

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0114
Monaco II

P.C. DATE: 10/23/2012

ADDRESS: 2440 Wickersham Lane

AREA: 1.960 acres

OWNER: PDQ Austin Overlook, Inc.
(T. Mark Knutsen, President)

AGENT: Vaughn & Associates
(Rick Vaughn)

ZONING FROM: MF-2; Multifamily Residence Low Density

ZONING TO: GR-MU; Community Commercial-Mixed Use Combining District

NEIGHBORHOOD PLAN AREA: East Riverside/Oltorf Combined
(although not included in FLUM or NP rezoning)

SUMMARY STAFF RECOMMENDATION

Staff recommendation is to grant Neighborhood Commercial – Mixed Use – Conditional Overlay, (LR-MU-CO) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day and prohibit liquor sales as an accessory use.

PLANNING COMMISSION RECOMMENDATION:

October 23, 2012

To Grant Community Commercial-Mixed Use – Conditional Overlay (GR-MU-CO) Combining District with Conditions [Motion by Commissioner Nortey; Seconded by Commission Hernandez; Vote 8-0].

CONDITIONS OF PLANNING COMMISSION RECOMMENDATION:

1) Prohibit the following uses:

Automotive Repair Services
Automotive Sales
Commercial Off-Street Parking
Community Recreation-Public
Congregate Living
Drop-Off Recycling Collection Facility
Exterminating Services
Hospital Services-General
Hotel-Motel

Indoor Sports and Recreation
Off-site Accessory Parking
Outdoor Entertainment
Pawn Shop Services
Private Primary Educational Services
Private Secondary Educational Services
Residential Treatment
Service Station
Theater

- 2) Residential uses shall be limited to MF-3 density standards;
- 3) Hours of operation for commercial uses shall be limited to Sunday through Thursday, 6 AM to 10 PM and Friday through Saturday 6 AM to 12 AM;
- 4) Prohibit liquor sales as a principal and accessory use; and
- 5) Limit vehicle trips per day to 2,000 unless a traffic impact analysis has been approved prior to City Council adoption of a rezoning ordinance.

ISSUES:

Condition #4: The prohibition against liquor sales as an accessory use was a response to a concern voiced by a representative of neighborhood property owners. This condition was developed by the owner's consultant, interested party, and staff, and mutually agreed upon. This prohibition was also part of the Commission's recommendation. However, the owner states he did not fully understand the implications of this prohibition, which, as an example, would not allow beer and wine to be sold as part of a convenience store. The owner has stated he cannot support this prohibition as a condition to the rezoning. As the Council considers the rezoning request, the owner will ask the Council to remove this recommended condition.

Condition #5: At the time the application was presented to the Commission, staff recommendation was to limit the vehicle trips per day to 2,000 unless a traffic impact analysis (TIA) has been approved prior to City Council adoption of a rezoning ordinance. The applicant submitted a TIA on November 15, 2012, as part of the rezoning application, and it is currently under review. An update to the TIA was submitted on December 31, 2012. Should the TIA support removal of the 2,000 vehicle trip limit, that maximum cap will be removed from staff recommendation prior to third reading of the zoning ordinance.

DEPARTMENT COMMENTS:

The subject tract is an approximate 1.96 acre tract of undeveloped land at the northwest corner of the intersection of E Oltorf Street and Wickersham Lane. It is surrounded by apartments and condominiums, all of which are zoned MF-2 (see Exhibit A and A-1). The parcel is a combination of remnant portions of previously subdivided and replatted lots (the perceived overlap of the subject tract boundaries with existing GIS data for zoning, parcel, and subdivision boundaries is under review).

This tract, several of the tracts surrounding it, and more in the immediate vicinity, were not included in the East Riverside/Oltorf Neighborhood Plan's Future Land Use Map, or FLUM (see Exhibit A-2); other properties were included in the FLUM with land use designations, but were not rezoned as part of the zoning ordinance that accompanied adoption of that Plan (see Exhibit A-3). Excluded properties along Pleasant Valley Road to the west were designated withdrawn on the FLUM – but with the possibility to be reconsidered as part of a future core transit corridor. Other properties, such as this one, were simply designated withdrawn for future consideration. Of note, the draft East Riverside Corridor Plan does not encompass this tract. Consequently, a neighborhood plan amendment is not required, and the tract will not be designated (differently) on the FLUM as a result of a rezoning.

The request for the rezoning is driven by the desire to construct a multiple story, mixed use building. Specifically, a project with first floor retail, two floors of residential, and subsurface parking is envisioned. A site plan has not been submitted to the City, and the variety and mix of retail tenants proposed for the project have not been established.

Staff has received a number of letters opposing the rezoning request (see Exhibits C), although an associated public restrictive covenant limiting hours of operation have addressed some of the neighborhood's concerns (see Exhibit D).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-2	Undeveloped (concrete pads from prior temporary use)

<i>North-Northwest</i>	MF-2-NP	Monaco Condominiums; The Heights in Austin
<i>North-Northeast</i>	MF-2	High Point Village Apartments; Wickersham Green Apartments
<i>East-Southeast</i>	MF-2-NP	Coppertree Apartments
<i>South</i>	MF-2-NP	Woodmeade Apartments
<i>West-Southwest</i>	MF-2	Chamonix Condominiums; Chevy Chase Downs Apartments

TIA: The applicant has submitted a TIA. In the absence of an approved TIA, staff is recommending the standard condition of no more than 2,000 vehicle trips per day.

WATERSHED: Country Club East Creek
CAPITOL VIEW CORRIDOR: No

DESIRED DEVELOPMENT ZONE: Yes
HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Southeast Austin Neighborhood Alliance	189
Crossing Garden Home Owners Association	299
Sunridge Homeowners Association	481
Austin Neighborhoods Council	511
Montopolis Area Neighborhood Alliance	634
East Riverside/Oltorf Neighborhood Plan Contact Team	763
Del Valle Independent School District	774
Home Builders Association of Greater Austin	786
Riverside Farms Road Neighborhood Association	934
PODER	972
Homeless Neighborhood Organization	1037
League of Bicycling Voters	1075
Super Duper Neighborhood Objectors and Appealers Organization	1200
Austin Monorail Project	1224
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Pleasant Valley	1255
Del Valle Community Coalition	1258
Austin Heritage Tree Foundation	1340
SEL Texas	1363

SCHOOLS:

Del Valle Independent School District:

Baty Elementary

John P. Ojeda Middle School

Del Valle High School

CASE HISTORIES:

The subject tract was annexed as part of an approximate 177-acre tract annexed in August 1969. In November 1970, 176 of those acres were zoned "BB"; this zoning included not only the subject tract, but essentially everything between the already existing Riverside Farms development to the east and future Pleasant Valley Road to the west, and from

Riverside Drive to the north, to approximately 1,000 feet south of the current Oltorf/Wickersham intersection.

Although the first multifamily development in the area appears to be the Hills of Chevy Chase Apartments in 1973, there wasn't pronounced development of multifamily projects until the mid-1980s and again in the late 1990s. In 1984 the Council adopted the Zoning Conversion Ordinance, which converted BB zoning to MF-2 through MF-5, depending on the units per acre and height and area specifications of the BB tract. Many of the site plans for these multifamily projects were approved as a special use site plan, and required Commission approval.

NUMBER	REQUEST	PLANNING COMMISSION
<i>(North-Northwest)</i>		
C14P-85-017 (Monaco) (plan included subject tract)	56 Condominium Units	Approved; 05/14/1985
SP-99-0018C (Heights of Austin, formerly Oltorf Apartments)	192 Apartment Units	Approved; 07/22/1999
<i>(North-Northeast)</i>		
C14P-73-006 (Wickersham Greens, formerly Hills of Chevy Chase)	190 Apartment Units	Approved; 04/18/1973
C14P-79-019 (Highpoint Village, formerly The High Point)	168 Apartment Units	Approved; 07/31/1979
<i>(East-Southeast)</i>		
C14P-84-065 (Coppertree Apartments)	Two Phase Apartment Complex; Ph. I – 252 Units, Ph. II – 264 Units	Approved: 09/18/1984
<i>(South)</i>		
C14P-84-057 (Woodmeade Apartments)	297 Apartment Units	Approved; 08/14/1984
SP-97-0427C (Mission Hills)	Multi-phased Apartment Complex: 344 Units	Approved; 04/27/1998
<i>(West-Southwest)</i>		
C14P-84-044 (Chamonix)	200 Condominium Units	Approved; 06/12/1984
C14P-84-038 (Chevy Chase Downs)	240 Unit Apartment	Approved; 06/12/1984

RELATED CASES:

In early 2007 a site plan (case # SP-07-0095C) was submitted on the property for a proposed 32-unit condo project known as Austin Overlook Condominiums; the permit was issued on January 29, 2008. With a pending expiration on January 29, 2011, a one year extension was sought and granted (case # SP-07-0095C(XT)). Since that extension expired on January 29, 2012, a new site plan has not been submitted.

As noted above, the site was not rezoned as part of the neighborhood planning process.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-69-235	From "A" Residence to "BB" Residence	(date unavailable at time of this staff report)	Approved; 11/12/1970

ABUTTING STREETS:

Street Name	Right-of-Way	Pavement Width	Classification	Daily Traffic	Bicycle Plan	Bus Service	Side-walks
Oltorf Street	104 to 107 feet	60 feet	Major Arterial	20,952	Yes	Yes	Yes
Wickersham Lane	65 to 82 feet	42 feet	Collector	9,150	Yes	Yes	Yes

CITY COUNCIL DATE:

December 6, 2012

Postponed to January 17, 2013 at the request of neighborhood interests. [Motion by Council Member Tovo; Seconded by Council Member Morrison; Passed 7-0].

ORDINANCE READINGS:

1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Lee Heckman

e-mail address: lee.heckman@austintexas.gov

PHONE: 974-7604

STAFF RECOMMENDATION**C14-2012-0067****BACKGROUND**

The property has been zoned with an multifamily base district since 1970 (BB, then MF-2). Although tracts around it have been developed with apartments and condominiums, this tract remains undeveloped. A site plan submitted in 2007 for multifamily development has expired. The adopted neighborhood plan for this community does not designate a future land use for this property.

SUMMARY STAFF RECOMMENDATION

Staff recommendation is to grant Neighborhood Commercial, Mixed Use, Conditional Overlay, (LR-MU-CO) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day and would prohibit certain uses allowed under the LR district.

(Should a Transportation Impact Analysis be approved prior to Council approval of the rezoning, staff may no longer recommend the 2,000 vehicle trips per day conditional overlay).

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The existing multifamily residence low density (MF-2) district is the designation for a multifamily use with a maximum density of up to 23 units per acre, depending on unit size. An MF-2 district designation may be applied to a use in a multifamily residential area located near single family neighborhoods or in an area for which low density multifamily use is desired.

The requested community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways. Additionally, the proposed mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The GR-MU combining district would allow development of a 3-story mixed-use building as envisioned by the applicant.

Staff recommends neighborhood commercial (LR) district, which 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.

This tract is fully surrounded by developed MF-2 property, with adjacent apartments and condos ranging from 2 to 3 stories. The nearest commercially zoned property is an LR tract at the corner of Pleasant Valley and Oltorf, a service station with a convenience store just over 700 feet away. While the relative lack of commercial in this area helps justify the need for additional commercial options, staff thinks neighborhood commercial, LR, is more appropriate than GR for a base commercial district at this location.

As noted above, this application is being driven by the desire to construct a 3-story mixed use building with first floor retail, two floors of residential and subsurface parking. The applicant is amenable to significantly limiting the uses proposed with a GR base district (see Exhibit B). However, these uses are already prohibited in the LR base district. The applicant is also amenable to a private restrictive covenant prohibiting the sale of liquor for offsite consumption.

The proposal for a mixed-use development notwithstanding, staff must also consider the potential development of the site as either retail or multifamily, without the mixed-use component. In that case, staff thinks GR is simply too intense a use at this location and that LR is more compatible with surrounding development at this time. Similarly, GR-MU, if developed only as residential, approximates MF-4 standards. That is thought to be too incompatible with the existing MF-2 zoned surroundings. In contrast, LR-MU would allow development of multifamily that approximates MF-2 or MF-3 standards, which staff thinks is more compatible with the area.

If and when the surrounding multifamily properties are redeveloped, perhaps to a higher level of density or intensity, then a GR base zoning district may be appropriate, as might a less restrictive multifamily allowance; at this time, staff does not think the site is ripe for GR zoning, despite our support for commercial at the site. Despite the less intense nature of the abutting MF-2 zoned properties, compatibility standards would not apply – for either GR or LR. Commercial design standards will apply, even if the property is developed solely as residential.

2. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

Staff recommends LR-MU because the intersection of Oltorf or Wickersham is not that of major roadways as noted in the GR district's purpose statement above – despite the relatively heavy traffic volume noted on each. They are classified currently as a major arterial and collector, respectively. Consequently, staff can support neighborhood commercial but cannot support community commercial zoning.

3. *Zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning; and*
4. *Zoning should allow for a reasonable use of the property.*

The justification for a commercial endeavor at this location seems self-evident when considering the property's surroundings, which consist solely of residential development. Rezoning the property to commercial mixed-use can be justified because there is existing LR at the corner of Oltorf and Pleasant Valley. Additionally, and in the broader context, approximately 1,800 feet east are two GR-based tracts (both undeveloped) and a couple of GO-based tracts (one occupied by the General Services Commission of Texas). The GR-based tracts abut LI-zoned Spansion tracts south of Oltorf, while Sematech's MI-zoned property follows on the north. Commercial can also be found north on Pleasant Valley at its intersection with Sheringham Drive (CS district) and west on Oltorf near its intersection with Willow Creek Drive (GR and CS based districts). Both of these intersections are also about 1,800 feet away. Hence, it appears there could be a real need for commercial development

at this location, and given that there is other commercial in the area, staff does not think this is spot zoning.

At the same time, staff thinks LR is the appropriate commercial base for the proposed mixed-use zoning. Should the residential component not be developed, straight LR is thought to allow for a reasonable use of the site. Similarly, if the project is developed solely to MF-2 or MF-3 standards, that is consistent with the surrounding development and consistent with a previously approved site plan. Staff thinks the approved site plan, though expired, demonstrates that additional condominium development was considered a reasonable use of the property by that applicant, as well as staff.

EXISTING CONDITIONS

Site Characteristics

The site is undeveloped and relatively bare, with the exception of some trees on the western boundary and far southern edge. It is unknown whether these are protected trees. It is a gently-sloped tract, with the southern point being the highest point. It slopes gently downward to the north and slightly to the west. There appear to be no significant topographical constraints or environmental features on the site.

Site Plan and Compatibility Standards

1. There is an existing site plan for the site, SP-07-0114C , Austin Overlook Condominiums; for the construction of 3 buildings, which will include 36 condo units, and associated parking and improvements.
2. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
3. Parkland dedication fees will be required to be paid during the site plan process; \$650 per unit.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Country Club West 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%

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

3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. 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.
5. 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.
6. At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

1. No additional ROW is required in accordance with the AMATP at this time.
2. 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].
3. There are existing sidewalks along both sides of Oltorf ST and Wickersham LN for the subject parcel.
4. Following table shows 2009 Bicycle Plan recommendations for the boundary streets for this parcel:

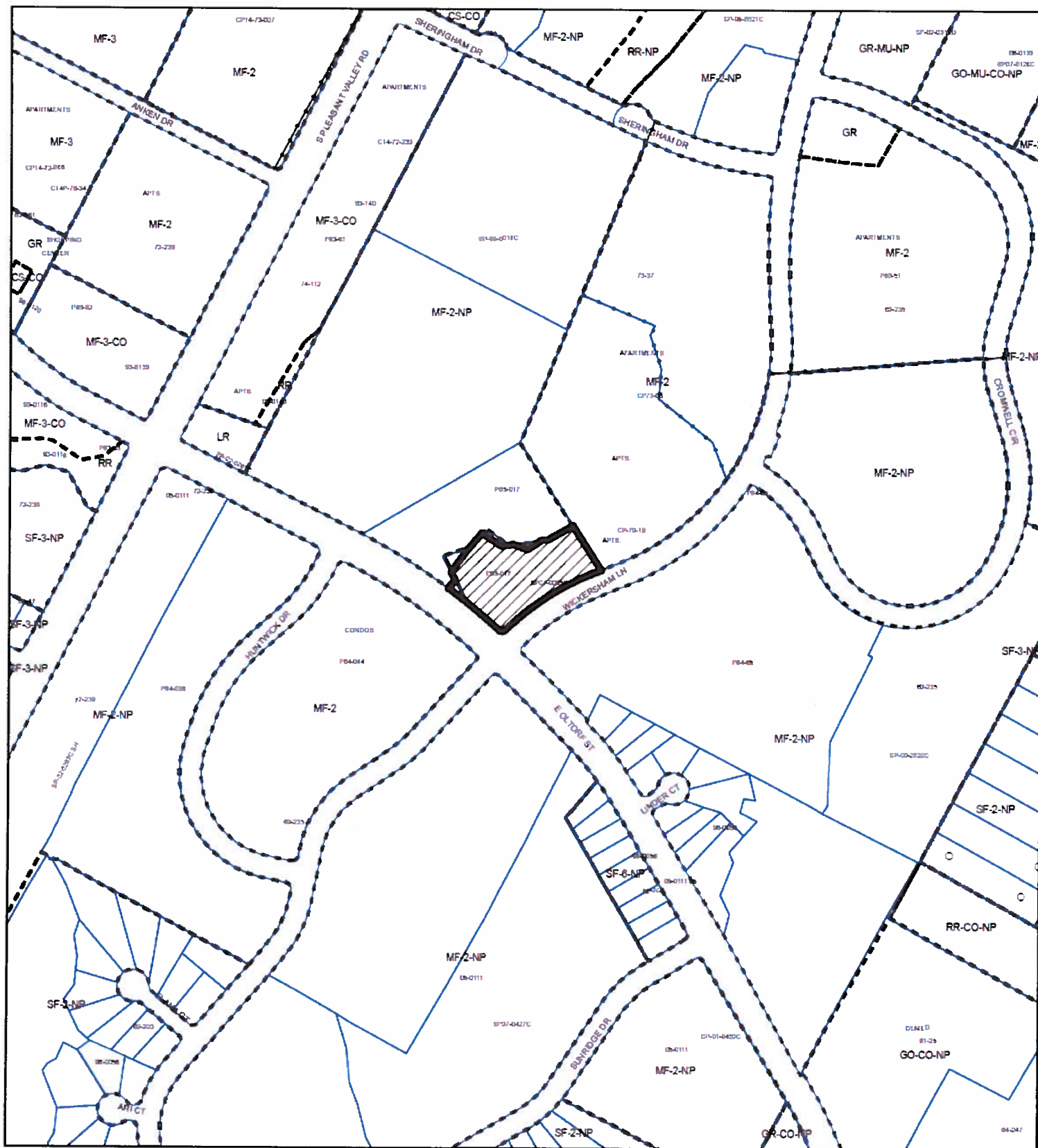
Street Name	Existing Bicycle Facility	Recommended Bicycle Facility
Oltorf ST	Bike Lane	Bike Lane
Wickersham LN	None	Multi Use Path

5. Following Capital Metro bus service routes are available in this zoning district:

331 – Oltorf
20 – Manor RD/LBJ high
411 – E Bus Riverside
685 – WL/CP Wickersham LN Crossing Place
675 – Wickersham LN/UT

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 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.



ZONING

ZONING CASE#: C14-2012-0114



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

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.



Exhibit A

[illegible]

0 200 400 800 Feet
1 inch = 400 feet

C14-2012-0114 / Monaco II

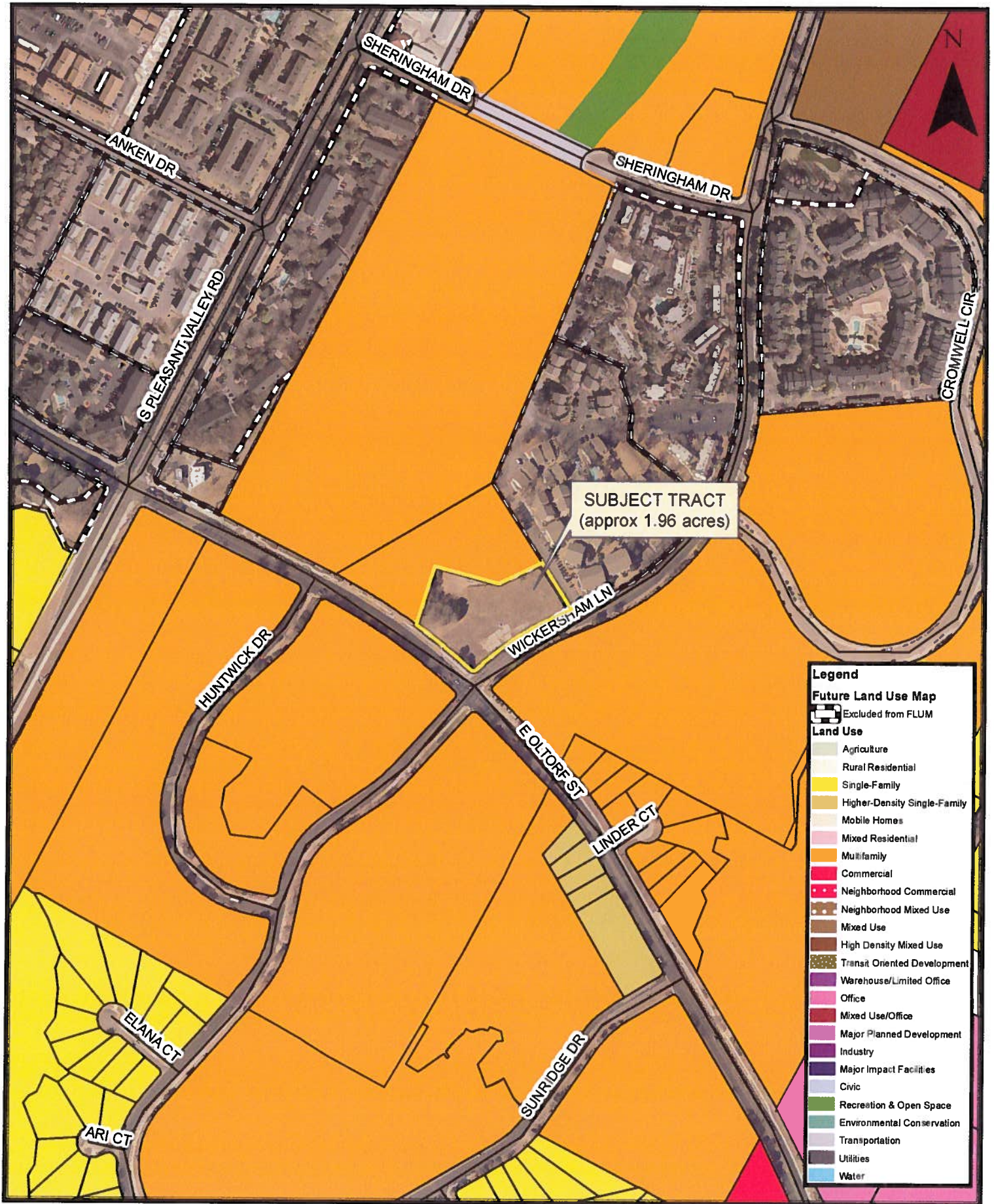
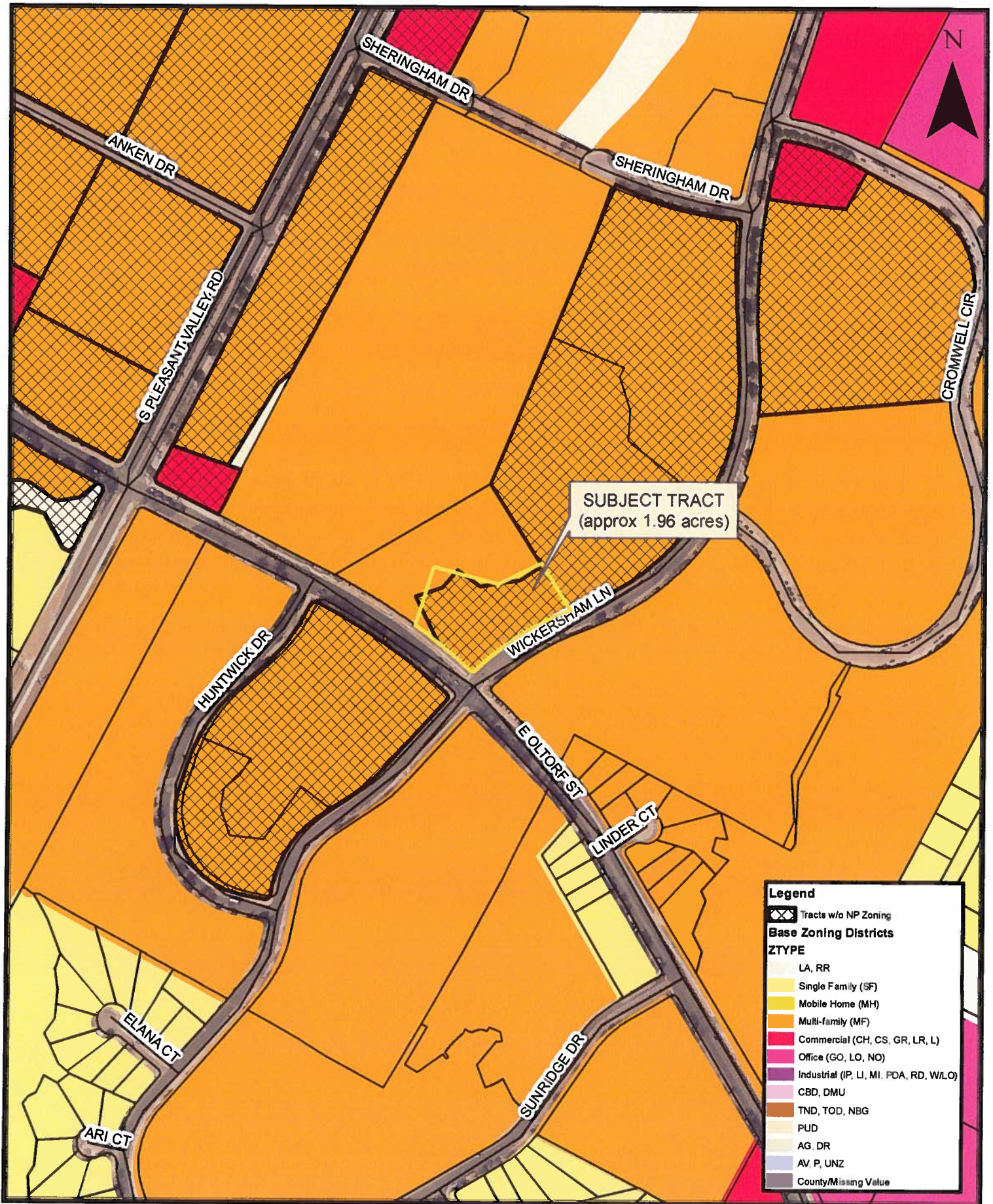


Image Data: 2009

Future Land Use Map
Exhibit A - 2

0 200 400 800 Feet
1 inch = 400 feet

C14-2012-0114 / Monaco II



Zoning & Tracts w/o NP Zoning
Exhibit A - 3

0 200 400 800 Feet

1 inch = 400 feet

October 16, 2012

Mr. Lee Heckman, AICP
Planning and Development Review Dept.
City of Austin
505 Barton Springs Road
Austin, TX 78704

Re: Monaco II, Zoning Restricted Land Uses

Dear Mr. Heckman,

As representative of the owner of the above property located at 2400 Wickersham, I would respectfully request the following uses be restricted from the "GR-MU" zoning request submitted for your review. The property is currently zoned for MF-2 and has had multi family site plans prepared for that use. The economy has prohibited these plans from moving to completion. Furthermore, the MF-2 zoning requires a 25 ft. front building line for the site. My client wishes to design a Subchapter E compliant site plan for a mixed use development.

RESTRICTED USES:

- Family Home
- Group Home Class I-General
- Group Home Class I- Limited
- Group Home Class II
- Hospital Services-General
- Private Primary Educational Services
- Private Secondary Educational Services
- Automotive Repair Services
- Automotive Sales
- Commercial Off-Street Parking
- Drop-Off Recycling Collection Facility
- Exterminating Services
- Hotel-Motel
- Indoor Sports and Recreation
- Off-site Accessory Parking

- Outdoor Entertainment
- Pawn Shop Services
- Service Station
- Theater
- Community Recreation-Public
- Congregate Living
- Residential Treatment

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

Richard W. Vaughn, CET

From: Malcolm Yeatts
Sent: Sunday, October 21, 2012 8:50 PM
To: Heckman, Lee
Subject: Case # C14-2012-0114

I am opposed to the zoning change from MF-2 to GR-MU. There is not enough area on this property to adequately buffer the adjacent condominium complex from what will become an all-night convenience store.

Malcolm Yeatts EROC Contact Team member

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: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

EVA GONZALES

Your Name (please print)

2450 WICKERSHAM LN #1504

Your address(es) affected by this application AUSTIN TX

Eva Gonzales

Signature

10/15/2012

Date

Daytime Telephone: (512) 293 9642

Comments:

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

Jason Brettschopf

Your Name (please print)

4500 East Oltorf Unit #102

Your address(es) affected by this application

Jason Brettschopf

Signature

10-18-12

Date

Daytime Telephone: 830-540-4467

Comments: I believe that by allowing more business to enter the neighborhood versus just housing, it will cause more crime/littering and become more like the area closer to I-35. We had lots of problems with people walking through parking lot to get to the gas station nearby. I would like this to remain a quiet nice area to live in.

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

City of Austin
Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission
Dec 6, 2012, City Council

Dale & Sandy Steichen
Your Name (please print)

☐ I am in favor
☒ I object

2450 Wickersham 902
Your address(es) affected by this application

[Signature] 11/4/2012
Signature Date

Daytime Telephone: 203 482 2034

Comments: We don't object to having
commercial development if it
fits the neighborhood. Restaurants,
food stores etc. would be fine
but not check cashing services
etc that do not serve the
immediate neighborhood.

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

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

From: Malcolm Yeatts
Sent: Monday, January 07, 2013 8:49 PM
To: Heckman, Lee
Subject: RE: Zoning Case - Monaco II - Oltorf & Wickersham

If I can be assured that the City of Austin is responsible for enforcing the public restrictive covenant limiting business hours, my concerns will have been addressed.

From: Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]
Sent: Monday, January 07, 2013 1:01 PM
To: Malcolm Yeatts
Subject: Zoning Case - Monaco II - Oltorf & Wickersham

Mr. Yeatts:

I'm updating the staff report for this case, scheduled to be considered next Thursday at City Council, and wanted to check in with you to see if the draft public restrictive covenant (RC) addressed your concerns regarding the hours of operation. Does this satisfactorily address your concerns?

As I think we have discussed, a signed RC is required prior to Council's final action on a zoning request. In this case, that might be January 31, if the TIA question has been resolved. That also presumes the prohibition against liquor sales is removed by the Council. Please contact me should you have any questions.

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