



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 02/17/2005
PAGE: 1 of 1

SUBJECT: C14-04-0150 - Neighbor's Stop & Go - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6008 Manchaca Road (Williamson Creek Watershed) from limited office (LO) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions. Applicant: Anthony R. Bertucci. Agent: Brown McCarroll, L.L.P. (Annick C. Beaudet). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

Cherry Creek SW Neighborhood Association

2608 Baxter Dr.

Austin, TX 78745

(512) 447-9186 hilhouse@msn.com

February 7, 2005

Will Wynn, Mayor, City of Austin
Jackie Goodman, Mayor Pro Tem
Daryl Slusher, Place 1 Council Member
Raul Alvarez, Place 2 Council Member
Betty Dunkerley, Place 4 Council Member
Brewster McCracken, Place 5 Council Member
Danny Thomas, Place 6 Council Member

Attn: Wendy Walsh

RE: File Number C14-04-10150
6008 Manchaca Road
Proposed Zoning Change
From LO to LR-CO

The Cherry Creek SW Neighborhood Association (CCSWNA) respectfully requests a postponement of the above issue scheduled to come before the Council on February 17, 2005. We would like a postponement until March 10, 2005, as several key officers of CCSWNA will be unavailable on February 17, and March 3.

In the meantime, we hope to meet with the applicant, hold a neighborhood meeting in which the applicant and his agent will be able to attend, make their presentation and answer some of the concerns of the neighborhood residents.

Thank you for your consideration.

Sincerely,

Joan Hilbig
Acting President
CCSWNA

Wanda Mills
2609 Coatbridge
Austin, TX 78745
441-8346

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0150

Z.P.C. DATE: November 2, 2004
November 16, 2004
January 18, 2005

ADDRESS: 6008 Manchaca Road

OWNER AND APPLICANT: Anthony R. Bertucci **AGENT:** Brown McCarroll, L.L.P.
(Annick C. Beaudet)

ZONING FROM: LO **TO:** CS **AREA:** 1.197 acres
AMENDED TO: LR-CO

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to deny neighborhood commercial –conditional overlay (LR-CO) combining district zoning and maintain limited office (LO) district zoning.

If LR-CO district zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

November 2, 2004: *POSTPONED TO 11/16/04 (NEIGHBORHOOD)*
[J.M; J.G 2ND] (9-0)

November 16, 2004: *POSTPONED TO 1/18/05 (APPLICANT)*
[J.M; J.G 2ND] (9-0)

January 18, 2005: *APPROVED LR-CO DISTRICT ZONING WITH THE CO PROHIBITING ALL LR USES EXCEPT FOR SERVICE STATION AND FOOD SALES, AND PERMITTING ALL LO USES; 2,000 TRIPS; EXTERIOR LIGHTING MUST BE HOODED OR SHIELDED SO THAT THE LIGHT SOURCE IS NOT DIRECTLY VISIBLE FROM ADJACENT PROPERTY; PUBLIC RESTRICTIVE COVENANT ESTABLISHING THE HOURS OF OPERATION BETWEEN 6:00 A.M AND 11:00 P.M.*
[K.J; J.D 2ND] (5-2) T.R, C.H -- NAY; M.W, J.M – ABSENT

ISSUES:

The Cherry Creek SW Neighborhood Association has made a timely postponement request to March 10, 2005 in order to hold a neighborhood meeting with the Applicant. The Applicant does not oppose the Neighborhood's postponement request. Several letters of opposition have been received from the adjacent neighbors and are attached at the back of the staff report.

The applicant has requested CS zoning, but has indicated to staff that he is willing to consider less intensive commercial zoning that would allow a service station with food sales.

DEPARTMENT COMMENTS:

The subject rezoning area consists of one platted lot out of the Independence Park subdivision, takes direct access to Manchaca Road and is zoned limited office (LO) district. This segment of Manchaca

Road between Stassney Lane and Berkett Drive consists of a shopping center and single family residences to the north (zoned GR and SF-2, respectively) and undeveloped land, apartments and duplexes to the south (SF-6, SF-2, GR and SF-3). The east side of Manchaca Road consists of single family residences, a City park and Crockett High School (zoned SF-3). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant proposes to rezone the lot to the neighborhood commercial – conditional overlay (LR-CO) district for a proposed service station with convenience store. The proposed Conditional Overlay prohibits all LR uses with the exception of Service Station and Food Sales. Staff is unable to recommend the applicant's rezoning request. Commercial zoning and development is concentrated further north at the intersection of Manchaca and Stassney, and auto-related uses are located further south on Manchaca, at its intersection with Berkett. With the exception of the subject LO zoned property, residential uses, both existing and approved, are located between the shopping center and Berkett Drive. Although Manchaca Road is classified as an arterial, the introduction of commercial zoning on this lot (which is not located at an intersection) has a greater potential to create the opportunity for unsafe vehicle turning movements and similarly, pedestrian crossings from the park and high school, and is less compatible with the single family residences and approved condominiums. The staff recommends maintaining LO zoning.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Undeveloped
<i>North</i>	SF-6; SF-2; GR	Undeveloped (with an approved zoning site plan for condominiums); Single family residences; Shopping center
<i>South</i>	SF-6; SF-2; GR; SF-3	Undeveloped (with an approved zoning site plan for condominiums); Single family residences; Apartments; Duplexes
<i>East</i>	SF-3	Garrison Park; Single family residences
<i>West</i>	SF-6; SF-2	Undeveloped (with an approved zoning site plan for condominiums); Single family residences

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association

76 -- Southwest Austin Neighborhood Assn.

384 – Save Barton Creek Association

385 – Barton Springs Coalition

428 – Barton Springs / Edwards Aquifer Conservation District

461 – Cherry Creek SW Neighborhood Association

511 -- Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

943 – Save Our Springs Alliance

SCHOOLS:

Cunningham Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

There are no recent case histories on the surrounding properties.

RELATED CASES:

In 1983 the rezoning area was approved for "O", Office, First Height and Area (converted to LO) zoning and included a Zoning Site Plan (Tract 1 in C14-80-145 – Ordinance Number 83-0324-H). The approved Zoning Site Plan for the office use is provided as Exhibit B.

The rezoning area is platted as Lot 2 of Independence Park subdivision, recorded in February 2001. Please refer to Exhibit C.

For Information: The surrounding 48.43 acres was rezoned to "A-2" Condominium Residence, First Height and Area (converted to SF-6), as Tract 2 of the same Zoning Site Plan application. A Replacement Site Plan for the condominium use was filed in 2000 and approved administratively by staff in July 2001. Subsequently, two interested parties filed an appeal of the approval of the Replacement Site Plan that was denied by the Zoning and Platting Commission on September 11, 2001 (SP-00-2489CR). On January 31, 2002, an Appeal of the Approval of the Replacement Site Plan was granted by the City Council.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
Manchaca Road	Varies	40 feet	Arterial	23,220

- There are existing sidewalks along Manchaca Road.
- Manchaca Road is classified in the Bicycle Plan as a Priority 1 bike route.
- Capital Metro bus service is available along Manchaca Road.

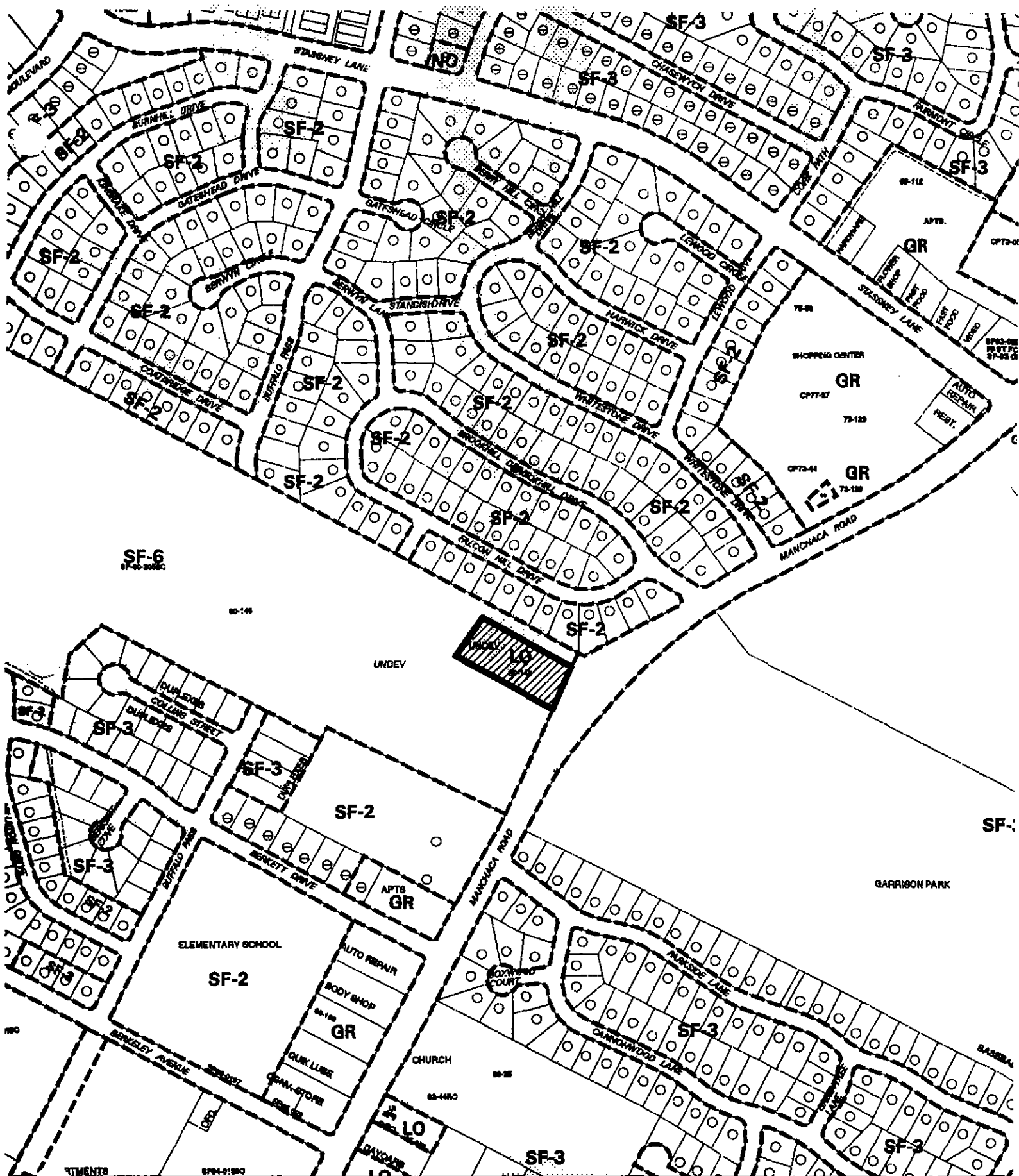
CITY COUNCIL DATE: February 17, 2005 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719

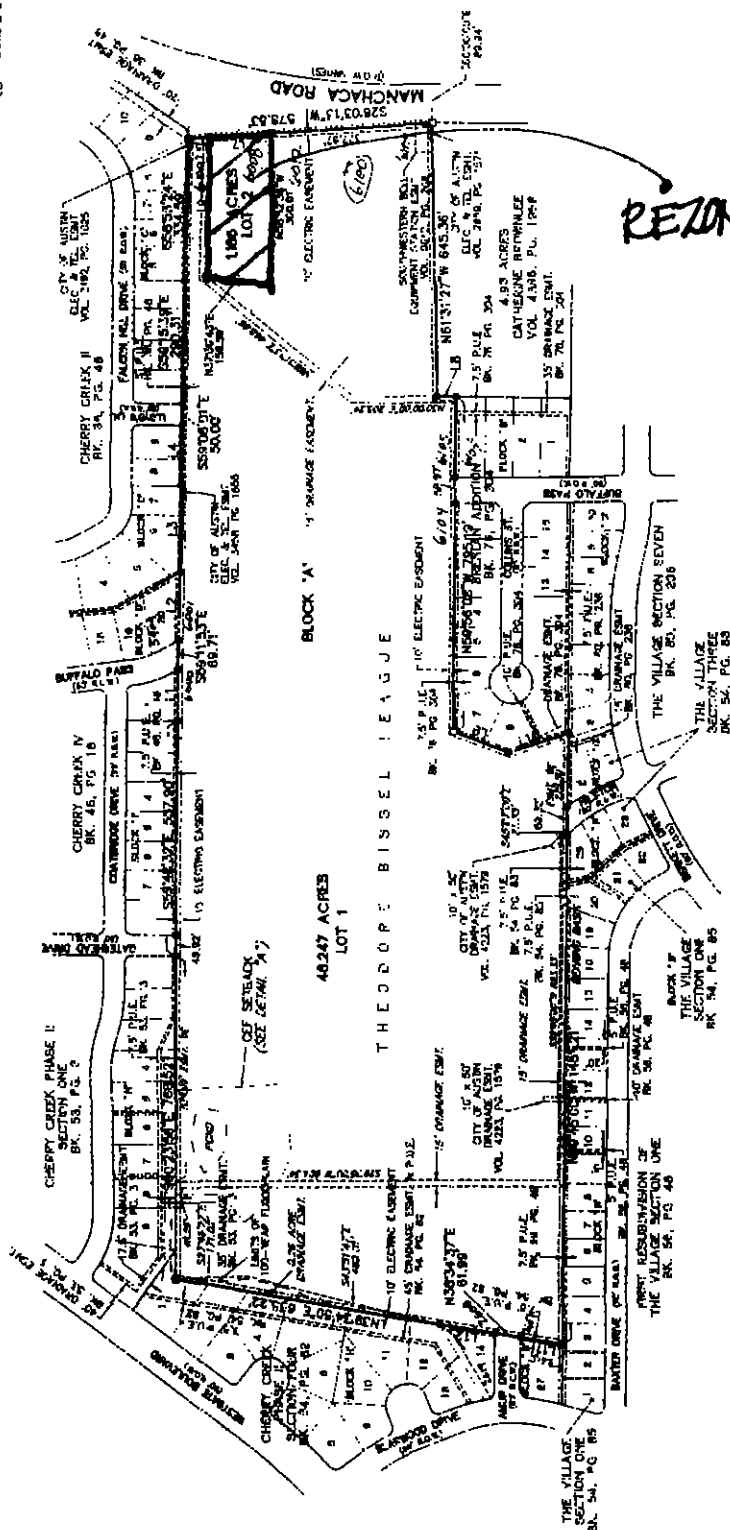
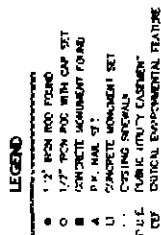
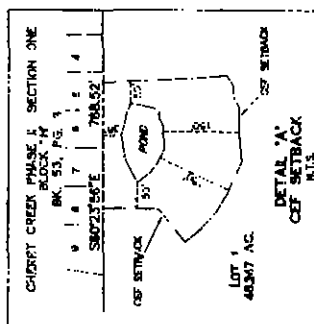


 1" = 400'	SUBJECT TRACT 	ZONING Exhibit A		CITY GRID REFERENCE NUMBER F17
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-04-0150 ADDRESS: 5008 MANCHACA RD SUBJECT AREA (acres): 1.197	DATE: 04-10 INTLS: SM	
	CASE MGR: W. WALSH			



[illegible]

£4 000/000



**INDEPENDENCE
PARK**

DATE: NOVEMBER, 2000
PREPARED BY:

Bury+Partners, Inc.
Consulting Engineers and Surveyors
Austin, Texas Tel 512/730-0911 Fax 512/736-8922
© Copyright 2004, Bury+Partners, Inc.

REMARKS: THE BARS OF ISLAND SHOWN HEREON IS THE SOUTHERLY LINE OF THE 45 247 AC. FOREWATER TRACT, SAME BEING THE NORTHERLY LINE OF PAST RECONSTRUCTION OF THE ALLIANCE SECTION ONE, BLOCK "B", AS FORMER MOUNTED ON THE GROUND AT THE TIME OF THE SURVEY.

EXHIBIT C
RECORDED PLAT

1 of 2
SHEET

CB-00-2199.0A

2010000000

[illegible]

8450 HANFORD DRIVE
 AUSTIN, TEXAS 78720
 DATE 11-28-00

THE ABOVE NAMED INDIVIDUAL HAS BEEN ADVISED THAT HE WILL BE
 INTERVIEWED BY THE FBI ON THE 25th DAY OF
 DECEMBER 2000 BY CHANDLER VALERIANO, KNOWN TO ME AS
 THE PERSON WHOSE NAME WAS SUBMITTED TO THE FORENSIC INSTRUMENT
 BOARD AND HAS BEEN ADVISED THAT HE WILL BE INTERVIEWED
 ON THE PURPOSES THEREIN EXPRESSED AND AT THE CAPACITY THEREIN STATED
 ANY OTHER INFORMATION RECEIVED BY ME FROM THE FBI ON THE 25th DAY OF
 DECEMBER 2000 AT
 NEWARK, NEW JERSEY

SCATHLEEN A. MORROW
Atty Genl
STATE OF TEXAS
My Comm. Exp. 02-17-04

Melvin Davis March 28, 2004

CO. OF "TEAM X"
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 28th DAY OF
December, 1965, BY JOHN, BY DELIVERED TO ME BY JOHN TO ME TO
THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT
AND WHOSE NAME IS SUBSCRIBED TO ME THAT FOREGOING INSTRUMENT WAS EXECUTED
BY HIM OR BY HIM OR BY HIM OR BY HIM OR BY HIM OR BY HIM OR BY HIM OR BY HIM
ON THE PURPOSES HEREIN EXPRESSED AND IN THE CAPACITY HEREIN STATED.
WITNESS MY HAND AND SEAL OF OFFICE THIS 28th DAY OF December, 1965

**NOTARY PUBLIC:
IN AND FOR THE STATE OF TEXAS.**

THE 100 YEAR FLOODPLAIN IS CONTAINED WITHIN THE DRAINAGE BASIN(S) SHOWN HEREIN. A PORTION OF THIS "FAC" IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN OF A WATERWAY THAT IS WITHIN THE LIMITS OF STUDY. THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRST PAVED ANALYSIS IS DATED JUNE 2, 1997 FOR TRAVIS COUNTY, TEXAS, AND INCORPORATED AREAS.



2 of 2

GENERAL NOTE

- [illegible]

SURVEYOR'S CERTIFICATION

1. JOHN C. BECKING, AN AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING, AND HEREBY CERTIFY THAT THE PLAT COMPLEX WITH CHAPTER 20 OF THE AUSTIN CODE OF 1860, AS AMENDED, AND WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE PROPERTY WALKER TRACT IN SOUTHERN

JOHN T. BLANCHARD, JR. I.S.
TEXAS RECEPTION NO. 4899
SOLWAY & PARTNERS, INC.
19345 MEE CAVE RD. SUITE 200
AUSTIN, TEXAS 78749

INDEPENDENCE:

PARK
DATE: NOVEMBER, 2000
PREPARED BY:

Bury+Partners, Inc.
Consulting Engineers and Surveyors
4404 N. Texas Rd. SLC 84143-2011 Fax 512/324-0555
© Copyright 2000, Bury+Partners, Inc.

C8-00-2199.0A

[illegible]

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to deny neighborhood commercial –conditional overlay (LR-CO) combining district zoning and maintain limited office (LO) district zoning.

If LR-CO district zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day.

BACKGROUND

The subject rezoning area consists of one platted lot out of the Independence Park subdivision, takes direct access to Manchaca Road and is zoned limited office (LO) district. This segment of Manchaca Road between Stassney Lane and Berkett Drive consists of a shopping center and single family residences to the north (zoned GR and SF-2, respectively) and undeveloped land, apartments and duplexes to the south (SF-6, SF-2, GR and SF-3). The east side of Manchaca Road consists of single family residences, a City park and Crockett High School (zoned SF-3).

The applicant proposes to rezone the lot to the neighborhood commercial – conditional overlay (LR-CO) district for a proposed service station with convenience store. The proposed Conditional Overlay prohibits all LR uses with the exception of Service Station and Food Sales. Staff is unable to recommend the applicant's rezoning request. Commercial zoning and development is concentrated further north at the intersection of Manchaca and Stassney, and auto-related uses are located further south on Manchaca, at its intersection with Berkett. With the exception of the subject LO zoned property, residential uses, both existing and approved, are located between the shopping center and Berkett Drive. Although Manchaca Road is classified as an arterial, the introduction of commercial zoning on this lot (which is not located at an intersection) has a greater potential to create the opportunity for unsafe vehicle turning movements and similarly, pedestrian crossings from the park and high school, and is less compatible with the single family residences and approved condominiums. The staff recommends maintaining LO zoning.

BASIS FOR LAND USE RECOMMENDATION OF DENIAL (ZONING PRINCIPLES)

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

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

LO zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods.

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

Commercial zoning is located further north at the intersection of Manchaca and Stassney, and auto-related uses are located further south on Manchaca, at its intersection with Berkett. With the

exception of the subject LO zoned property, residential uses, both existing and approved, are located between the shopping center and Berkett Drive. Although Manchaca Road is classified as an arterial, the introduction of commercial zoning on this lot (which is not located at an intersection) has a greater potential to encourage unsafe vehicle turning movements or pedestrian crossings from the park and high school, and is less compatible with the single family residences and approved condominiums.

EXISTING CONDITIONS

Site Characteristics

The rezoning area is undeveloped and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 70%, which is based on the more restrictive zoning regulations. The maximum impervious cover allowed by the LR zoning district would be 80% that is based on the more restrictive watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Williamson Creek 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%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

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

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.

TPSD Right-of-Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed rezoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Transportation

The trip generation under the requested zoning is estimated to be 7,002 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

No additional right-of-way is needed.

If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [IDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria and specifications.

Compatibility Standards

The site is subject to compatibility standards, due to SF-2 property within 540 feet. Along the north property line, the following standards apply:

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

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

Chris Butler
6204 Blarwood
Austin, TX 78745

Oct. 26, 2004

City of Austin
Zoning and Planning Commission
Attn: Wendy Walsh
1 Texas Center
Austin, Texas

Dear Ms. Walsh,

As discussed earlier, members of the Cherry Creek Neighborhood Association SW would greatly appreciate a 2 week extension on an item currently scheduled for the Zoning and Planning Commission meeting on Nov. 2, 2004.

We have some concerns about a "limited office" parcel on Manchaca that is being considered for "general commercial" zoning, and would like to present them to the commission. However, the scheduled date of Nov. 2 may limit the number of our members who can attend, due to major elections also scheduled for that day.

If a 2 week delay is acceptable, we would much appreciate the courtesy.

Thank you,



Chris Butler
Acting President,
Cherry Creek Neighborhood Association SW

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

November 2, 2004 Neighborhood Planning and Zoning Department

Your Name (please print) Barbara Kelley

2207 Falcon Hill Dr.

Your address(es) affected by this application

Barbara Kelley 10/26/04

Signature

441-5058

Daytime Telephone:

Date

Comments: This would be built right across the street from the opening of Garrison Park. Would create more traffic. We have drive in stores on Manchaca & Berkley & another on Manchaca & Southern Oaks.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ 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

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: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

November 2, 2004 Neighborhood Planning and Zoning Department

Deirdre Anderson
Your Name (please print) George Shannon

2105 Falcon Hill
Your address(es) affected by this application

Deirdre Anderson
Signature

10-25-04
Date

Daytime Telephone: 693-2640

Comments: There is already too much
dangerous traffic in the area
because of the school & park.
Also we have a bad flooding
problem in our back yard.
I'm afraid any construction
will cause it to become worse.
Plus I don't want any type of
business in my back yard.

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

City of Austin
Neighborhood Planning and Zoning Department
Wendy Walsh
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

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: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

November 2, 2004 Neighborhood Planning and Zoning Department

KATHLEEN T. ALLEN

Your Name (please print)

2200 FALCON HILL DR

Your address(es) affected by this application

Kathleen T. Allen

Signature

Date

Daytime Telephone: 442-7148

Comments: This intersection is currently very congested during the 9 months the students are at Crockett High School - the primary spike from the student parking lot is only about 50 feet from the proposed business. The remaining three months (November, December, and January) are directly across the street and have no impact on volume of traffic. Please consider this very carefully!!

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object



NOTICE OF FILING OF APPLICATION FOR A PUBLIC HEARING ON REZONING

Mailing Date: September 28, 2004

Case Number: C14-04-0150

Please be advised that the City of Austin has received an application for rezoning of a property that is within 300 feet of your property. City Ordinance requires that all property owners within 300 feet of the subject property and affected neighborhood organizations be notified when an application has been filed.

If you have any questions concerning this application, please contact Wendy Walsh of the Neighborhood Planning and Zoning Department at (512) 974-7719 and refer to the Case Number at the top right of this notice. However, you may also find information on this case at our web site www.ci.austin.tx.us/gis/reviewcases/rcase_table_search.cfm.

Owner/Agent: Anthony R & Mildred L. Bertucci

Telephone: 512-837-0509

Location: 6008 Manchaca Road

Proposed Zoning Change

From LO – **Limited Office district** is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

To CS – **General Commercial Services district** is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

The rezoning of a property requires approval by a Land Use Commission and final approval by the City Council. When scheduled, you will receive a notice for each public hearing which will provide the date, time, and location of the public hearing. You are encouraged to participate in this process.

For additional information on the City of Austin's land development process, please visit our web site www.ci.austin.tx.us/development.

I object to this business being directly behind my residence. A convenience store with a service gas station does not fit in this area. There is a 7-11 convenience store 2 blocks south on Manchaca Rd. There is a convenience store w/ service gas station 2-3 blocks north on Manchaca Road. There is no need for another one of these businesses that close together. Also there is no traffic signal light to help the traffic move. The other 2 places are on corners w/ signal lights. What a mess this will be.

Rosa J. Kent
2113 Falcon Hill Dr.
Austin, TX 78745-3521

Rosa J. Kent

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: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

November 2, 2004 Neighborhood Planning and Zoning Department

Judith G. WARREN

Your Name (please print)

☐ I am in favor
☒ I object

2106 Falcon Hill Dr.

Your address(es) affected by this application

Judith G. Warren

Signature

Oct 28, 2004

Date

Daytime Telephone: 442-5841

Comments:

This type zoning is
not compatible to the neighborhood,
the park or the adjoining
homes. I request that it
not be approved.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

November 2, 2004 Neighborhood Planning and Zoning Department

Melanie Vait Vlie

Your Name (please print)

2203 Falcon Hill Dr Austin 78745

Your address(es) affected by this application

Melanie Vait Vlie

Signature

Date

Daytime Telephone: 512-326-3456

Comments: Bad idea! Businesses would ruin the field of trade already existing there. Plus, any business in this area is immediately devoured by the high school population constantly filtering from across the street. I do not foresee a thriving business of any kind.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

Sacubara A. Buchanan

Your Name (please print)

2107 Falcon Hill Dr. Aus. 78753

Your address(es) affected by this application

Sacubara A. Buchanan

Signature

1/11/05

Date

Daytime Telephone: 512-444-4653

Comments: Statement about this is a

Tandem Traffic Area on Manchaca Rd -
Crockett St, Geneva Park, & 2nd St to State
Churchill & Whitestone. No lights & control
traffic. Many residents happy with sign
making left turn into Park. turning
not compatible with a large commercial
traffic area! Commercial Street available
with up & down Manassas within 3 blocks
each way! We don't need any more

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

Two Area!!

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: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

KATHLEEN T. ALLEN
Your Name (please print)

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

2200 FALCON HILL DRIVE, AUSTIN, 78745
Your address(es) affected by this application

Kathleen T. Allen
Signature

1-12-05
Date

Daytime Telephone: 512-442-7148

Comments: I oppose this proposed change, primarily because of additional traffic that would be generated by any commercial venture. In the summer, Harrison Park is heavily traversed by families, mostly by car - in the fall it is football practice & in spring, softball - plus, the E. (Cip) area students who attend Rockwood - now with the College (Austin Community) building adjacent the traffic will not be able to cope w/ anything that allows additional auto's. Love

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

Spring is in
is, please.

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

WANDA-J. Mills

Your Name (please print)

2609 Coathridge 78745

Your address(es) affected by this application

Shandoz Mills

Signature

1-18-2005

Date

Daytime Telephone: 512.441.8346

Comments: A lot of thought and consideration would need to be given to the type development planned for this plot of land before the neighborhood could feel comfortable. We already have a lot of cut-throting traffic on our neighborhood street. We have explored various options to alleviate the problem, but haven't solved it. Any further commercialization of the area would make matters worse. This is a quality of life issue.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

Vicki Keller

Your Name (please print)

☐ I am in favor
☒ I object

2607 COATBRIDGE DRIVE -45

Your address(es) affected by this application

Vicki Keller

Signature

1-18-05

Date

Daytime Telephone: 383-0389

Comments: MY PRIMARY OBJECTION TO THIS RE-ZONING APPLICATION IS BASED ON TRAFFIC AND SAFETY CONCERNS. THE COMBINATION OF CLODETT H.S., GARLSON DISTRICT PARK, CUNNINGHAM ELEMENTARY, THE MANCHACA LIBRARY, THE CHERRY CREEK SHOPPING CENTER, AND THE FORTHCOMING AUSTIN COMMUNITY COLLEGE CAMPUS BRINGS A TREMENDOUS AMOUNT OF VEHICULAR, PEDESTRIAN, AND BICYCLE TRAFFIC THROUGH A RESIDENTIAL AREA ON ROADS THAT ARE UNABLE TO SUPPORT IT SAFELY. A (MAY MAKE SURE)

If you use this form to comment, it may be returned to: CHANGE FROM THE LO ZONING TO

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

WILL HAVE A NEGATIVE IMPACT ON THIS COMMUNITY.

16 Nov. 2004

Attn: Wendy Walsh

Re: 6008 Manchaca Rd

As applicant of Case C14-04-0150,
I am requesting a postponement
to 18 January 2005.

Thank you,
Anthony R Bertucci
512-837-0509

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

DAVID KROFF

Your Name (please print)

2600 COATBRIDGE DR.

Your address(es) affected by this application

DAVID KROFF

Signature

Date

Daytime Telephone: 773-0383

Comments:

There are similar stores in the area and we don't need any more. We need more positive development for this lot - i.e. Dr. office, dentist office, etc.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

Susan Kroft

Your Name (please print)

☐ I am in favor
☒ I object

2600 Coatbridge Dr.

Your address(es) affected by this application

Susan Kroft

Signature

1/17/05

Date

Daytime Telephone: 773-0384

Comments:

Consideration needs to be given regarding the effect this zoning change will have on the neighboring high school, elementary school, and public park within easy walking distance of the children.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

Joan + Stan Hilbig
Your Name (please print)

☐ I am in favor
☒ I object

2608 Baxter Dr.

Your address(es) affected by this application

Joan Hilbig + Stanley Hilbig 1-18-05
Signature Date

Daytime Telephone: 447-9186

Comments: An compatibility with residential zoning

2) Traffic hazards to students + pets w/out + traffic light

3) Increased traffic on Manchaca Rd - beyond capacity now.

4) Unneeded - convenience store 3 blks away.

5. Devastating effects of industrial/commercial use on

neighborhood stability.

6. No guarantee CS rezoning would result in

compatible development.

7. CS zoning allows for explosive mtl. offensive
conditions and a 35' building height.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

GEORGE E. HUFFMAN

Your Name (please print)

2007 COTABRIDGE DR, 07045

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 3830389

Date

1-16-05

Comments: This is a part of the community where growth will have a negative impact on the safety of children. The children at Craddock are at risk from automobiles and this will increase the risk of more children getting killed. I also feel that any growth/development on any part of this block of land will increase water run off which will directly affect my property.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

SIMON T. MILLS

Your Name (please print)

2609 Cotabridge

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 441-8346

Date

1/18/05

Comments: One major objection concerns the description of CS Zoning. This is a residential environment & we don't need incompatible development. A second is the increased run off from development on these property.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission

Deirdre Anderson

Your Name (please print)

2105 Falcon Hill Austin 78745

Your address(es) affected by this application

Deirdre Anderson 1-13-05

Signature

Date

Daytime Telephone: 693-2040

Comments:

There is already too much traffic and it's very dangerous because of all the children from the school and the park. Any type of business would just add to the problem. I also do not want a business in my back yard. There was one when I bought it and I want it to stay that way.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810



PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

January 18, 2005 Zoning and Platting Commission



Your Name (please print) Barbara Kelley

2207 Falcon Hill Dr.

Your address(es) affected by this application

Barbara Kelley Signature

Date

Daytime Telephone: 512-441-5058

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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

Case Number: C14-04-0150

Contact: Wendy Walsh, (512) 974-7719 974-6054 (fax)

Public Hearing:

January 18, 2005 Zoning and Platting Commission

CHAD R. JOHNSON

Your Name (please print)

☐ I am the owner
☒ I object

2201 FALCON HILL DR. AUSTIN, TX. 78745

Your address(es) affected by this application

Chad R. Johnson 1-17-05

Signature

Date

Daytime Telephone: 302-3447

Comments: As mentioned, property owner of a lot and home adjacent to this proposed project requiring a zoning change, my wife and I must object to any zoning change to a C-6 or related zoning. South Manchaca is already littered with commercial stores and auto repair stations. To allow another type development directly across Garrison Park and bounded by residential developments seems a big mistake. We oppose any zoning change not compatible with residential environments.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P.O. Box 1088

Austin, TX 78767-8810

January 14, 2005

VIA EMAIL & REGULAR MAIL

Wendy Walsh, Senior Planner
City of Austin, Neighborhood Planning & Zoning Department
505 Barton Springs Road
Austin, Texas 78704

Re: Zoning Case No. C14-04-0150

6008 Manchaca Road

Dear Wendy:

Please accept this letter as our client's formal amendment of the zoning application submitted for the above referenced zoning case. The application submitted requested a rezoning from Limited Office (LO) to General Commercial Services (CS) district zoning. By this letter, we are amending our application to a request for a rezoning from Limited Office (LO) to Neighborhood Commercial-Conditional Overlay (LR-CO) district zoning. The CO would prohibit all LR uses except Service Station and Food Sales. Therefore, the permitted uses on the site would be limited to those permitted within a Limited Office (LO) zoning district, Service Station, and Food Sales.

Our client is requesting this amendment in response to concerns brought forth by the neighbors living in the area to the north of the Property. Per my conversations with Chris Butler of the Cherry Creek Southwest Neighborhood Association, it is my understanding that the neighborhood is more concerned with the future development of the adjacent, undeveloped, 40-acre tract (of which we are not the owners and over which we have no control) but would also like to retain the existing LO on our one acre tract. Given that the majority of Manchaca Road already supports a mix of retail and residential zoning, we feel that the addition of one acre of LR-CO would not negatively affect conditions on Manchaca Road and would fit well into the existing mix of zoning and land uses.

Again, while this property does not abut any property within the neighborhood, in an effort to address the concerns of the neighborhood representatives we are amending our request so as to create the least possible intensive zoning change while still allowing our client to develop and use his property as he feels is desirable at this time.

Should you need any further information, please contact me at 703-5741.

Wendy Walsh
January 13, 2005
Page 2

Respectfully yours,



Annick Beaudet
Land Development Coordinator

Enclosure

cc: Chair Betty Baker, Zoning and Platting Commission

Zoning and Platting Commission Members

Anthony Bertucci, property owner

Nikelle S. Meade, Esq.

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 6008 MANCHACA ROAD FROM LIMITED OFFICE**
3 **(LO) DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL**
4 **OVERLAY (LR-CO) COMBINING DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from limited office (LO) district to neighborhood commercial-
10 conditional overlay (LR-CO) combining district on the property described in Zoning Case
11 No. C14-04-0150, on file at the Neighborhood Planning and Zoning Department, as
12 follows:

13
14 Lot 2, Block A, Independence Park Subdivision, a subdivision in the City of
15 Austin, Travis County, Texas, according to the map or plat of record in Document
16 No. 200100043, of the Official Public Records of Travis County, Texas, (the
17 "Property")

18
19 locally known as 6008 Manchaca Road, in the City of Austin, Travis County, Texas, and
20 generally identified in the map attached as Exhibit "A".

21
22 **PART 2.** The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:

24
25 1. A site plan or building permit for the Property may not be approved, released, or
26 issued, if the completed development or uses of the Property, considered cumulatively
27 with all existing or previously authorized development and uses, generate traffic that
28 exceeds 2,000 trips per day.

29
30 2. The following uses are prohibited uses of the Property:

31
32 Consumer convenience services
33 Financial services
34 Off-site accessory parking
35 Pet services
36 Printing and publishing
37 Custom manufacturing

Consumer repair services
General retail sales (convenience)
Personal services
Plant nursery
Restaurant (limited)

3. The following uses are conditional uses of the Property:

College and university facilities

Private secondary educational facilities

4. Exterior lighting shall be hooded or shielded so that the light source is not directly visible from adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed in accordance with the regulations established for the neighborhood commercial (LR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED

_____, 2005

§
§
§

Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Brown
City Clerk



RESTRICTIVE COVENANT

OWNER: Anthony R. Bertucci and Mildred L. Bertucci

ADDRESS: 9410 Hansford Drive, Austin, Texas 78753

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: Lot 2, Block A, Independence Park Subdivision, a subdivision in the City of Austin, Travis County, according to the map or plat of record in Document No. 200100043, Official Records of Travis County, Texas.

WHEREAS, the Owner, whether one or more, of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Hours of operation for a business located on the Property are limited to the hours of 6:00 a.m. to 11:00 p.m.
2. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
4. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
5. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the _____ day of _____, 2005.

OWNER:

Anthony R. Bertucci

Mildred L. Bertucci

APPROVED AS TO FORM:

Assistant City Attorney
City of Austin

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____,
2005, by Anthony R. Bertucci..

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____,
2005, by Mildred L. Bertucci.

Notary Public, State of Texas

After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767-1088
Attention: Diana Minter, Legal Assistant