ND] (6-0) G. ROJAS – ABSENT

December 4, 2012: *APPROVED LR-MU-CO FOR TRACT 1 AND SF-6-CO FOR TRACT 2 AS STAFF RECOMMENDED, AND MODIFYING THE CO FOR ACCESS TO ORR DRIVE TO ALSO INCLUDE BICYCLES AND PEDESTRIANS*
[P. SEEGER; G. ROJAS – 2ND] (6-0) S. COMPTON – ABSENT

ISSUES:

The Applicant is in agreement with the recommendation of the Zoning and Platting Commission.

DEPARTMENT COMMENTS:

The subject rezoning area consists of two platted lots and is developed with a construction sales and services use (landscaping company). The property has frontage on South 1st Street

and access to the terminus of Orr Drive. The majority of the property is zoned development reserve (DR), with the exception of the southwest corner on South 1st Street which is zoned single-family residence – standard lot (SF-2) district. There are single family residences to the north and east (SF-2), firewood sales, flag and flagpole sales, plumbing and masonry supply companies, and a church to the south (DR; SF-2; IP-CO), and single family residences, a church and school across South 1st Street to the west (SF-2). The Imagine Austin Growth Concept Map identifies South 1st Street as a Mixed-Use Corridor which is a reflection of both land uses along a roadway and the available transportation options. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to the community commercial – mixed use (GR-MU) district to accommodate the redevelopment of the site for commercial and condominium and townhouse uses. In recognition that the property fronts on a major arterial, but is not located at an intersection, Staff recommends creating two zoning tracts for the site. Please refer to Exhibit B. The South 1st Street frontage to a depth of 200 feet would be zoned neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) combining district (approximately 2.16 acres – Tract 1), while the remainder of the site would be zoned townhouse and condominium residence – conditional overlay (SF-6-CO) zoning (approximately 4.07 acres – Tract 2). Neighborhood commercial zoning is appropriate for Tract 1 given its location on an arterial roadway. Tract 2 serves as a transition in land use between the single family residences within the Beaconridge subdivision to the east and the proposed commercial tract on South 1st Street, and townhome / condominium (SF-6) uses further diversifies the housing options available in this area. The Conditional Overlay limits development to 2,000 vehicle trips per day for Tracts 1 and 2, and limits Orr Drive to emergency access only.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR; SF-2	Construction sales and services
<i>North</i>	SF-2	Single family residences in the Beaconridge 3 subdivision
<i>South</i>	SF-2; DR	Firewood sales; Flag and flagpole sales; Plumbing supply company, Masonry supply company; Church
<i>East</i>	SF-2	Single family residences in the Beaconridge 3 subdivision
<i>West</i>	SF-2	Church; Single family residences in the Buckingham Estates subdivision

AREA STUDY: N / A

TIA: Is not required

WATERSHED: South Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Assoc. 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc. 1340 – Austin Heritage Tree Foundation
 1363 – SEL Texas

SCHOOLS:

Williams Elementary School Bedichek Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0090 – Freedom Park – 624 Ralph Ablanado Dr.	DR to IP	To Grant IP-CO w/CO for 2,000 trips, max. 40' height & 70% impervious cover, and prohibit auto rentals, repair, sales & service station	Approved IP-CO as ZAP recommended (10-18-12).
C14-98-0147 – Carter Zoning Case – 8609-8721 South 1 st St.	DR to LR for Tract 1 and IP for Tract 2	To Grant LR-CO (Tr. 1) and IP-CO (Tr. 2) with CO limiting height to 40 ft., impervious cover to 70%, 2,000 trips, neighborhood commercial signs (25- 10 of LDC), prohibit service station on Tr. 1, and auto rentals, repair & sales, adult-oriented uses, indoor/outdoor sports & recreation, service station, research services	Approved LR-CO (Tr. 1), IP-CO (Tr. 2) as Commission recommended (5-13- 99).
C14-96-0005 – Orton Zoning Change – 8601 South 1 st St.	DR to IP	To Grant IP-CO with CO limiting impervious cover to 70%, height to 40 ft., prohibit auto sales, prohibit access to Swanson Ln., 2,000 trips; Restrictive Covenant limiting	Approved IP-CO with RC as rec. by PC (6-6- 96).

		hours of operation from 7 a.m. to 9 p.m.	
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RELATED CASES:

The property was annexed into the City limits in November 1984. The rezoning area is platted as Lots 1-A and 1-B of the Resubdivision of Lot 1 of the P.F. Orr Subdivision recorded in September 1968 (C8s-68-156). Please refer to Exhibit C.

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
South 1 st Street	75 feet	MNR 4	Arterial	Yes	Yes	No

CITY COUNCIL DATE: November 8, 2012

ACTION: Approved a Postponement request by Staff to December 13, 2012 (6-0, Mayor Pro Tem Cole – off the dais).

December 13, 2012

ORDINANCE READINGS: 1st

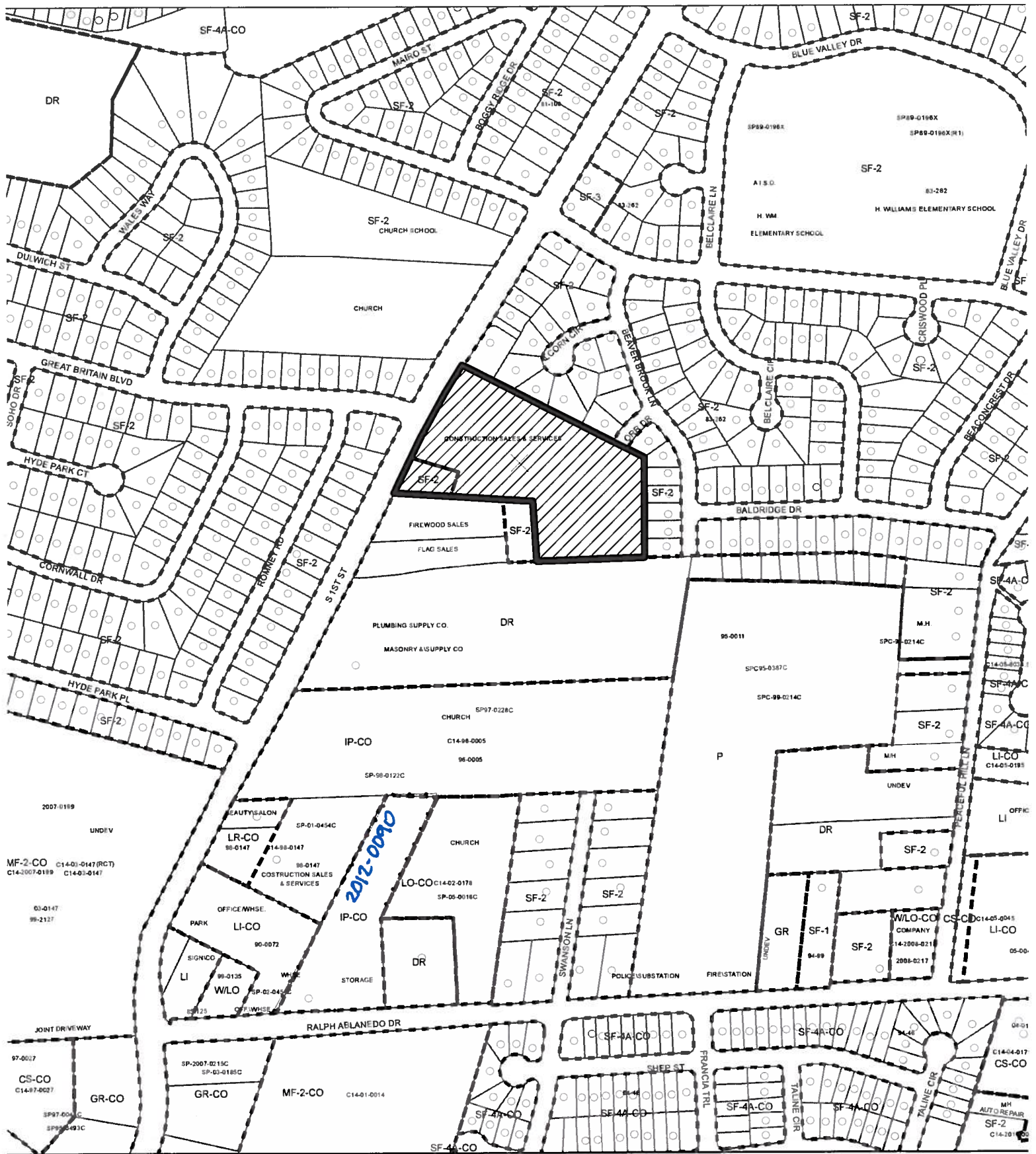
2nd

3rd




ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 974-7719



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

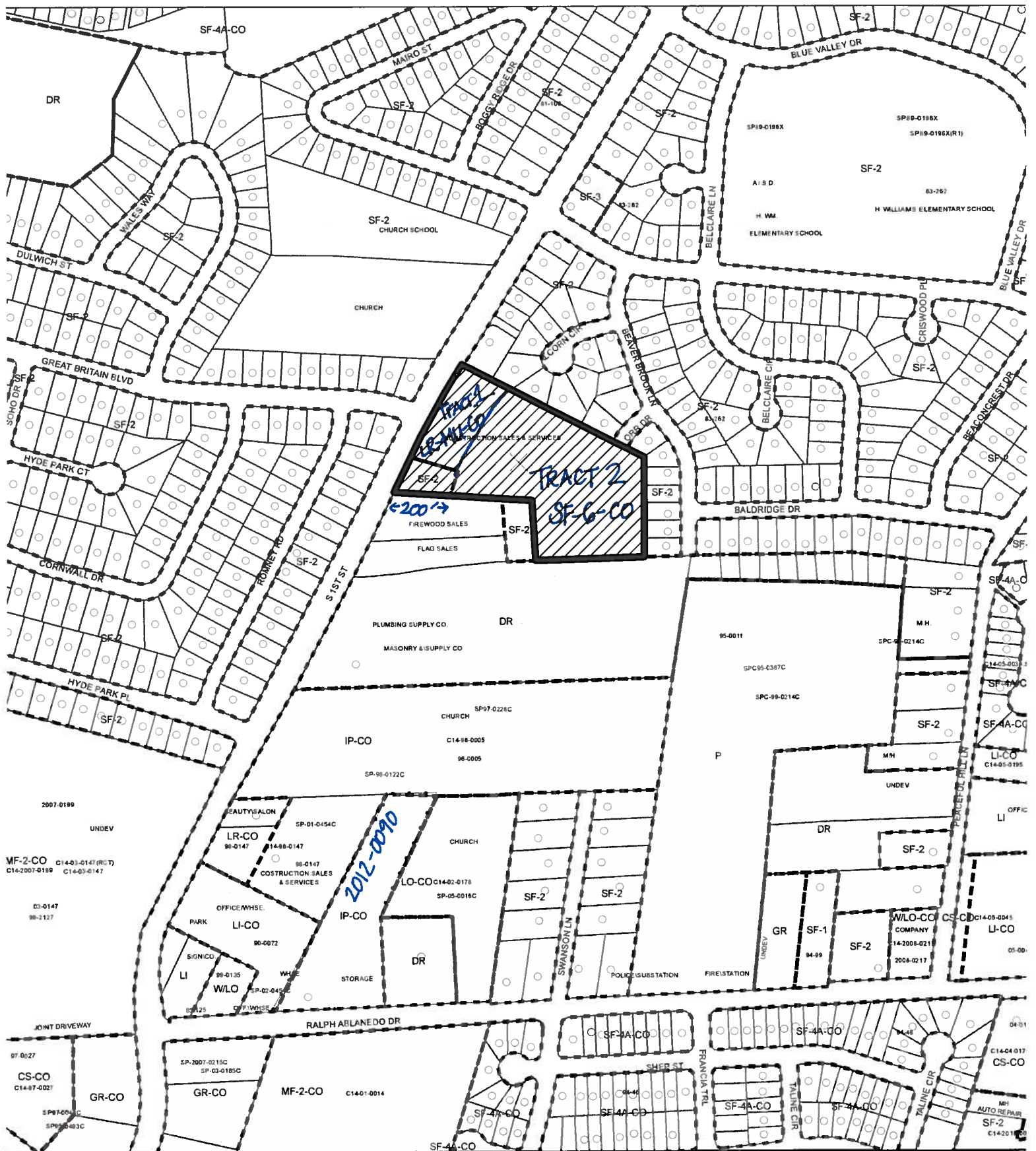
ZONING *Exhibit A*
ZONING CASE#: C14-2012-0060




This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING *Exhibit B*
ZONING CASE#: C14-2012-0060

STAFF RECOMMENDATION

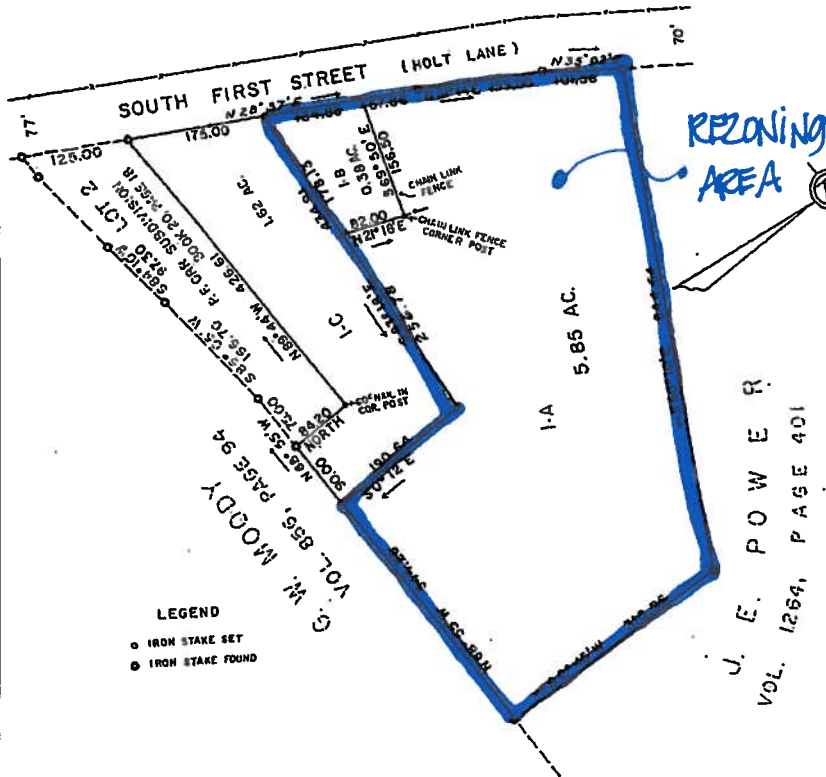
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RESUBDIVISION OF LOT 1. OF THE P. F. ORR SUBDIVISION



STATE OF TEXAS:
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS:
That I, P. F. Orr, owner of that 7.85 acres of land out of the
Wm. Cannon League Survey # 19 in Travis County, Texas, and being a
portion of that 90.56 acres of land as conveyed to me by deed as
recorded in Volume 1264, Page 401, of the Deed Records of Travis
County, Texas, said 7.85 acres of land being designated as Lot
Number One of the P. F. Orr Subdivision, a subdivision of record
in Plat Book 20, Page 18, of the Plat Records of Travis County,
Texas, do hereby adopt this map or plat as my resubdivision of
said Lot Number One, to be known as and designated as

" RESUBDIVISION OF LOT 1 OF THE P. F. ORR SUBDIVISION "

and do hereby dedicate to the Public all Streets and easements as
shown hereon.
WITNESS MY HAND this the 18th day of September A.D. 1968

P. F. Orr
P. F. ORR

STATE OF TEXAS:
COUNTY OF TRAVIS:
Before me, the undersigned authority, on this day personally
appeared P. F. Orr, known to me to be the person whose name is
subscribed to the foregoing instrument, and he acknowledged to me
that he executed the same for the purposes and consideration
therein expressed.
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of September,
A. D. 1968.

James H. Hester
Notary Public in and for Travis County, Texas

APPROVED FOR ACCEPTANCE:

John M. Caborne date Sept 18 A.D. 1968
John M. Caborne, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD:

By the Planning Commission of the City of Austin, this the 22 day of
September A.D. 1968
Thomas Brown Secretary
Vice Chairman

FILED FOR RECORD:

at 3:55 o'clock P. M. on the 22 day of Sept A.D. 1968
Miss Willie Linberg Clerk, County Court, Travis County, Texas
By John Lee Deputy

STATE OF TEXAS:

COUNTY OF TRAVIS:
I, Miss Willie Linberg, County Clerk of Travis County, Texas, do hereby
certify that on the 16 day of September A.D. 1968, the
Commissioners Court of Travis County, Texas, passed an order authorizing the
filing for record of this plat and that said order has been duly entered in
the minutes of said Court in Book 3, Page 368.
WITNESS MY HAND AND SEAL OF THE COURT of said County, this the 16 day of
September A.D. 1968
Miss Willie Linberg, Clerk, County Court, Travis County, Texas

By Stuart Harris
Deputy

STATE OF TEXAS:

COUNTY OF TRAVIS:
I, Miss Willie Linberg, Clerk of the County Court within and for the
County and State aforesaid, do hereby certify that the foregoing instrument
in writing with its certificate of authentication was filed for record in
my office on the 20 day of Sept A.D. 1968 at 3:55 o'clock
P. M. and duly recorded on the 22 day of Sept A.D. 1968 at
4 o'clock P. M. in the Plat Records of said County and State in Plat
Book 1264, Page 401.
WITNESS MY HAND AND SEAL OF THE COURT of said County the date last
written above.
Miss Willie Linberg, Clerk, County Court, Travis County, Texas.
By John Lee

In approving this plat by the Commissioners Court of Travis County, Texas,
it is understood that the building of all streets, roads or other public
thoroughfares shown on this plat, or any bridges or culverts necessary to
be placed in such streets, roads or other public thoroughfares, or in con-
nection therewith shall be the responsibility of the owner and/or the
developer of the tract of land covered by this plat in accordance with
plans and specifications prescribed by the Commissioners Court of Travis
County, Texas, and the Commissioners Court of Travis County, Texas, assumes
no responsibility to build any of the streets, roads or other public
thoroughfares shown on this plat, or any bridges or culverts in connection
therewith.

SEPTIC TANK NOTE:

Each building constructed in this subdivision shall be connected to a
septic tank with a capacity of not less than five hundred (500) gallons
and a drain field of not less than one hundred and fifty (150) feet, and
shall be installed in accordance with the regulations of the City-County
Health Officer and shall be inspected and approved by such Officer.

No lot in this subdivision shall be occupied until water satisfactory
for human consumption is available from a source on the land, a community
source or a public utility source in adequate and sufficient supply for
family use and the operation of a septic tank system.

This certifies that I have complied with section 23.27 of the City Code of
the City of Austin of 1954.



SURVEYED SEPTEMBER 6, 1968
METCALFE ENGINEERING COMPANY
BY: Marlton O. Metcalfe
MARLTON O. METCALFE
REGISTERED PUBLIC SURVEYOR #551
AUSTIN, TEXAS

F.B. 490, P. 30
PLAN 8162

SCALE 1" = 100'

C85-68-156

EXHIBIT C
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) combining district zoning for the South 1st Street frontage to a depth of 200 feet (Tract 1), and townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning for Tract 2, the remainder of the property, as shown in Exhibit B. The Conditional Overlay limits the number of vehicle trips to no more than 2,000 per day, and limits vehicular access to Orr Drive to emergency only.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Applicant's Request: The purpose statement per the City of Austin Land Development Code states: "The proposed GR, community commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways." The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

Staff Recommendation:

Tract 1: The LR-CO, Neighborhood Commercial district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment."

Tract 2: The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use.

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

Staff recommends creating two zoning tracts for the site. Please refer to Exhibit B. The South 1st Street frontage to a depth of 200 feet would be zoned neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) combining district (approximately 2.16 acres – Tract 1), while the remainder of the site would be zoned townhouse and condominium residence – conditional overlay (SF-6-CO) zoning (approximately 4.07 acres – Tract 2). Neighborhood commercial zoning is appropriate for Tract 1 given its location on an arterial roadway. Tract 2 serves as a transition in land use between the single family residences within the Beaconridge subdivision to the east and the proposed commercial tract on South 1st Street, and townhome / condominium (SF-6) uses further

diversifies the housing options available in this area. The Conditional Overlay limits development to 2,000 vehicle trips per day for Tracts 1 and 2, and limits Orr Drive to emergency access only.

EXISTING CONDITIONS

Site Characteristics

The subject property is developed with construction sales and services uses. The site is relatively flat with an approximate 3% - 6% grade draining to the northeast corner of the tract. There appear to be no significant topographical constraints.

Impervious Cover

The maximum impervious cover allowed by the *GR-MU* and the *LR-MU* zoning districts would be 80%, which is a consistent figure between the *zoning and watershed* regulations.

The maximum impervious cover allowed by *SF-6* zoning district is 55%, a consistent figure between the *zoning and watershed* regulations.

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 Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

According to floodplain 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.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope,

or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

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

Transportation

Additional right-of-way may be required at the time of subdivision and/or site plan.

If the requested zoning is granted, it is recommended that access to Orr Drive be restricted to emergency vehicle use only as a condition of zoning because it is a local street that primarily serves single-family uses.

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

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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

Any new development on this site is subject to *Subchapter E: Design Standards and Mixed Use*. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the boundary lines adjoining properties zoned SF-5 or more restrictive, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- No parking or driveways are allowed within 25 feet of the property line (LDC 25-2-1063).

A fence, berm, or dense vegetation must be provided to screen adjoining residential properties from views of parking, mechanical equipment, storage, and refuse collection (LDC 25-2-1066). Additional design regulations will be enforced at the time a site plan is submitted.

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.austintexas.gov

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: C14-2012-0060

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: October 16, 2012, Zoning and Platting Commission
November 8, 2012, City Council**

VINCENT J. TOBOLA

Your Name (please print)

614 GREAT BRITAIN BLVD
HOUSTON TX

Your address(es) affected by this application

Vincent J. Tobola

Signature

Date

10-8-12

Daytime Telephone: 254 750 8066

Comments:

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

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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

Case Number: C14-2012-0060
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: October 16, 2012, Zoning and Platting Commission
November 8, 2012, City Council

DONALD VOGELMAN

Your Name (please print)

☐ I am in favor
☒ I object

615 MAIRO ST, AUSTIN, TX 78748

Your address(es) affected by this application

Donald Vogelmann

Signature

10-9-12

Date

Daytime Telephone: 512-282-2123

Comments: I ENJOY THIS COMMUNITY JUST

THE WAY IT IS WITHOUT ANY MAJOR
CHANGES AND ADDITIONAL TRAFFIC.

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

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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

Case Number: C14-2012-0060
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: October 16, 2012, Zoning and Platting Commission
November 8, 2012, City Council

CAROLE J. VOGELMAN

Your Name (please print)

☐ I am in favor
☒ I object

615 MAIRO ST, AUSTIN, TX 78748

Your address(es) affected by this application

Carole J. Vogelmann

Signature

10-18-12

Date

Daytime Telephone: 512-282-2123

Comments: PLEASE DO NOT CHANGE THE
ZONING, LEAVE IT LIKE IT IS. WE
DON'T WANT ANYMORE DEVELOPMENT
IN OUR NEIGHBORHOOD.

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

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810



October 15, 2012

City of Austin – Zoning
Planning and Zoning Commission
505 Barton Springs Road
Austin, Texas 78704

RE: C14-2012-0060 - 8401 South 1st Street
Austin, Texas

Planning and Zoning Commission

The applicant would like to request a two week postponement. We have very recently received a couple of questions regarding our zoning application and need the additional time to answer the questions.

Respectfully,

Jim Gallegos
Aquila Commercial

Rhoades, Wendy

From: Jeff Miller - Event Production Services <jeff@eventproductionservicestx.com>
Sent: Tuesday, November 06, 2012 2:11 PM
To: Rhoades, Wendy
Cc: jeff@epstx.net; 'Kristina Miller - Event Production Services'; 'Rachel Collier'; 'Kirk Collier'; 'Erica Moreno'
Subject: Project at s. first street - our concerns and questions
Importance: High

Hi Wendy, Thanks for talking with me a few weeks back. I will not be able to attend upcoming meetings on this because of work, but as you suggested, we wanted to document our thoughts and feelings as tax payers and long time residents in this neighborhood. We didn't move into our current house because we wanted to be right next door to a strip mall. There is plenty of shopping nearby (within a 5 minute walk) that we feel strongly additional retail is not needed this close to a neighborhood. If they do move forward this would be our wishes. Thank you – Jeff Miller

Jeff & Kristina Miller - 8311 Beaver Brook Lane, 78748

-View west from our front porch. Don't want to be looking at tall building when sitting on our porch watching the sunset. So if the current plan is for 35 ft buildings, we would ask for that to be changed to 25 ft max.

-Trees: Should be protected and maintained behind west beaver brook.

-Easement: There should be a 30 ft easement between any development/building and our neighborhood.

-There could be flooding and major issues associated on the west side of beaver brook if this project is allowed to proceed. We understood that previous attempts to change the zoning were denied by the city because of these water flow issues. This needs to be looked at much more closely.

-Type of businesses planned. We don't want anything that would sell and/or serve alcohol. Anything loud or disruptive of the peace and quiet we enjoy here.

-There should be no access to beaver brook by either foot traffic or car traffic. This is a quiet and family neighborhood and it would ruin our neighborhood and attract more strangers walking/driving through the area. This is all of our biggest concern. There does not need to be a emergency fire entrance off of Beaver brook when the AFD is located on Ralph Albanado about two blocks from the site location and easily and quickly accessible from first street. If anything the development should be forced to open another easement onto first street instead of our neighborhood. I will make it known that if the city and developer decide to move forward and create an entrance into our neighborhood we will be seeking legal council to fight this.

-Overall, we would not be opposed to single family homes, or a small business park. But think there is enough business parks and retail in the area (within two block either way-and southpark meadows less than a mile) that overall this is not needed in the direct vicinity. This is a neighborhood and doesn't need any more strip malls. Currently we enjoy the landscaping business that is there now.

-Noise. Very concerned about construction noise, how long the project will last and hours allowed. I would be opposed to anything beginning before 9am and going past 6pm and there should never be any activity on weekends.

-Would ask that the developer to build and maintain a large fence between us and the development to secure our neighborhood from through traffic or strangers.

Thank you for allowing us to have our voice heard in our absence. I would be ok with our neighbors reading this on our behalf at the hearing if they choose to do so.

Any questions let me know. The opinions expressed above are solely from Jeff and Kristina Miller. I know our neighbors agree on most but will let them speak to let their voices be heard.

Thanks,
Jeff

Jeff Miller – Founder / Executive Director

EVENT PRODUCTION SERVICES LLC
2313 Thornton Road - Suite B
Austin - Texas - 78704
Office: 512.828.7551 Fax: 866.334.0642
Mobile: 512.689.6265

WWW.EPSTX.NET

Connect to EPS on [Facebook](#)

[LinkedIn Profile](#)

Please add all EPS email addresses to your safe senders list under junk mail settings.

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.austintexas.gov

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: C14-2012-0060

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: October 16, 2012, Zoning and Platting Commission
November 8, 2012, City Council

Noreen Quisenberry

Your Name (please print)

8205 Beaver Brook Lane

Your address(es) affected by this application

Noreen Quisenberry

Signature

11-3-12

Date

Daytime Telephone: 282 1529

Comments:

What concerns me the most is the possibility of opening a road from the development to Beaver Brook Lane. This is a residential neighborhood and could become a shortcut - even increased traffic. Children walk to school & play - it is quiet - with increased traffic there could be an accident - don't mix businesses & homes please - make all exits to 1st street only.

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

*Thank you
Noreen*



1" = 400'

 SUBJECT TRACT

PENDING CASE

 ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2012-0060

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



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Case Number: C14-2012-0060

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: October 16, 2012, Zoning and Platting Commission

November 8, 2012, City Council

BARBARA BORMAN

Your Name (please print)

8207 ALCORN CIRCLE

Your address(es) affected by this application

Barbara Borman

Signature

Oct 30, 2012

Date

Daytime Telephone: *512-633-2609*

Comments: *The property for the proposed zoning change*

directly connects to a small residential community with

a community school & nearby churches & small businesses.

This property was altered in 1983 to raise the grade 6 feet higher

which has caused dramatic run off problems to neighborhood

properties for lack of adequate drainage. Developing this property

with commercial businesses or multi-family housing will

increase traffic in the neighborhood, increase the drainage problem

& potentially increase crime & noise in this otherwise peaceful

neighborhood. We urge you to consider if you would grant a

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

request in your own

neighborhood. Several

rezoned undeveloped far

side properties already exist

adjacent to the area for

development.

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Case Number: C14-2012-0060
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: October 16, 2012, Zoning and Platting Commission
November 8, 2012, City Council

Barbara Borman

8207 Alcorn Circle Austin, Texas 78748

Barbara Borman

Daytime Telephone: 512-633-2609

☐ I am in favor

☒ I object

Comments: The property for the proposed zoning change directly connects to a small residential community established in 1975. Twelve private home properties border the property. An elementary school, church, several small businesses are located within or nearby this community. The property was altered in 1987 to raise the grade 6 feet higher creating dramatic run off problems to neighborhood properties during rainfall due to lack of adequate drainage. Developing this property with commercial businesses or multi-family housing will increase traffic in the neighborhood, exacerbate the drainage problem, decrease property values, and potentially increase crime & mischief in this otherwise peaceful residential neighborhood. I urge you to consider if you would grant a similar rezoning request in your own neighborhood. Several rezoned, undeveloped, for sale properties already exist in the area for commercial development.

Rhoades, Wendy

From: Emily Thompson [REDACTED]
Sent: Tuesday, November 06, 2012 12:18 PM
To: Rhoades, Wendy
Subject: Meeting postponed

To: Planning and Development Review Department:

I am requesting that the hearing for rezoning for case C14-2012-0060, Property at 8401 South 1st Street be postponed until December 4, 2012.

I am unable to attend the November 6, meeting due to my scheduled assignment to work at the election sub-station. My job is to verify election results and check in election equipment at Travis High School station.

I understand that the staff has spoken with the agent and I am grateful to all of you for helping me to be at my scheduled assignment. I do this job for every election in Austin.

Thank you so much.

With best regards,

Emily W. Thompson

Life's satisfying experiences rush to the person who gives before there is any guarantee of return.

Dr. Robert H. Schuller



December 5, 2012

The City of Austin
City Council
505 Barton Springs Road
Austin, Texas 78704

RE: Austin City Council
Case No. C14-2012-0060
8401 South 1st Street
Austin, Texas

Dear Mayor and Council

We would like request a postponement to the above referenced case until January 2013. We are preparing field notes for this application.

Respectfully,


Jim Gallegos
Aquila Commercial