

CS/1

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2013-0027 – Kincheon Neighborhood  
Commercial Center

**Z.A.P. DATE:** May 21, 2013  
June 4, 2013

**ADDRESS:** 7905 Brodie Lane

**OWNER:** Shelby Michael Minns and  
Katherine T. Minns

**AGENT:** Land Answers, Inc.  
(Jim Wittliff)

**ZONING FROM:** NO-CO

**TO:** LR

**AREA:** 0.43 acres  
(18,730 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to deny neighborhood commercial (LR) district zoning.

If the Owner/Applicant's request for LR zoning is granted, then development should be limited through a conditional overlay to less than 2,000 vehicle trips per day.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

May 21, 2013: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO JUNE 4, 2013*

*[P. SEEGER; R. MCDANIEL – 2<sup>ND</sup>] (5-0) C. BANKS; J. MEEKER – ABSENT*

June 4, 2013:

### **ISSUES:**

The Applicant would like to discuss the Staff recommendation.

### **DEPARTMENT COMMENTS:**

The subject two platted lots are undeveloped and are zoned neighborhood office – conditional overlay – conditional overlay (NO-CO) combining district zoning. The property has frontage on Brodie Lane, a major arterial, and Eliza Street and Dalton Street, both local streets. The site is just north of the T-intersection formed by Brodie Lane's intersection with Eskew Drive (a collector). Surrounding zoning includes NO-MU and SF-3 to the north (child care facility, church and residences); SF-3 to the east (residences); NO-MU-CO and SF-3 to the south (offices, residences); and SF-3 on the west side of Brodie Lane (retail, commercial and offices). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View) and B (Recorded Plat).

The property was zoned NO-CO in August 2000 and the Conditional Overlay limits height of a structure to 30 feet, prohibits access to Dalton Street and requires a 30-foot wide vegetative buffer along the east property line (C14-00-2040). Please refer to Exhibit C (2000

Rezoning Ordinance). The Applicant has requested to the neighborhood commercial (LR) district with the intent of developing office and retail uses. According to the Applicant, access to Brodie Lane and Elija Street would be allowed, but prohibited to Dalton Street.

Staff recommends maintaining the NO base district for the subject property as it fits the purpose statement and continues to be appropriate in the context of: 1) the NO-MU and NO-MU-CO zonings granted in 2001 and 2004 on similarly situated lots to the north and south, and 2) maintaining compatibility with the established single family residential neighborhood to the east.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	NO-CO	Two undeveloped platted lots
<i>North</i>	NO-MU; SF-3	Child care facility; Church; Single family residences
<i>South</i>	NO-MU-CO; LR	Realty office; Insurance offices; Jewelry shop; Salon; Child care facility
<i>East</i>	SF-3	Single family residences
<i>West</i>	SF-3; LR; CS-1; GR	Single family residences

**AREA STUDY:** Brodie Lane Study (1975)

**TIA:** Is not required

**WATERSHED:** Williamson Creek –  
Barton Springs Zone – Recharge Zone

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

12 – Brodie Lane Homeowners Association  
 298 – Oak Hill Association of Neighborhoods (OHAN)  
 384 – Save Barton Creek Association  
 511 – Austin Neighborhoods Council  
 627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District  
 943 – Save Our Springs Alliance  
 947 – Deer Park Owners Association, Inc.  
 967 – Circle C Neighborhood Association  
 997 – Tanglewood Oaks Owners Association  
 1037 – Homeless Neighborhood Organization  
 1075 – Bike Austin  
 1134 – Oak Parke/Brodie Wild Preservation Group, Inc.  
 1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1224 – Austin Monorail Project  
 1236 – The Real Estate Council of Austin, Inc.  
 1228 – Sierra Club, Austin Regional Group  
 1340 – Austin Heritage Tree Foundation  
 1363 – SEL Texas  
 1409 – Beyond2ndNature

**SCHOOLS:**

Boone Elementary School

Covington Middle School

Crockett High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0047 – Brodie Property Zoning Change – 8001 Brodie Lane	SF-3 to NO-MU, as amended	To Grant NO-MU-CO w/CO for 300 trips per day	Approved NO-MU- CO as Commission recommended with RC for IPM & Grow Green (6-17-2004).
C14-01-0062 – Brodie Zoning – 7809 Brodie Lane	SF-3 to LO	To Grant NO-MU	Approved NO-MU (8- 2-2001).
C14-96-0084 – Eskew Zoning Change – 8212 Block of Brodie Lane	SF-2 to GR	To Grant LR-CO with conditions	Approved LR-CO with CO for 2,000 trips; 25' buffer along west property line; i.c. of 45% (1-30-1997).
C14-79-248 – Kinchon Subd No. 2, Lot 1, Block 2 – 7711 Brodie Lane at Blumie Street	Interim “A” Residence, Interim First Height & Area to GR First Height and Area	To Grant GR First Height and Area	Approved GR First Height and Area (4- 17-1980).

**RELATED CASES:**

The property is platted as Kincheon Subdivision Section 1; Block 2, Lots 1 and 18, recorded in July 1950 (C8-1950-1957). Please refer to Exhibit B.

Although the area of the Brodie Lane Study (1975) includes this property, the scope of this study was limited and does not pertain to this property.

In 2000, a rezoning application from SF-3 to LO was made for both lots facing Brodie Lane (C14-00-2040 – 3426 Dalton and 3427 Elijah Street). The Applicant amended the request to NO and the Planning Commission recommended and City Council approved NO-CO, with the Conditional Overlay for 2,000 trips per day and prohibiting access to Dalton Street.

There are no related site plan cases on the subject property.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	ADT
Brodie Lane	Varies	MAD-4	Arterial	36,684
Elija Street	50 feet	Varies	Local	N/A
Dalton Street	50 feet	Varies	Local	N/A

- Brodie Lane is classified in the Bicycle Plan as Route No. 17.
- Capital Metro bus service (Route No. 333) is available along Brodie Lane.
- There are existing sidewalks along Brodie Lane and Dalton Street. However, there are no sidewalks along Eliza Street.

**CITY COUNCIL DATE:** June 27, 2013

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

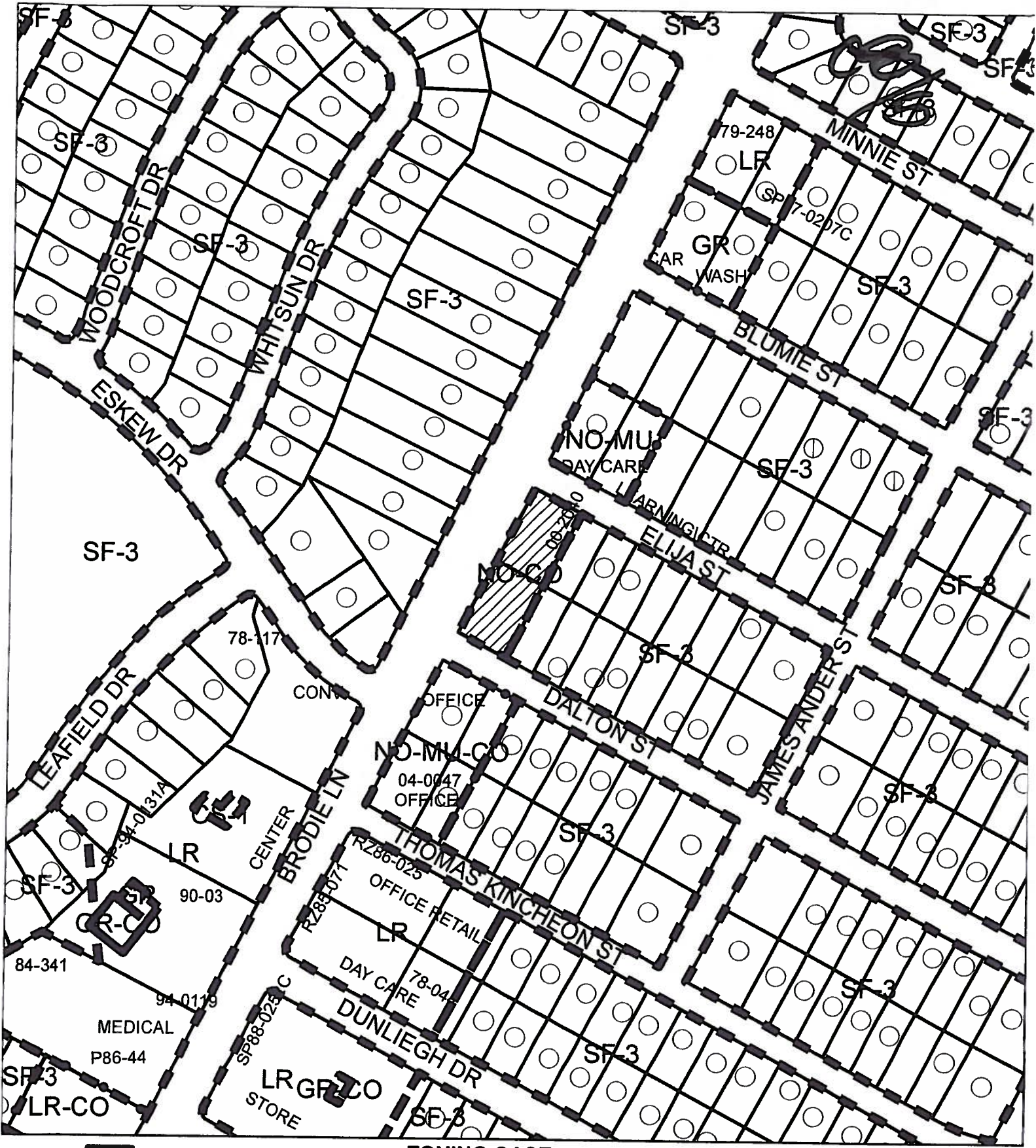
2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

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

**PHONE:** 974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING CASE**  
C14-2013-0027

*Exhibit A*

1" = 200'

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.

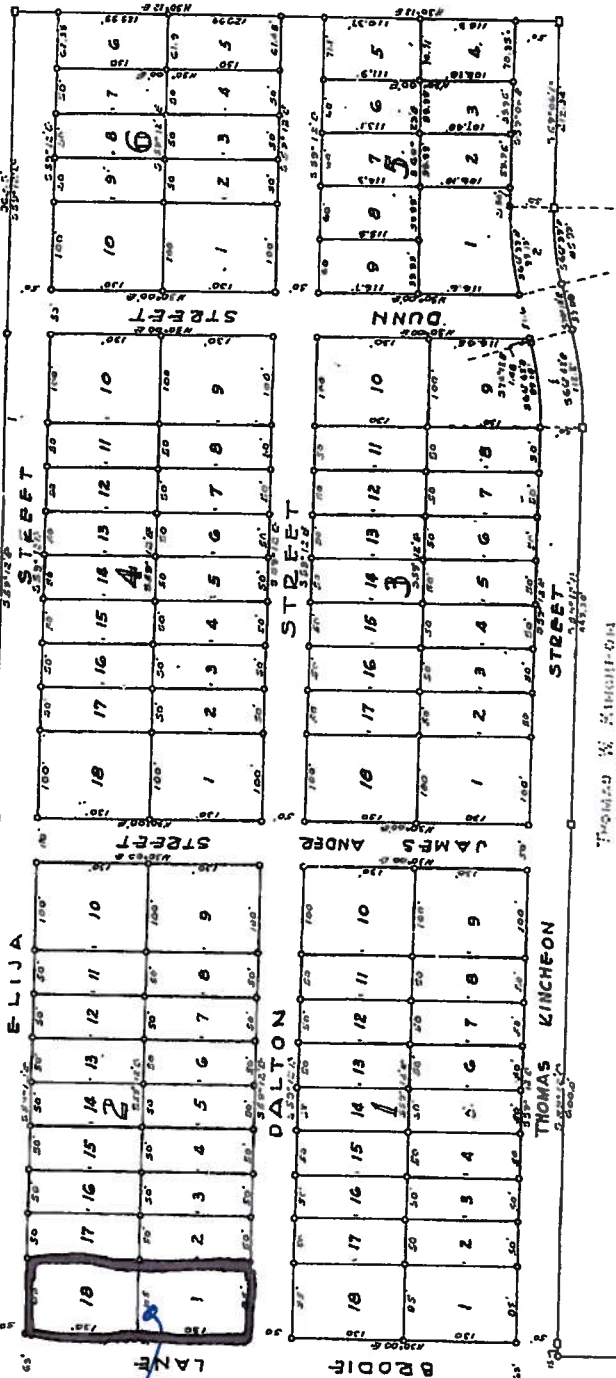








THEOREM 2.1  
Vol. 10, p. 270



**CURVE DATA**

	1	2
1	15.00	15.00
2	56.58	56.58
3	429.19	429.19
4	112.20	112.20
5	112.52	112.52
6	15.00	15.00
7	43.37	43.37
8	37.41	37.41
9	85.99	85.99
10	26.70	26.70

LEGEND  
0.1P5ct  
0.215ct

SCALP 1-160.

FILED FOR RECORD

Way of J. Kelly... D 1950.  
 W. H. Kelly, President,  
 1122 Empire Lane,  
 Cleveland, Ohio. Tel. 2-1111.

THE STATE OF TEXAS,  
COUNTY OF TRAVIS.

MISS EMILIE LUMBER, Clerk of the County Court within and for the County of Travis, do hereby certify that the within and foregoing instrument of Writing with this Certificate of Authenticity was filed for record in my office on the 29th day of July, A.D. 1950 at 11 o'clock A.M. and do hereby certify that the same is a true and correct copy of the original as the same appears from the records of the County Court in the said County of Travis, Texas.

WITNESS MY HAND AND SEAL OF THE County Court of said County of Travis, Texas, this 29th day of July, A.D. 1950 at 11:30 o'clock A.M.

MISS EMILIE LUMBER, Clerk of the County Court within and for the County of Travis, do hereby certify that the within and foregoing instrument of Writing with this Certificate of Authenticity was filed for record in my office on the 29th day of July, A.D. 1950 at 11 o'clock A.M. and do hereby certify that the same is a true and correct copy of the original as the same appears from the records of the County Court in the said County of Travis, Texas.

WITNESS MY HAND AND SEAL OF THE County Court of said County of Travis, Texas, this 29th day of July, A.D. 1950 at 11:30 o'clock A.M.

Elaine Fitzpatrick (SEAL)

## EASEMENT

An increment of five (5) feet along the  
one of all lots is reserved for Public Util.

**SUPERVISED BY**

Q. Lewis

Q. Lemus  
b. Lemus, Jr. b. 1968

June 15, 1961

APPROVED BY CITY PLANNING COMMISSION

Order: July 20/1936. Walter Guttman

[illegible]

In opposing the plea by the Commissioners of the Tenth Census, Texas, it is urged that the building of a full street, road, or other public thoroughfare should not be shown on the plat, and if bridges and aqueducts necessary to be constructed or placed on the street, road, or other public thoroughfare, or in connection therewith, shall be the responsibility of the owner, and if the developer of the tract of land governed by the plat, and the Commissioners with specific powers prescribed by the Commissioners of the Tenth Census, Texas, and the Commissioners of the Tenth Census, Texas, assume no obligation to build the street, road, or other public thoroughfare shown on this plat, or if constructing any bridges or aqueducts in connection therewith.

THE STATE OF TEXAS]

COUNTY OF TEANUS, I Miss Emille Lumbard, County Clerk of  
 Teanus County, Texas, do hereby certify that on the 21st  
 day of July, A.D. 1950, the Comptroller in and for  
 Teanus County, Texas, passed an order, authorizing the  
 filing of the deed of this plat and that said order has  
 been duly recorded in the minutes of said court in  
 Book 10, Page 193.

MISS EMILLE LUMBARDE  
 COUNTY CLERK

WITNESS MY HAND AND SEAL of office on this  
 23rd day of July, 1950.

July ..... A. D. 1950.

by: William Nazario Deputy  
Idaho Executive Director  
Clerk, County Court of Idaho, Condon, Idaho

THE STATE OF TEXAS)

The person described 230 acre tract of land in the County of  
 Lincoln, Missouri, known as the "Old Farm" of the late  
 Leander, Texas County, Texas, conveyed to me by deed of  
 sale in Volume 107, Pages 70-72 of the Bond Records of Texas County,  
 Texas, we hereby adopt the map attached as a subdivision  
 to be known as KINCHEON SUBDIVISION SECTION 1 and  
 do hereby dedicate to the public all streets shown  
 thereon insofar as my interest may appear.  
 IN WITNESS WHEREOF I have hereunto set my  
 hand this 26 day of June, A.D. 1930.  
Edmund W. Kincheon

THE STATE OF TEXAS

COUNTY OF TRANS. Before me, the undersigned authority, on this day personally appeared Thomas J. Linbeck known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

WITNESSED UNDER MY HAND AND SEAL OF OFFICE 1/13/26  
 26th day of June AD 1926

Imagine Clark  
Debating DuPont in and for Thomas' Journal - 1900

APPROVED FOR ACCEPTANCE

DATE: 7-20-50 *Chapman*

U. S. President, Director of Public Works.

EXHIBIT B  
RECORDED PLAT

for Authentication of this check see Vol 10 60 page 543 Reed Records.  
Emilie J. Emery  
Co. 44

08/3

**ORDINANCE NO. 000803-93**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:**

**LOTS 1 AND 18, BLOCK 2, KINCHEON SUBDIVISION SECTION ONE, FROM FAMILY RESIDENCE (SF-3) DISTRICT TO NEIGHBORHOOD OFFICE-CONDITIONAL OVERLAY (NO-CO) COMBINING DISTRICT, LOCALLY KNOWN AS 3426 DALTON STREET AND 3427 ELIJA STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district to neighborhood office-conditional overlay (NO-CO) combining district on the property described in File C14-00-2040, as follows:

Lots 1 and 18, Block 2, Kincheon Subdivision Section One, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 5, Page 115, of the Plat Records of Travis County, Texas, (the "Property")

locally known as 3426 Dalton Street and 3427 Elija Street, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "A".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A structure or portion of a structure may not exceed a height of 30 feet above ground level.
2. There shall be no vehicular access from the Property to Dalton Street. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
3. A 15-foot wide vegetative buffer shall be provided along the east property line. Improvements permitted on the vegetative buffer zone shall be limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.



02/9

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood office (NO) base district and other applicable requirements of the City Code.

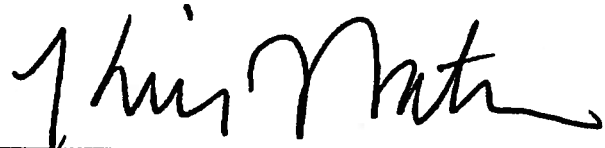
**PART 3.** The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 4.** This ordinance takes effect on August 14, 2000.

**PASSED AND APPROVED**

August 3, 2000

§  
§  
§



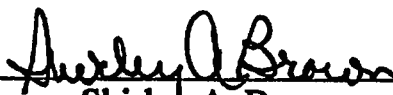
Kirk Watson  
Mayor

APPROVED:



Andrew Martin  
City Attorney

ATTEST:



Shirley A. Brown  
City Clerk



**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to deny neighborhood commercial (LR) district zoning.

If the Owner/Applicant's request for LR zoning is granted, then development should be limited through a conditional overlay to less than 2,000 vehicle trips per day.

**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 neighborhood commercial (LR) 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."

*Staff recommendation:* The neighborhood office (NO) district is intended for offices predominantly serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Offices in the NO district would typically locate on collector streets with a minimum of 40 feet of pavement width, and would not unduly affect traffic in the area. The NO district is designed to accommodate small, single-use offices and to encourage and preserve compatibility with existing neighborhoods through renovation and modernization of existing structures.

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

Staff recommends maintaining the NO base district for the subject property as it fits the purpose statement and continues to be appropriate in the context of: 1) the NO-MU and NO-MU-CO zonings granted in 2001 and 2004 on similarly situated lots to the north and south, and 2) maintaining compatibility with the established single family residential neighborhood to the east.

**EXISTING CONDITIONS****Site Characteristics**

The subject property is undeveloped, is generally flat and sparsely vegetated.



**Impervious Cover**

The maximum impervious cover allowed by the *LR zoning district* is 15%, which is based on the more restrictive watershed regulations.

**Comprehensive Planning**

The zoning case is located on the southeast side of Brodie Lane and Elija Street and is not located within the boundaries of a neighborhood planning area. The property is undeveloped. Surrounding land uses includes a Montessori School to the north, a small real estate office to the south, and single family houses to the east and west. Brodie Lane is a heavily travelled north-south arterial road that includes a variety of retail, office, multi-family, offices and single family houses. The request is to build an office/retail shopping center.

The overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve 'complete communities' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. On page 107, found in Chapter 4 of the IACP it states, "*While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city.*" The property is also located within the boundaries of the Barton Springs Overlay Zone, which is intended to protect the image and character of the neighborhoods in the district, and reduce the negative effects of urbanization by restricting the scale and intensity of retail development. The Barton Springs Overlay Zone applies to the portion of the Barton Springs Zone which is within the City's zoning jurisdiction

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses infill development, including over environmentally sensitive land:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

CP  
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- **LUT P22** Protect Austin's natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space.
- **N P1.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on this property being located along a major arterial road and adjacent to an existing office, school and a nearby shopping centers along Brodie Lane, and the Imagine Austin policies referenced above, which encourages complete communities and infill development, Staff believes that the proposed neighborhood retail office or the existing neighborhood office use are both supported by the Imagine Austin Comprehensive Plan, as long as environmental ordinances are considered and enforced.

### **Environmental**

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance. Impervious cover is limited to 15%.

According to flood plain maps there is no flood plain within the project location.

The site is not located within the endangered species survey area.

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

No trees are located on this property. 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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code regulations.

### **Transportation**

No additional right-of-way is needed at this time.

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 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**

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

A site plan will be subject to compliance with Subchapter E.

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.

The site is subject to compatibility standards. Along the East property line, 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.

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](http://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: C14-2013-0027

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 21, 2013, Zoning and Platting Commission  
June 27, 2013, City Council

Sharon Croissant

Your Name (please print)

3416 Dalton Street 78745

Your address(es) affected by this application

Sharon Croissant

Signature

5-14-2013

Date

Daytime Telephone: 512-689-8791

Comments: I live within 500 ft of this. It is a residential neighborhood. I am concerned that no traffic impact analysis was submitted. This residential side street is not designed for thousands of cars per day. Also, there is nothing saying what kind of business they intend to put here. I object to this zoning change.

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

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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.

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Case Number: C14-2013-0027

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 21, 2013, Zoning and Platting Commission  
June 27, 2013, City Council

Joan Denson  
Your Name (please print)

3414 Thomas Kincheon

Your address(es) affected by this application

Joan Denson  
Signature

May 15 '13  
Date

Daytime Telephone: 512-291-9988

Comments: I understand that the property owner could ask for other zoning like h.o. or general - may interview larger office and as a nearby resident I would not like to see more commercial or retail development nearby. I plan to compact residential neighborhood(s) on both sides of Brodie. Enough in + out to happen in public already. Thank You for voting  
M. Denson

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

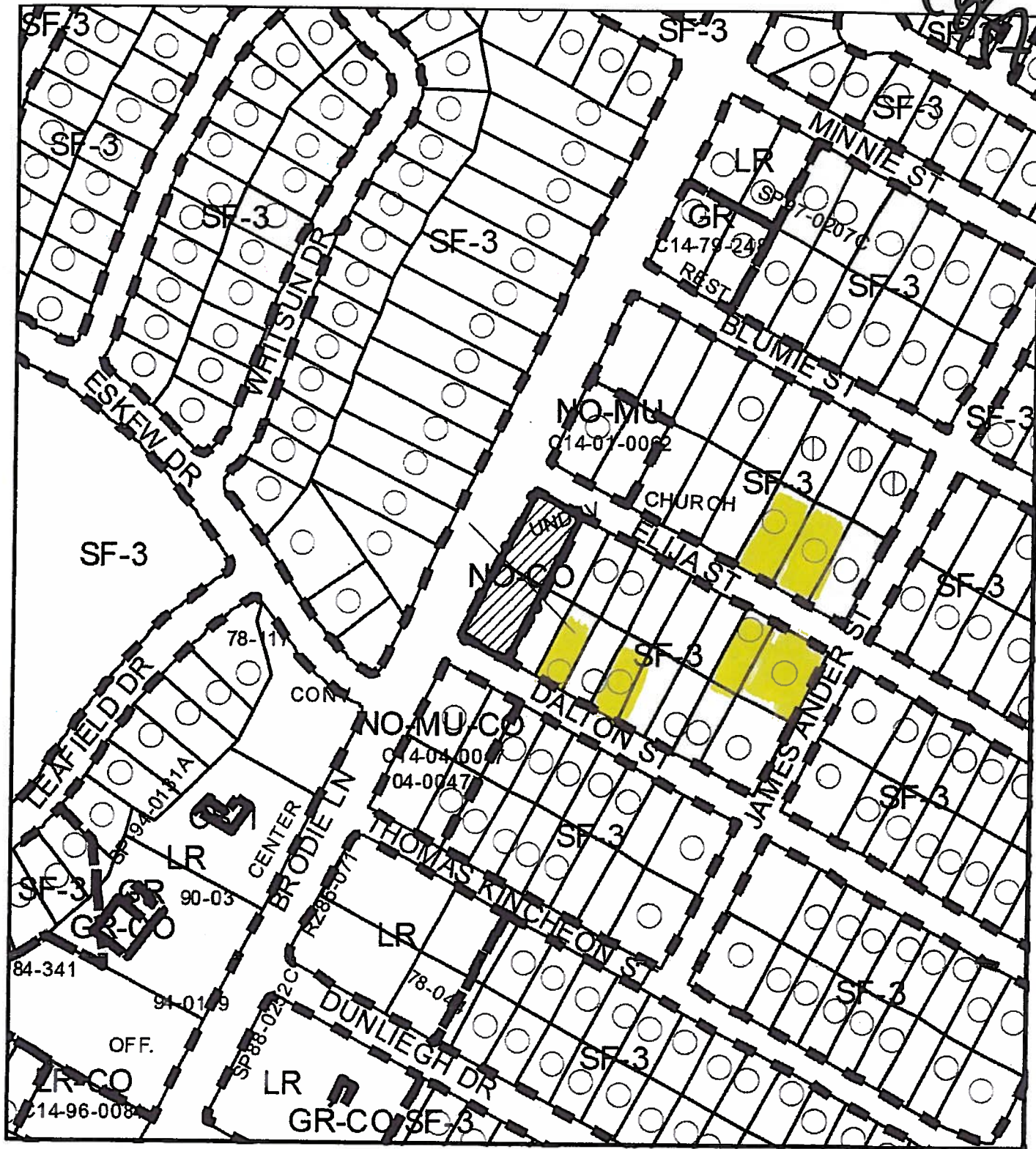
City of Austin  
Planning & Development Review Department




Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

326



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
ZONING CASE#: C14-2013-0027

1" = 200'

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 C TM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





## PUBLIC HEARING INFORMATION

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**Case Number: C14-2013-0027**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: May 21, 2013, Zoning and Platting Commission**

**June 27, 2013, City Council**

DUNCAN ERIC WRIGHT

*Your Name (please print)*

3422 DALTON ST

*Your address(es) affected by this application*

Eric Wright

*Signature*

MAY 21, 2013

*Date*

512-925-8622

*Daytime Telephone:*

*Comments:*

REC'D  
MAY 21 2013  
Planning & Development Review

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City of Austin

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Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 21, 2013, Zoning and Platting Commission  
June 27, 2013, City Council

LIBBY GINSBERG - 9 ARI DVORAK

Your Name (please print)

3414 DALTON ST AUSTIN, TX 78746

Your address(es) affected by this application

Libby Ginsburg 5/19/13

Signature

Date

Daytime Telephone: 512.652.2642

Comments: OUR STREET IS ALREADY TOO

NARROW TO BE AS BUSY AS IT IS.

IT'S A NEIGHBORHOOD FILLED WITH

KIDS & SAFETY IS OUR #1 CONCERN.

WE ARE WORRIED THAT AN EXIT DRIVEWAY

DALTON WILL BRING TOO MUCH TRAFFIC

& VOITERS TO OUR BLOCK - WE ALREADY

HAVE PEOPLE WERE NOT VERY COMFORTABLE

WITH HANGING AROUND THE EMPTY SLAB

ACROSS THE

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Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

STREET FRONT  
OUR HOUSE &  
DON'T WANT EVEN  
MORE.

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Case Number: C14-2013-0027

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 21, 2013, Zoning and Platting Commission

June 27, 2013, City Council

Stephen Travis Beyer

Your Name (please print)

4408 Elijah St. Austin TX 78745

Your address(es) affected by this application

*Stephen Travis Beyer*

Signature

5/20/13

Date

Daytime Telephone: 361-542-1715

Comments: I am opposed to rezoning due to the fact that traffic would greatly increase in our neighborhood and make commuting to & from our home more stressful and hazardous.

MAY 21 2013

Planning & Development Review

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Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810



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**Case Number: C14-2013-0027**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: May 21, 2013, Zoning and Planning Commission**

**June 27, 2013, City Council**

Brian Calcote

*Your Name (please print)*

3410 Eliza St

*Your address(es) affected by this application*

[Signature]

*Signature*

5/20/13

*Date*

Daytime Telephone: 512-644-1072

*Comments:*

**RECEIVED**

**MAY 21 2013**

**Planning & Development Review**

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Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2013-0027

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 21, 2013, Zoning and Platting Commission

June 27, 2013, City Council

Chloe Boyd  
Your Name (please print)

3413 Eliza St. 78745  
Your address(es) affected by this application

Chloe Boyd  
Signature

05/19/13  
Date

Daytime Telephone: (512) 809-6110

Comments: I strongly oppose changing the zoning. I do not want to see any increase in traffic through the neighborhood.

RECEIVED

MAY 21 2013

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Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 21, 2013, Zoning and Platting Commission

June 27, 2013, City Council

GREG & MARY MILLER

Your Name (please print)

7900 JAMES ANDER ST

Your address(es) affected by this application

Signature

Date

Daytime Telephone: 512-799-8617

Comments:

THIS IS TOO CLOSE TO  
SINGLE FAMILY NEIGHBORHOOD  
OUR STREETS ARE 20' WIDE  
AND WITH "ANY" ON-STREET  
PARKING BECOME ONE WAY. WE  
ALREADY SEE TOO MANY CUT  
THROUGH DRIVERS AT HIGH SPEEDS.  
THIS NEIGHBORHOOD IS FINALLY BECOMING  
A NEIGHBORHOOD. PLEASE DON'T DESTROY IT!

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RECEIVED

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Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 21, 2013, Zoning and Platting Commission  
June 27, 2013, City Council

Whitney Falcon  
Your Name (please print)

7809 Brodie Ln

Your address(es) affected by this application

Whitney Falcon

5/15/13

Signature

Date

Daytime Telephone: 428-4780

Comments: The area is already very

congested, more traffic would be

dangerous and crowded for our

children and their families. Also,

this is a delicate recharge zone, I

am worried ~~about~~ that a business there

could damage the aquifers.

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Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

*[Handwritten signature]*



CE  
25

**Rhoades, Wendy**

---

**From:** Jim Wittliff <landanswers@sbcglobal.net>  
**Sent:** Tuesday, May 21, 2013 2:42 PM  
**To:** Rhoades, Wendy  
**Subject:** C14-2013-0027 - Postponement Request

Wendy,

We would like to postpone Case No. C14-2013-0027 which is on today's ZAP agenda to the June 4<sup>th</sup> agenda.

Thank you,  
Jim Wittliff

Land Answers, Inc.  
3606 Winfield Cove  
Austin, TX. 78704  
Ph: 512-416-6611  
Fax: 512-416-6610