

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0132

West 34<sup>th</sup> St. Redevelopment, Tract "B"

**P.C. DATE:** 02/14/12, 04/10/12, 05/22/12

06/26/12, 07/24/12

**ADDRESS:** 3316 Grandview St. & 905 W. 34<sup>th</sup> St.    **AREA:** 0.43 acres

**APPLICANT:** REIT Management & Research, L.L.C. (Richard Stilovich)

**AGENT:** McCann Adams Studio (Jana McCann)

**NEIGHBORHOOD PLAN AREA:** Central Austin Combined

**CAPITOL VIEW:** No

**T.I.A.:** Yes.

**WATERSHED:** Shoal/Waller Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** LO-NP – Limited Office, Neighborhood Plan

**ZONING TO:** GO-NP – General Office, Neighborhood Plan

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends GO-CO-NP – General Office, Conditional Overlay - Neighborhood Plan. The Conditional Overlay would limit the height of any structure to forty feet five (45'). The applicant will enter into a Restrictive Covenant that includes all recommendations listed in the update to the Traffic Impact Analysis memorandum, dated January 11, 2012, as provided in Attachment A.

### **PLANNING COMMISSION RECOMMENDATION:**

The motion to approve staff's recommendation for GO-CO-NP zoning with neighborhood's agreement included, was approved by Commissioner Saundra Kirk's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-2; Commissioners Jean Stevens and Danette Chimenti voted against the motion (nay), Commissioner Richard Hatfield was absent, 1 vacancy on the commission.

### **DEPARTMENT COMMENTS:**

The site is currently developed with a three story office building with an associated parking lot. The zoning case is within the boundaries of the Central Austin Combined Neighborhood Plan. The requested zoning change of LO-NP to GO-NP is in accordance with the Mixed Use/Office category identified on the Future Land Use map. The subject property is located along W. 34<sup>th</sup> Street between Lamar Boulevard and Guadalupe Street. The plan states on page 76 that this area "should become a primarily mixed use office corridor". In addition, page 77 of the plan recommends to "limit new building heights to maintain a neighborhood-friendly scale to the street". The existing Limited Office (LO) zoning category allows for a maximum height of forty feet (40'), while the General Office (GO) zoning category allows for a maximum height of sixty feet (60'). During the neighborhood planning process, there was extensive discussion regarding the height and scale of any new development along 34<sup>th</sup> Street which is reflected in the plan document and conditional overlays that were adopted concurrent with the neighborhood plan.

Height limits of forty feet (40') were put in place along the majority of 34<sup>th</sup> Street to ensure new development was in context with the adjacent residential areas. The uses permitted in General Office zoning are consistent with the plan's goal for W.34<sup>th</sup> Street between Lamar Boulevard and Guadalupe Street to become a mixed use office corridor; however to meet the "desired neighborhood-friendly scale to the street", the height should be limited to be consistent with the rest of 34<sup>th</sup> Street.

### **BASIS FOR RECOMMENDATION:**

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Granting GO-CO would be in keeping with the Central Austin Combined Neighborhood Plan which calls for property located along W. 34<sup>th</sup> Street between Lamar Boulevard and Guadalupe Street to become a primarily mixed use office corridor.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	LO-NP	Office
<b>NORTH</b>	LO-NP/ P-NP	Office
<b>SOUTH</b>	MF-2-NP	Multi-family
<b>EAST</b>	LO-NP	Office
<b>WEST</b>	CS-CO-NP	Parking lot

### **CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-95-0081 717 W. 35 <sup>th</sup> St.	From SF-3 to LO-CO	Approved LO-CO [Vote: 7-0]	Approved LO-CO [Vote: 5-0]

### **NEIGHBORHOOD ORGANIZATION:**

- Austin Neighborhoods Council
- Heritage Neigh. Assoc.
- West 31<sup>st</sup> Street Creekside Neigh. Assoc.

### **SCHOOLS:**

Bryker Elementary School  
O'Henry Middle School  
Austin High School

### **SITE PLAN:**

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.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the North and East property lines, 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.
- 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.
- 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.
- 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.

### **ENVIRONMENTAL:**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek and Waller Creek Watersheds of the Colorado River Basin, which are classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. 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.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**TRANSPORTATION:**

**TR1.** 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 will be provided in a separate memo.

**TR2.** Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
34th Street	60	35	Collector	Yes	Yes	Yes
Grandview Street	50	27	Local	No	No	No

**CITY COUNCIL DATE:** March 8<sup>th</sup>  
 July 14<sup>th</sup>  
 September 27<sup>th</sup>  
 December 6<sup>th</sup>

**ACTION:** Postponed to July 14<sup>th</sup>  
 Postponed to September 27<sup>th</sup>  
 Postponed to December 6<sup>th</sup>

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)

**PHONE:** 974-7691









5.22.12 Amendment to W. 34th Street Zoning Case to Include Tract C Lots: 0218031416, 0218031415, 0218031408

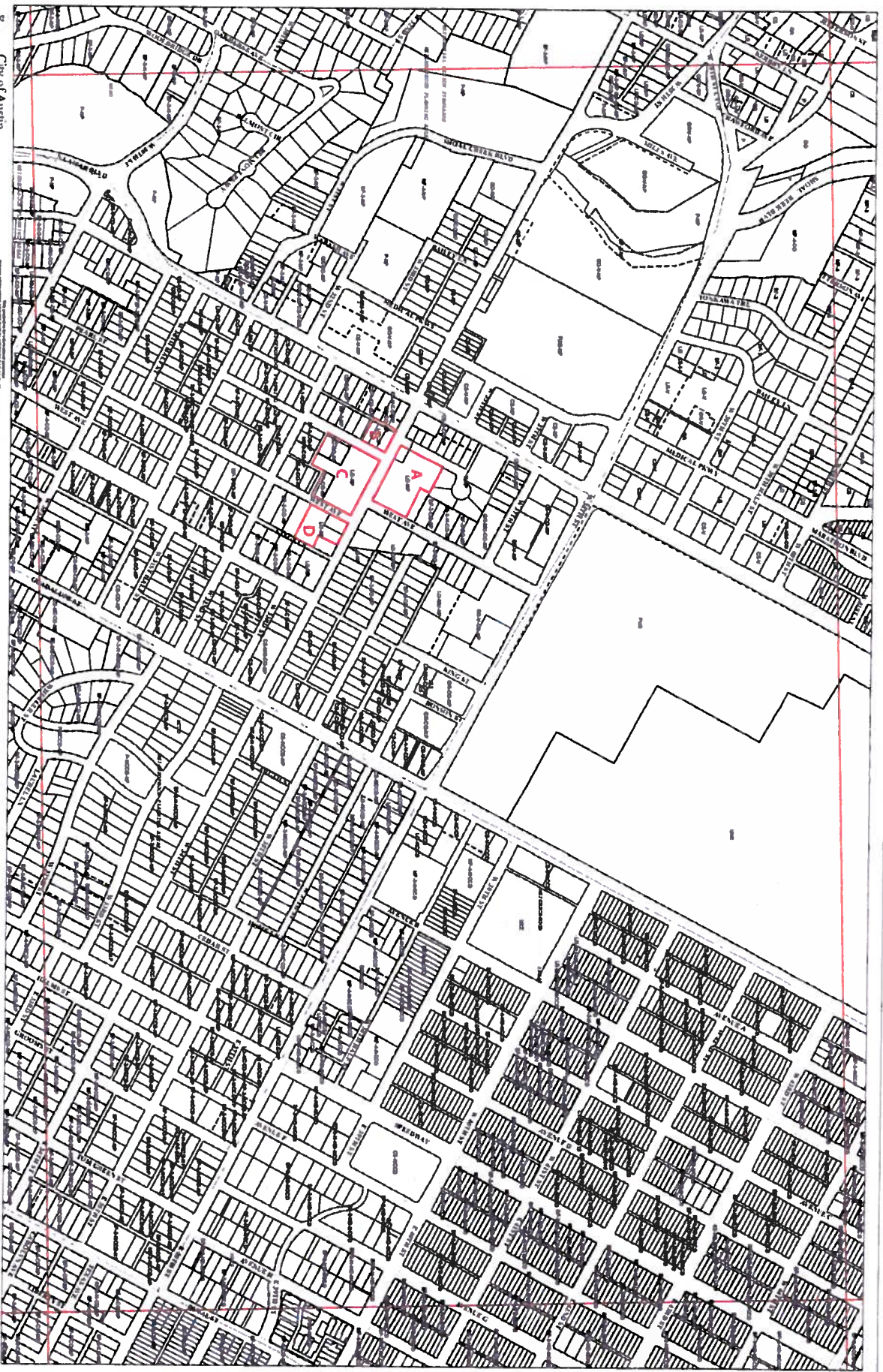
City of Austin  
Zoning Map

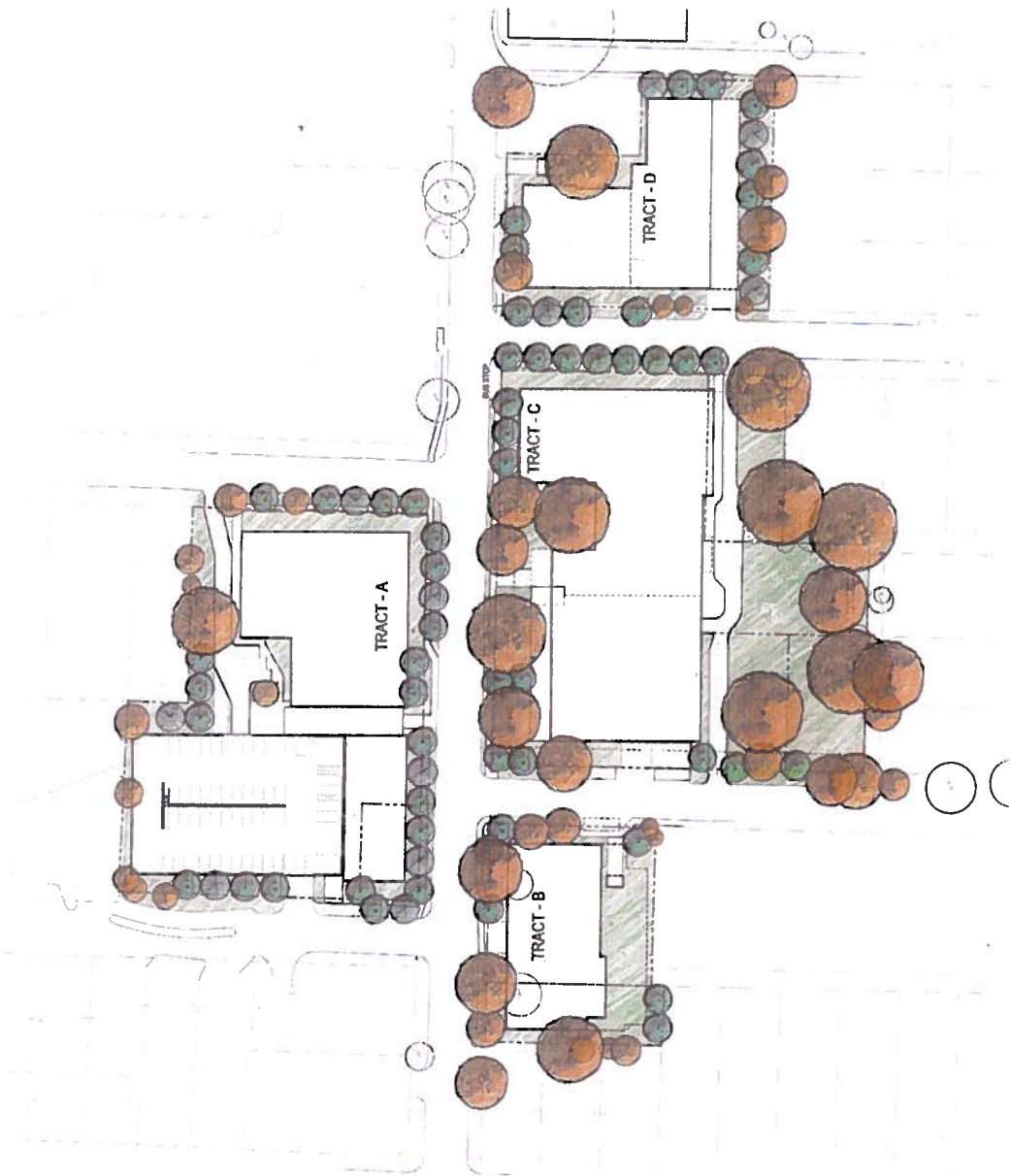
Overlay Districts

Pending Zoning Cases



J25  
November 28, 2011





CONCEPTUAL SITE PLAN | REAR DROP-OFF SITE PLAN  
W. 34th STREET REDEVELOPMENT PROJECT | SCALE: 1" = 40'-0"



FINAL DESIGN CONVICTION REVIEW - 6-20-2012

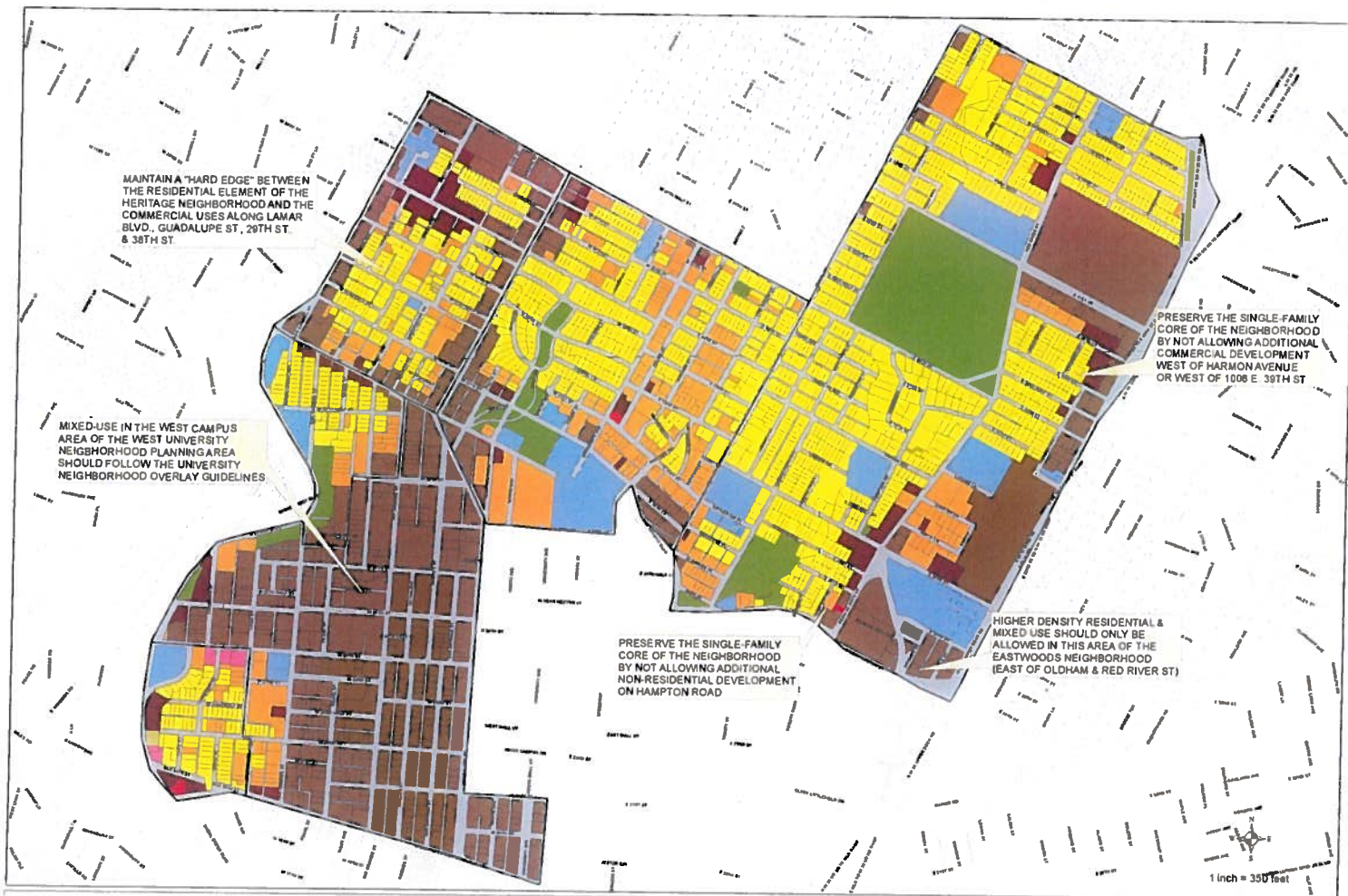




Google earth

feet 10  
meters 3





## Central Austin Combined Neighborhood Planning Area: Future Land Use Map



City of Austin  
Neighborhood Planning and  
Zoning Department  
Revised September 1, 2010

*A comprehensive plan shall not constitute zoning  
regulations or establish zoning district boundaries.*

### Legend

Single-Family	Mixed Use	Civic
Higher-Density Single-Family	High Density Mixed Use	Recreation & Open Space
Multifamily	Office	Transportation
Commercial	Mixed Use/Office	



## Central Austin Combined Neighborhood Plan

### West 34<sup>th</sup> Street

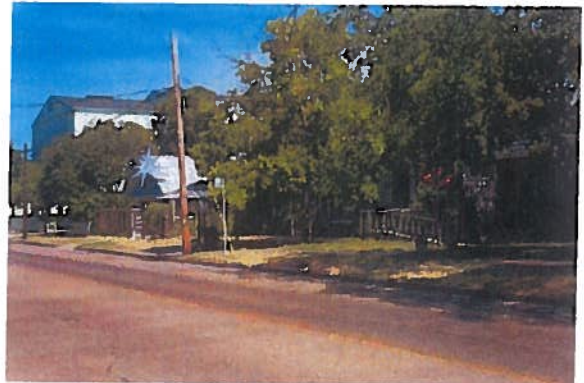
**Objective 3.1:** Provide for new commercial and housing opportunities by allowing mixed use along 34<sup>th</sup> Street between Lamar Boulevard and Guadalupe Street.

**Recommendation 1** Allow the neighborhood mixed use building along West 34<sup>th</sup> Street between Lamar Boulevard and Guadalupe Street.

**Objective 3.2:** West 34<sup>th</sup> Street between Lamar Boulevard and Guadalupe Street should become a primarily mixed use office corridor.



*There are a variety of office and commercial uses along West 34<sup>th</sup> Street between Guadalupe Street and Lamar Boulevard. The majority of the larger office uses are closer to Lamar (above and left) while closer to Guadalupe there is a mix of smaller scale commercial and office uses (below).*



## **Central Austin Combined Neighborhood Plan**

**Recommendation 2** Allow the neighborhood mixed use building on all commercial and office zoned properties along the corridor.

**Recommendation 3** Limit new building heights to maintain a neighborhood-friendly scale to the street.

### **Guadalupe Street/29<sup>th</sup> Street/38<sup>th</sup> Street**

**Objective 3.3:** Guadalupe Street (29<sup>th</sup> Street to 30<sup>th</sup> Street) and adjacent commercial corridors—29<sup>th</sup> and 38<sup>th</sup> Streets—should become more pedestrian-friendly, mixed use corridors. Building heights should be limited in order to avoid creating a canyon-like effect along the narrow Guadalupe right-of-way.

Guadalupe and 29<sup>th</sup> Streets should provide shopping and services for the nearby neighborhoods as well as the rest of the city. Along 29<sup>th</sup> Street, immediately west of Guadalupe, the intensity of commercial uses should transition from more intense at the intersection of the two streets to less intense farther west along 29<sup>th</sup> Street. Along 29<sup>th</sup>, building heights should be limited to prevent new development from towering over the adjacent single-family neighborhoods.

Due to its proximity to the Heart Hospital of Austin and Seton Hospital, the segment of 38<sup>th</sup> Street between Guadalupe and Lamar Boulevard is more oriented toward the healthcare industry and serves both citywide and regional healthcare needs. New healthcare facilities being developed near the intersection of Lamar Boulevard and 38<sup>th</sup> Street will further reinforce the notion of a growing healthcare “district” in this part of the city.

New development along this segment of 38<sup>th</sup> Street will likely be supportive of this “district,” however, it should be designed in a pedestrian-friendly fashion.

**Recommendation 4** Allow the mixed use building on commercially zoned properties along 29<sup>th</sup> Street as far west as West and Salado Streets.

**Recommendation 5** Limit building heights along 29<sup>th</sup> Street to promote a more neighborhood-scaled commercial corridor.

**Recommendation 6** Retain the intensive zoning along 29<sup>th</sup> Street to retain the permissive site development standards but limit the allowed uses to promote a more neighborhood-friendly commercial corridor.





**Date:** January 11, 2012  
**To:** Clark Patterson, Case Manager  
**CC:** Kathleen Hornaday, P.E., P.T.O.E, HDR, Inc.  
**Reference:** West 34<sup>th</sup> Street Development, C14-2011-0131 through 0134

The West 34<sup>th</sup> Street Development site is located along 34<sup>th</sup> Street, between Lamar Boulevard and Kings Lane in Austin, Texas. The proposed development will consist of approximately 228,005 square feet of medical office use and 3,300 square feet of high-turnover (sit-down) restaurant use located on four adjacent tracts along 34<sup>th</sup> Street.

Access to the development will be provided via five driveways: one driveway that will provide access to the parking garage on Owen Avenue; one driveway that will provide access on W. 34<sup>th</sup> Street; one driveway to Grandview Street; one driveway to West and one driveway to Kings Lane.

Transportation Review staff has reviewed the traffic impact analysis that was prepared for the W. 34<sup>th</sup> Street Development on September 19, 2011 (amended December 22, 2011), and offers the following comments:

### TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the proposed development is expected to generate approximately 8,658 unadjusted daily weekday trips. Of these, 562 trips are estimated to occur during the AM peak-hour and 619 trips are estimated for the PM peak-hour.

Table 1 below shows the trip generation by land use for the proposed development:

**Table 1. Unadjusted Weekday Peak Hour Trip Generation**

Land Use	Size	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Medical-Dental Office	228, 005 SF	8,238	415	109	157	425
High-Turnover (Sit-Down) Restaurant	3,300 SF	420	20	18	22	15

## ASSUMPTIONS

1. Traffic growth rates for the area were determined using traffic counts conducted by Gram Traffic Inc, and from TxDOT and CAMPO projected daily volumes. Based on the available information, a 3 percent annual growth rate was applied to the study area roadways.
2. A pass-by reduction of 43 percent was assumed for the High Turnover (Sit-Down) Restaurant during the PM peak period.
3. An internal capture reduction of 10 percent was assumed for the proposed Medical-Dental Office use for the PM peak period.
4. A transit reduction of 5 percent was assumed for all site-generated trips, for both the existing network and proposed project site, during each peak period, based on annual ridership information from Capital Metro.
5. No pedestrian trip reduction was assumed for this project.

Table 2 below provides a summary of the adjusted daily and peak hour trip generation.

**Table 2. Adjusted Weekday Peak Hour Trip Generation**

Land Use	Size	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Medical-Dental Office	228, 005 SF	7,435	394	104	134	363
High-Turnover (Sit-Down) Restaurant	3,300 SF	313	19	17	12	8

Table 3 below provides a summary of the area transportation system:

**Table 3. Existing and Planned Roadways**

Roadway	Segment	Classification	Future Improvements	Bike Plan?
Lamar Boulevard	29 <sup>th</sup> Street to Rundberg	MAD 4	MAD 6	Yes
Guadalupe Street	29 <sup>th</sup> Street to 45 <sup>th</sup> Street	MAD 4	Existing	Yes
38 <sup>th</sup> Street	Jefferson Street to Guadalupe Street	MAD 4	Existing	Yes
34 <sup>th</sup> Street	Lamar Boulevard to Guadalupe Street	Collector	Existing	Yes
West Avenue	30 <sup>th</sup> Street to 38 <sup>th</sup> Street	Collector	Existing	No
Kings Lane	30 <sup>th</sup> Street o 34 <sup>th</sup> Street	Collector	Existing	No
Owen Avenue	34 <sup>th</sup> Street to 38 <sup>th</sup> Street	Local	Existing	No
Grandview Street	30 <sup>th</sup> Street o 34 <sup>th</sup> Street	Local	Existing	No



## TRAFFIC ANALYSIS

The impact of site development traffic on the existing area roadways was analyzed. Two time periods and three travel conditions were evaluated:

- 2011 Existing Conditions
- 2017 Forecasted Conditions (without Site Traffic)
- 2017 Forecasted Conditions with Site Generated Traffic

### *Intersection Level of Service (LOS)*

The TIA analyzed 4 signalized intersections, 8 un-signalized intersections, and each of the site driveways. Table 4 shows the existing (2011) and projected (2017) levels of service results. The 2017 analysis assumes that all roadway and intersection improvements recommended in the TIA are constructed.

**Table 4. Intersection Level of Service**

Intersection	2011 Existing		2017 Forecasted		2017 Site + Forecasted	
	AM	PM	AM	PM	AM	PM
Lamar Boulevard and W. 38 <sup>th</sup> Street*	D	D	E	E	D	D
West Avenue and W. 38 <sup>th</sup> Street *	A	B	A	B	B	B
Guadalupe Street and W. 34 <sup>th</sup> Street*	A	A	A	B	B	B
Lamar Boulevard and W. 34 <sup>th</sup> Street*	A	B	B	C	B	C
Owen Avenue and W. 34 <sup>th</sup> Street	A	A	A	A	--	--
Owen Avenue/Driveway B and W. 34 <sup>th</sup> Street	--	--	--	--	A	A
Grandview Street and W. 34 <sup>th</sup> Street	A	A	A	A	A	A
West Avenue and W. 34 <sup>th</sup> Street	A	A	A	A	A	A
Owen Avenue and Driveway A	--	--	--	--	A	A
Grandview Street and Driveway C	--	--	--	--	A	A
West Avenue and Driveway D	--	--	--	--	A	A
Kings Lane and Driveway E	--	--	--	--	A	A

\*Existing signalized intersection.

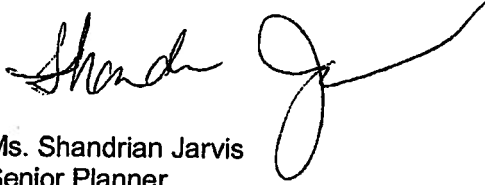
## RECOMMENDATIONS

- 1) The owner will install stop signs and appropriate pavement markings for all site driveways.

- 
- 2) 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. Add the following note the cover sheet and site plan sheet: "The site plan is subject to a limitation of 7,748 adjusted vehicle trips per day with zoning cases C14-2011-0131 through -0134.

If you have any questions or require additional information, please contact me at 974-2628.

---



Ms. Shandrian Jarvis  
Senior Planner  
Planning and Development Review Department

## HNA: 34th Street Vote Results

Posted By: [stephen\\_austox](#) ▾ Thu Dec 13, 2012 8:41 pm | [Options](#) ▾

[Reply](#)

HNA Membership,

First, a huge thank you to everyone that came out this evening to vote for the 34<sup>th</sup> Street Agreement. We had 98-members vote this evening. The results were tallied after the poll closed and the final results are as follows...

29 - For the 34th Street | REIT Final Agreement

69 - Against the 34th Street | REIT Final Agreement

This means that no one will execute the agreement on behalf of the HNA. I will ask the Steering Committee to come together to discuss next steps. Nikelle Meade will communicate our vote to REIT tomorrow.

Thank you again to the Working Group and everyone that attended tonight's meeting. Happy Holidays!

Regards,


stephen thomas

---

**Stephen L. Thomas, CISSP**  
Director, West Area Channel Sales

Symantec Corporation  
[www.symantec.com](http://www.symantec.com)

---

**Office: (512) 215-8539 Mobile: (512) 750-8786 Fax: (512) 716-8005**  




## **Patterson, Clark**

---

**From:** K [REDACTED]  
**Sent:** Sunday, January 06, 2013 7:27 PM  
**To:** Patterson, Clark; Meredith, Maureen  
**Subject:** Fwd: 34th Street Project in Heritage Neighborhood

Hello Clark and Maureen,

Just wanted to share this with you also. Perhaps it can be included in whatever info packet Council receives prior to their meeting on the 17th? I hope this okay to ask.

Thanks,

Kisla Jimenez

----- Original Message -----

**Subject:**Fwd: 34th Street Project in Heritage Neighborhood  
**Date:**Sun, 06 Jan 2013 11:02:40 -0600  
**From:**Kisla <[kisla@tesoros.com](mailto:kisla@tesoros.com)>  
**To:**[canpac@yahoogroups.com](mailto:canpac@yahoogroups.com)

Hello,

I don't know most of you who sit on CANPAC but I wanted to share this letter I just sent to the Mayor and all of City Council Members. I don't know if CANPAC has an opportunity to weigh in. I am sure, however, that other central Austin neighborhoods have had to deal with these types of issues before.

Thank you for your work on behalf of Central Austin!

Kisla Jimenez  
3012 West Avenue

----- Original Message -----

**Subject:**34th Street Project in Heritage Neighborhood  
**Date:**Sun, 06 Jan 2013 10:53:49 -0600  
**From:**Kisla <[kisla@tesoros.com](mailto:kisla@tesoros.com)>  
**To:**[lee.leffingwell@austintexas.gov](mailto:lee.leffingwell@austintexas.gov)  
**CC:**[matt.curtis@austintexas.gov](mailto:matt.curtis@austintexas.gov), [nancy.williams@austintexas.gov](mailto:nancy.williams@austintexas.gov)

Dear Mayor Leffingwell,

With the upcoming Council meeting on January 17th where you will vote on the upzoning request for the 34th Street project in the Heritage Neighborhood (HNA), we wanted to reach out to you and share our thoughts and feelings.

We have lived in this neighborhood over ten years. It is one of those small communities that has a unique mix single family homes (some built in the 19th century, most built early 20th century), apartment buildings and commercial properties on its perimeter. All of us who live here understand and accept the urban nature of living in central Austin. It's wonderful to live walking/bike riding distance to grocery stores, the post office, the local elementary school, independently owned businesses, etc.

With trepidation we have watched the negotiation process between the HNA and the Boston-based landowner REIT which started in earnest just a year ago. Although we were opposed to the upzoning from the beginning, we were willing to listen and wait to see what REIT had to offer the HNA in exchange for this very valuable zoning .

The process has not been easy. From our point of view REIT's legal representation, with its sophisticated negotiating style, has been full of delays and smokescreens that has put the volunteer-based HNA at a disadvantage. REIT has the best land usage attorney on its side, while the HNA has had to pull together 50+ households to come to a consensus every step of the way. With such an important zoning change, inevitably opinions and emotions are raw.

But the resulting final agreement presented to the HNA just a few weeks ago on December 13th proved to be unacceptable by 70% of the neighborhood residents who showed up to vote (69 against the agreement, 29 for the agreement). Most folks are not convinced that a small recreational easement and traffic mediation monies and dumpster placements are enough to warrant the zoning change but more importantly, the contractual agreement itself would be very difficult for any neighborhood association to enforce. We both read this lengthy 4-part document and we think it is staggeringly favorable to the landowner. If enacted, the HNA will not be able to enforce this agreement; it is complicated, legally ambiguous and full of loopholes in favor of the landowner. The recent vote shows that many neighborhood residents feel this way as well.

We respectfully ask you to keep the current zoning on tracts C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134 in the Heritage Neighborhood. In addition, REIT is requesting a change to GO to the FLUM on two lots that are zoned SF adjacent to these tracts, a change to which we are also opposed.

We all believe that the neighborhood plan that was agreed to and signed into law in 2004 should have protected us from having to address tract-by-tract re-zoning requests now and established that the middle of the neighborhood should be protected from anything higher than LO zoning. We do understand that REIT has a right to develop their property and turn a profit with their current LO zoning.

In closing we would like to state that in addition to the fact that the final agreement is disadvantageous to the HNA because it would be very difficult to enforce legally, an upzoning to GO on these tracts will set precedent for the rest of the LO tracts in the middle of the neighborhood. We accept the commercial nature of our business neighbors on our perimeter; GO is just not appropriate in the middle of the neighborhood and the land-use map should not be changed.

Please vote to keep the zoning on these tracts as is. Thank you for your attention and your service to the City of Austin.

Sincerely,

Kisla Jimenez and Jonathan Williams (owners of Tesoros Trading Company)  
3012 West Avenue  
Austin, TX 78705

## 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](http://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: C14-2011-0132

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Feb 14, 2012, Planning Commission

March 8, 2012, City Council

Brent Spaggians / [Signature]

Your Name (please print)

3504 West Ave, Austin TX 78703

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 512-750-6895

Comments: We object to the rezoning based on incompatibility with scale and character within the existing residential neighborhood; the impact of increased traffic on residential streets; and increased heat island effect and environmental effects. If the developer would agree to a conditional overlay to mitigate these concerns, we would be interested in this version.

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor  
☒ I object



## 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](http://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: C14-2011-0132**

**Contact: Clark Patterson, (512) 974-7691**

**Public Hearing: Feb 14, 2012, Planning Commission**

**March 8, 2012, City Council**

Marshall Duvett  
Your Name (please print)

☐ I am in favor  
☒ I object

3200 Grandview Street  
Your address(es) affected by this application

[Signature]  
Signature

02-07-2012  
Date

Daytime Telephone: (512) 472-3100

Comments: See Case C14-2011-0134

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

City of Austin  
Planning & Development Review Department  
Clark Patterson  
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](http://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: C14-2011-0132**

**Contact: Clark Patterson, (512) 974-7691**

**Public Hearing: Feb 14, 2012, Planning Commission**

**March 8, 2012, City Council**

ANN BOWEN

Your Name (please print)

3506 WEST

Your address(es) affected by this application

Ann Bowen

Signature

2/13/12  
Date

Daytime Telephone: (512) 451-2540

Comments: TOTALLY INAPPROPRIATE FOR

THE NEIGHBORHOOD

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

City of Austin

Planning & Development Review Department

Clark Patterson

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](http://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: C14-2011-0132**

**Contact: Clark Patterson, (512) 974-7691**

**Public Hearing: Feb 14, 2012, Planning Commission**

**March 8, 2012, City Council**

*CAFE EXPRESS*

☒ I am in favor  
☐ I object

Your Name (please print) \_\_\_\_\_

*3418 W. LAMAR*

Your address(es) affected by this application \_\_\_\_\_

*210-12*

Date

Signature

Daytime Telephone: *(832) 325-2411*

Comments: \_\_\_\_\_

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810