

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-11
AGENDA DATE: Thu 03/02/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0163 - Landrum 4 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 601 West Applegate Drive (Little Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to commercial recreation (CR) district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Applicant: Kellis Landrum. Agent: Bennett Consulting (Jim Bennett). City Staff: Sherri Sirwaitis, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0163

Z.A.P. DATE: October 18, 2005
November 1, 2005
November 15, 2005
January 17, 2006
January 31, 2006

ADDRESS: 601 West Applegate Drive

OWNER/APPLICANT: Kellis Landrum

AGENT: Bennett Consulting (Jim Bennett)

ZONING FROM: SF-2

TO: GR*

AREA: 0.945 acres

* The applicant amended their rezoning request to CR, Community Recreational District, zoning on November 14, 2005 (Letter from Agent – Attachment D).

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant SF-6, Townhouse & Condominium Residence District, zoning.

If the applicant's request for GR, Community Commercial District, zoning is granted then the Transportation staff recommends that development on the site be limited through a conditional overlay to less than 300 vehicle trips per day above the existing trip generation. [LDC, 25-6-117]

ZONING AND PLATTING COMMISSION RECOMMENDATION:

10/18/05: Postponed to November 1, 2005 by the staff (9-0); J. Martinez-1st, J. Gohil-2nd.

11/01/05: Postponed to November 15, 2005 by the applicant (9-0); J. Martinez-1st, J. Gohil-2nd.

11/15/05: Case continued to January 17, 2006 Zoning and Platting Commission meeting (7-0, J. Gohil, J. Martinez – absent); M. Hawthorne-1st, T. Rabago-2nd)

1/17/06: Postponed to January 31, 2006 at the applicant's request (9-0); J. Martinez-1st, J. Gohil-2nd.

1/31/06: Approved CR-CO zoning with the following conditions:

- 1) Recreational Equipment Maintenance & Storage as the only permitted CR (Community Recreation) district use,
- 2) Permit SF-6 (Townhouse & Condominium Residence) district uses,
- 3) SF-6 (Townhouse & Condominium Residence) district site development standards,
- 4) Limit access to the driveway previously considered Motheral Drive (vacated Motheral Drive),
- 5) The applicant will provide a vegetative buffer along Applegate Drive,
- 6) The site shall be limited to less than 300 vehicle trips per day above the existing trip generation.

Vote: (8-0, J. Gohil-absent)

ISSUES:

At the request of the Zoning and Platting Commission on November 15, 2005, the applicant revisited the surrounding properties and provided a map showing describing which property owners he had contacted concerning this rezoning case (Attachment F).

The applicant visited several properties along Applegate Drive and submitted comment forms to the staff (Attachment C). In addition, the staff received a petition from surrounding neighbors opposed to any zoning other than the SF-2 district on November 15, 2005 (Attachment E).

DEPARTMENT COMMENTS:

The property in question is currently being utilized for scrap and salvage use. The site contains numerous vehicles in varying states of disrepair that are screened by a solid metal fence. This property is associated with the automotive sales and repair business located to the west, which is zoned LI, Limited Industrial District. On July 21, 2005, the owner of the property was cited/ red tagged by the City of Austin Code Enforcement Division for zoning violations (Code Enforcement Report – Attachment A). The applicant has stated that he is requesting CR, Community Recreation District, zoning to develop a recreational vehicle and boat storage use (Recreational Equipment Maintenance and Storage) on the site.

The land under consideration was annexed by the City of Austin in case C7a-76-007, through Ordinance No. 760617. This tract was included in the Mockingbird Hill Area Study completed in October of 1985. The area study recommended single-family zoning for this site (Proposed Land Use Map – Attachment B).

In zoning case C14-85-378, the previous owner, North Lamar Property Partnership (Dorothy Shelton, Trustee), requested CS, General Commercial Services District, zoning for this property. The staff recommended SF-2, Single-Family –Standard Lot District, zoning consistent with the Mockingbird Lane Area Study. On April 24, 1986, the City Council granted LR, Neighborhood Commercial District, zoning for Tract 6 (601-607 West Applegate Drive) subject to the vacation of Motheral Lane, a six foot privacy fence around the property east of Motheral, no curb cuts onto Applegate Drive, and a 30 foot height restriction on 1st reading. Tract 6 remained pending and never received 2nd/3rd readings at City Council. The property was permanently zoned SF-2 in 1986 through Ordinance No. 860206-K.

The staff recommends SF-6 zoning for the property in question because the Townhouse & Condominium Residence District is consistent with recommendations for single-family land use for this tract of land in the Mockingbird Hill Area Study. The SF-6 zoning district will provide for a transition in the intensity of development from the existing commercial uses along North Lamar Boulevard to the single-family uses to the east and from the low density single-family uses to the north to the multifamily uses to the south. The site under consideration is surrounded by residential uses to the north, south, and east.

The applicant does not agree with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Scrap and Salvage use
<i>North</i>	SF-3, SF-2, SF-3, SF-2	Single-Family Residences
<i>South</i>	MF-2	Apartments (Multifamily)
<i>East</i>	SF-2	Single-Family Residences
<i>West</i>	LI	Automotive Sales/ Automotive Repair Business

AREA STUDY: Mocking Bird Hill Area Study**TIA:** Waived**WATERSHED:** Little Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

103 – Mockingbird Hill Neighborhood Association
 114 – North Growth Corridor Alliance
 511 – Austin Neighborhoods Council
 742 – Austin Independent School District
 937 – Taking Action Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0209	CS-CO, CS to CS-1	3/01/05: Approved staff rec. of CS-1-CO with following conditions: Prohibit Adult Oriented Businesses, Liquor Sales, Cocktail Lounge, Vehicle Storage, Pawn Shop Services, Indoor Entertainment, Exterminating Services, Guidance Services; limit height to a maximum of 40 feet; limit development to 2,000 vtpd (8-0)	3/24/05: Approved CS-1-CO (7-0); all 3 readings
C14-03-0150	SF-2 to CS* *Amended to 'GR' on 11/5/03	11/4/03: Approved staff's recommendation to deny CS, General Commercial Services District, zoning (9-0)	12/11/03: The motion to deny zoning request was approved (7-0); Slusher-1 st , McCracken-2 nd The motion to approve reconsideration of this item was approved (7-0); Slusher-1 st , Thomas-2 nd This item was postponed to January 29, 2004 (7-0); Slusher-1 st , Wynn-2 nd 1/29/04: Denied request (4-0), Thomas/Goodman-absent, McCracken-off dias)

C14-01-0116	LO to CS	1/22/02: Approved staff alternate rec. of CS-CO; w/conditions (8-0)	2/28/02: Approved CS-CO w/other conditions (6-0); all 3 readings: 1) Subject to TIA conditions; 2) Prohibiting the following uses: a) Automotive Washing (of any type) b) Commercial Off-Street Parking c) Convenience Storage d) Equipment Sales e) Funeral Services f) Kennels g) Monument Retail Sales h) Outdoor Sports and Recreation i) Residential Treatment j) Local Utility Services k) Service Station l) Campground m) Construction Sales and Services n) Equipment Repair Services o) Exterminating Services p) Hotel-motel q) Laundry Services r) Outdoor Entertainment s) Vehicle Storage t) Community Recreation (public) u) Community Recreation (private) v) Off-site Accessory Parking w) Drop-off Recycling Collection Facility 3) Prohibit Drive-in Service
C14-01-0037	MF-2, SF-3, SF-2 to NO-NP	4/17/01: Approved staff rec. of NO-NP, CS-NP, MF-2-NP, LO-NP, GR-NP, P-NP, LI-NP (9-0)	5/24/01: Approved PC rec. on all 3 readings, except Tract 9 (1 st reading only); (6-0) 8/9/01: Approved CS-NP for Tract 9 (7-0); 2 nd /3 rd readings
C14-99-0116	DR to CS, IP	9/14/99: Approved zoning as described in agreement w/ neighborhood (Travis Country Community Service Association)-CS-CO (TR1), IP-CO (TR2), RR (TR3), LO-CO (TR4), R&D-CO (TR5); (7-1, RC-Nay)	11/4/99: Approved as recommended by PC, subject to SOS ordinance (6-0); 1st reading 12/2/99: Approved CS-CO (TR1), IP-CO (TR2), RR (TR3), LO-CO (TR4), R&D-CO (TR5); (6-0, WL-absent); 2 nd /3 rd readings
C14-93-0003	SF-2 to GR	2/16/93: Approved GR-CO w/conditions (6-0) 1) Six-foot privacy fence along western property line; 2) No additional driveway approaches along Neans Drive; 3) General Retail Sales	3/4/93: Approved GR-CO (7-0); 1 st reading 7/14/94: Approved GR-CO (7-0); 2 nd /3 rd reading 7/21/94: Approved GR-CO (7-0); 3 rd reading

		(General), General Retail Sales (Convenience) uses shall be restricted to max FAR of .203 to 1 4) Restaurant (General), Restaurant (Limited) uses shall be restricted to max FAR of .149 to 1 5) Restaurant (Drive-in, Fast Food) uses shall be restricted to max FAR of .048 to 1 6) Food Sales use shall be restricted to max FAR of .172 to 1 7) Financial Services uses shall be restricted to max FAR of .115 to 1	
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RELATED CASES: C14-85-0178 (Mockingbird Hill Area Study Rezoning)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
West Applegate	60'	Varies	Collector

CITY COUNCIL DATE: March 2, 2006

ACTION:

ORDINANCE READINGS: 1st

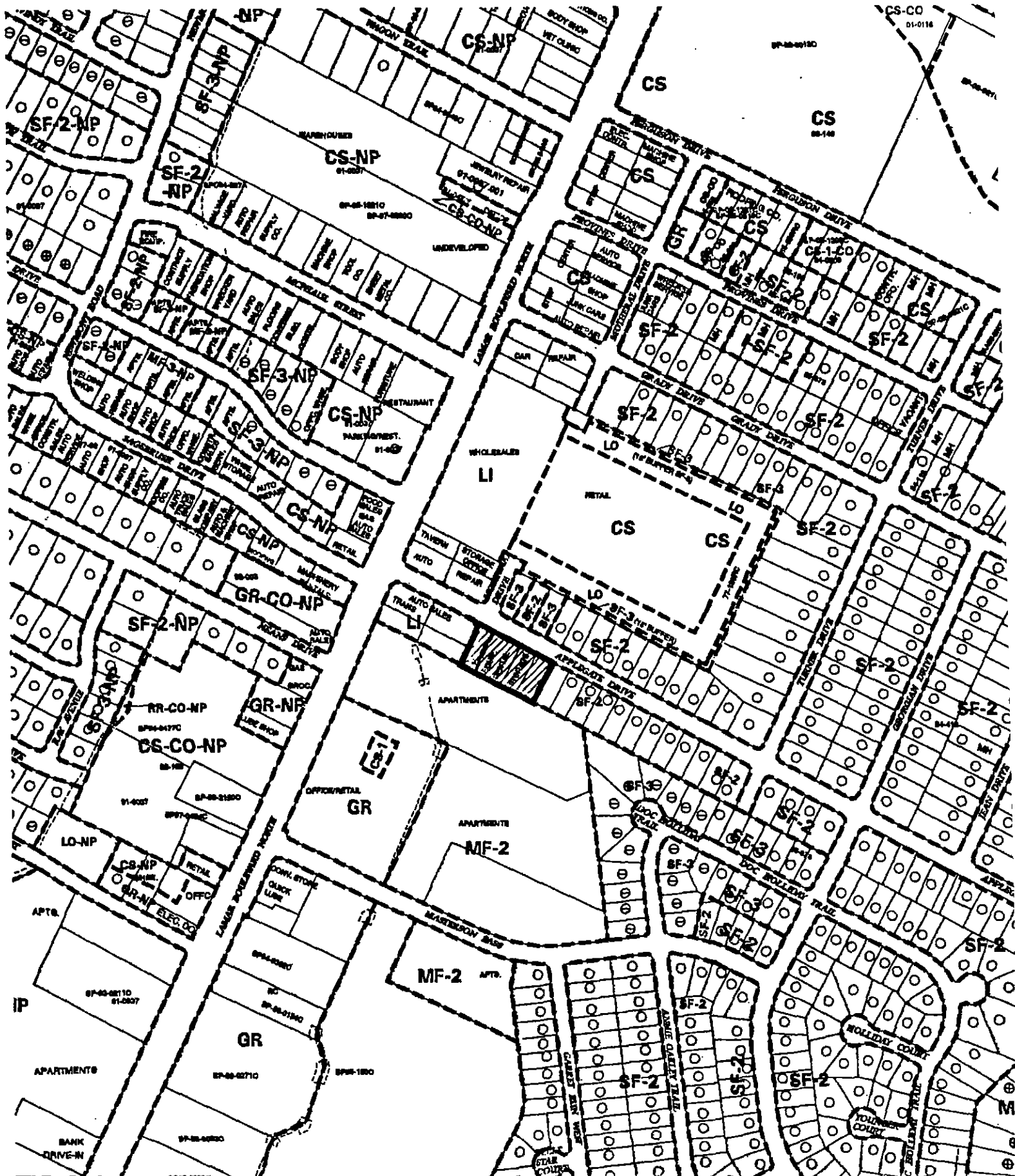
2nd

3rd

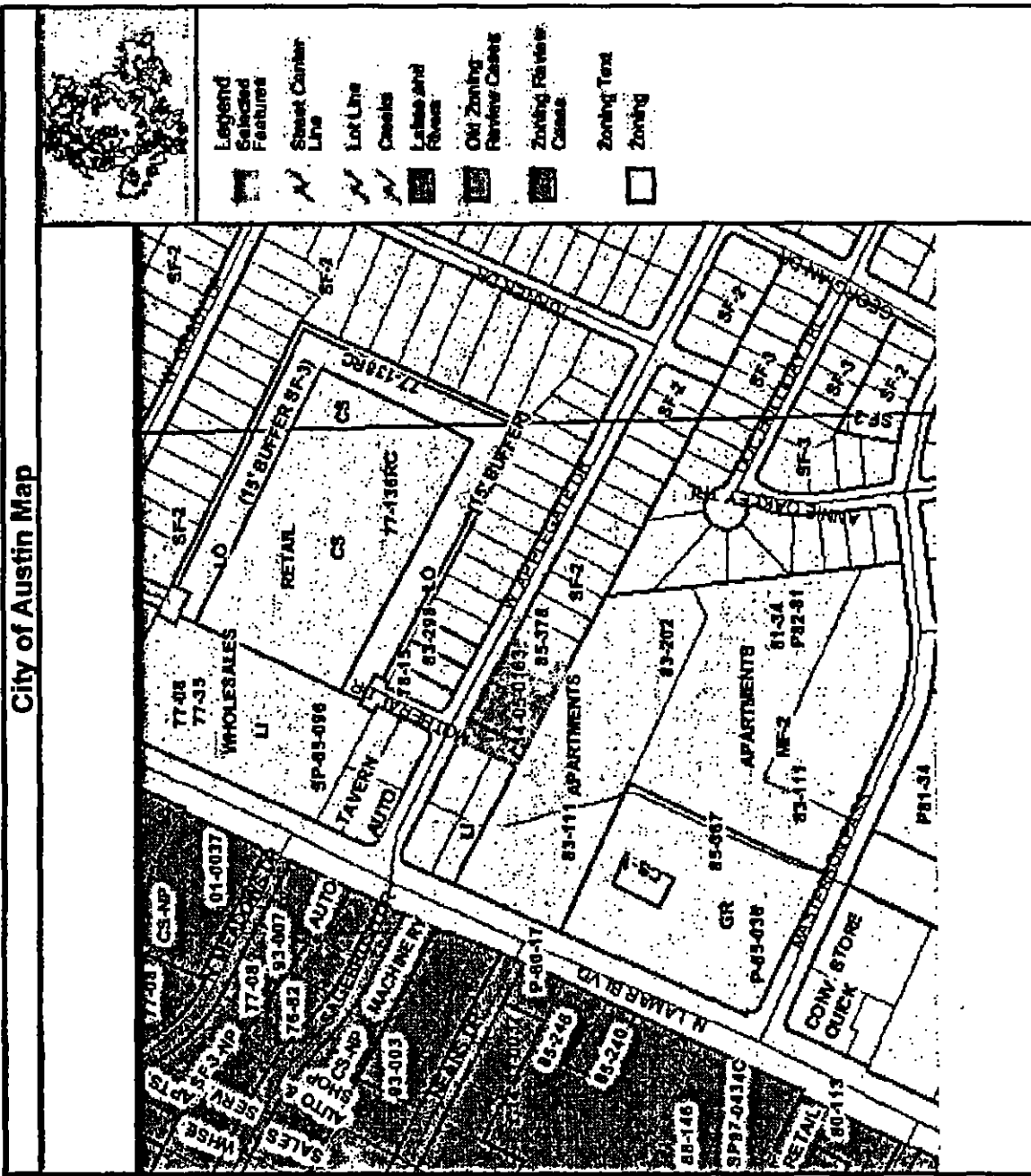
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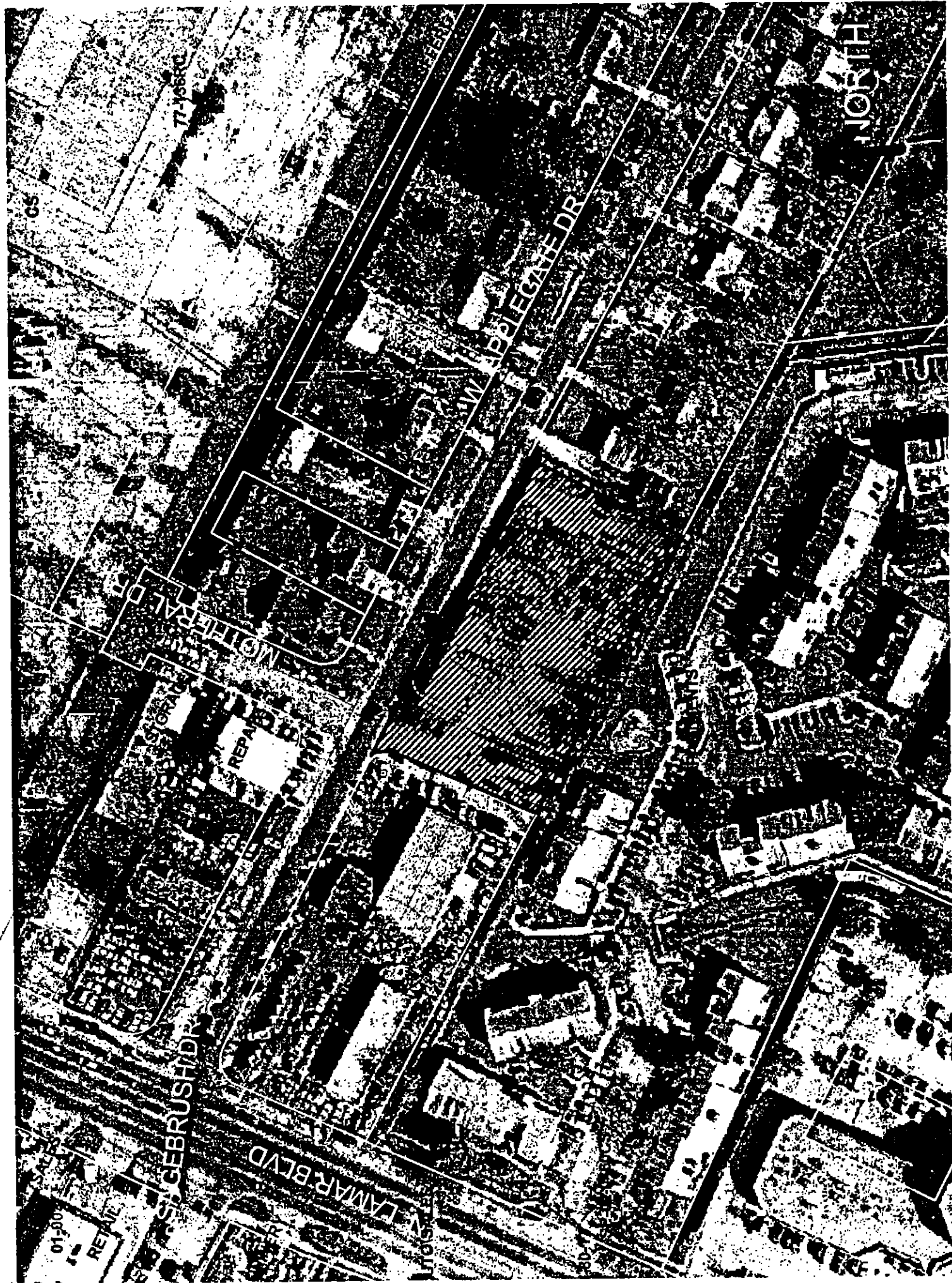
CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT	 	ZONING		CITY GRID REFERENCE NUMBER L31
	PENDING CASE		CASE #: C14-05-0163		
	ZONING BOUNDARY		ADDRESS: 601 W. APPLE GATE		
	CASE MGR: S. SIRWAITIS		SUBJECT AREA (acres): 0.945		
			DATE: 05-09	INTLS: TRC	





STAFF RECOMMENDATION

The staff's recommendation is to grant SF-6, Townhouse & Condominium Residence District, zoning.

* If the applicant's request for GR, Community Commercial District, zoning is granted then the Transportation staff recommends that development on the site be limited through a conditional overlay to less than 300 vehicle trips per day above the existing trip generation. [LDC, 25-6-117]

BASIS FOR RECOMMENDATION

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

Townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

The staff's recommendation of SF-6 district zoning is consistent with the proposed single-family land use for this tract of land in the Mockingbird Hill Area Study.

2. *The proposed zoning promotes consistency and orderly planning.*

The applicant's request for GR, Community Commercial District, zoning does not promote consistency and orderly planning because the site is surrounded by residential uses to the north, south, and east. The proposed GR zoning will be intrusive into an established residential neighborhood.

The SF-6 zoning district will provide for a transition in the intensity of uses from the existing commercial uses along North Lamar Boulevard to the single-family uses to the east and from the low density single-family uses to the north to the multifamily uses to the south.

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

The property in question is not located at or near the intersection of two major roadways. The property takes access to a residential street, Applegate Drive.

The staff's recommendation of SF-6 district zoning will allow for more intensive residential development that will take access to a residential collector roadway.

EXISTING CONDITIONS

Site Characteristics

The site contains a scrap and salvage use with numerous vehicles in varying states of disrepair that are screened by a solid metal fence. There is also a wooden shed type structure with aluminum roof on the property.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90 %. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone.

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

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

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

Transportation

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

The trip generation under the requested zoning is estimated to be 3,814 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). This site generates approximately 94 trips currently as an auto repair shop.

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 300 vehicle trips per day above the existing trip generation. [LDC, 25-6-117]

Capital Metro bus service is available along North Lamar Boulevard within ¼ mile of the site.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
West Applegate	60'	Varies	Collector

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 the water and wastewater utility *improvements, offsite main extension, system upgrades, utility relocation, and adjustments*. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

The site is subject to compatibility standards. Along the east and north property line, the following standards apply:

- No structure may be built within 25 feet of the east 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 east 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.

Case History: 601 Applegate Drive

Legally Known As: LOT 3 BLK K MOCKINGBIRD HILL SEC 1

InspecTrack Case Number: IT # 05-021806

Date Opened: 07/18/2005 Case Status: OPEN TCAD #: 02451812030000 Plat #:

7/18/2005-Present #738 John McTier

Kellis & Bobbie Nell L Landrum
P.O. Box 430, Glodthwaite, TX 76844-0430OCCUPANT: Tenant,
601 W. Applegate Drive, Austin, TX 78753

Anonymous

Date: 7/18/2005

Complainant: Anonymous

Description: Open next business day due to weekend- vehicle storage

Manager Contacted: No

Premises

Status: 7/21/2005 - Occupied

Findings 7/21/2005 - Zoning violation(s) found

7/26/2005: Recommended Discontinue all scrap and salvage storage on the within 15 days.

7/26/2005: Recommended Remove all vehicles, equipment, and business activity that has not been approved by a released site plan, change-of-use, building permits, and certificate-of-occupancy for the within 30 days.

7/26/2005: Recommended Vehicle storage is not a permitted use in a single family zoning district and must be discontinued on the within 0 days.

Red Tag/EBS:

7/21/2005 #738 (John McTier)
5

Conducted An Initial Inspection of the Property. Inspector's Comments: "Observed a unimproved lot surrounded by a 6' high gated solid metal fence. There is an aluminum and wooden structure approximately 25 feet across and at least 15' in height. There were several vehicles in various stages of dismantling. Also observed an individual dismantling vehicles. The property is currently zoned as a residential zoning of SF-2. Contact T. Castro to ascertain zoning at time of annexation."

7/28/2005	#738 (John McTier)	Conducted A Follow-Up Inspection of the Property. Inspector's Comments: "Needed to verify that address is actually 601 W. Applegate."
8/25/2005	#738 (John McTier)	Information Update and research results. Inspector's Comments: "Verified address and ownership information. Premises continue to be utilized as auto dismantling, salvage facility. Send NOV."
9/1/2005	#738 (John McTier)	Inserts a tracking notice comment for date executed. Inspector's Comments: "Certified tracking notice has been delivered."
10/4/2005	#738 (John McTier)	Information Update and research results. Inspector's Comments: "A case has been opened for a rezone. See case # C-14-05-0163" Follow-Up on 11/20/2005

Valid Conditions In Violation of the Austin City Code (Land Development Code):

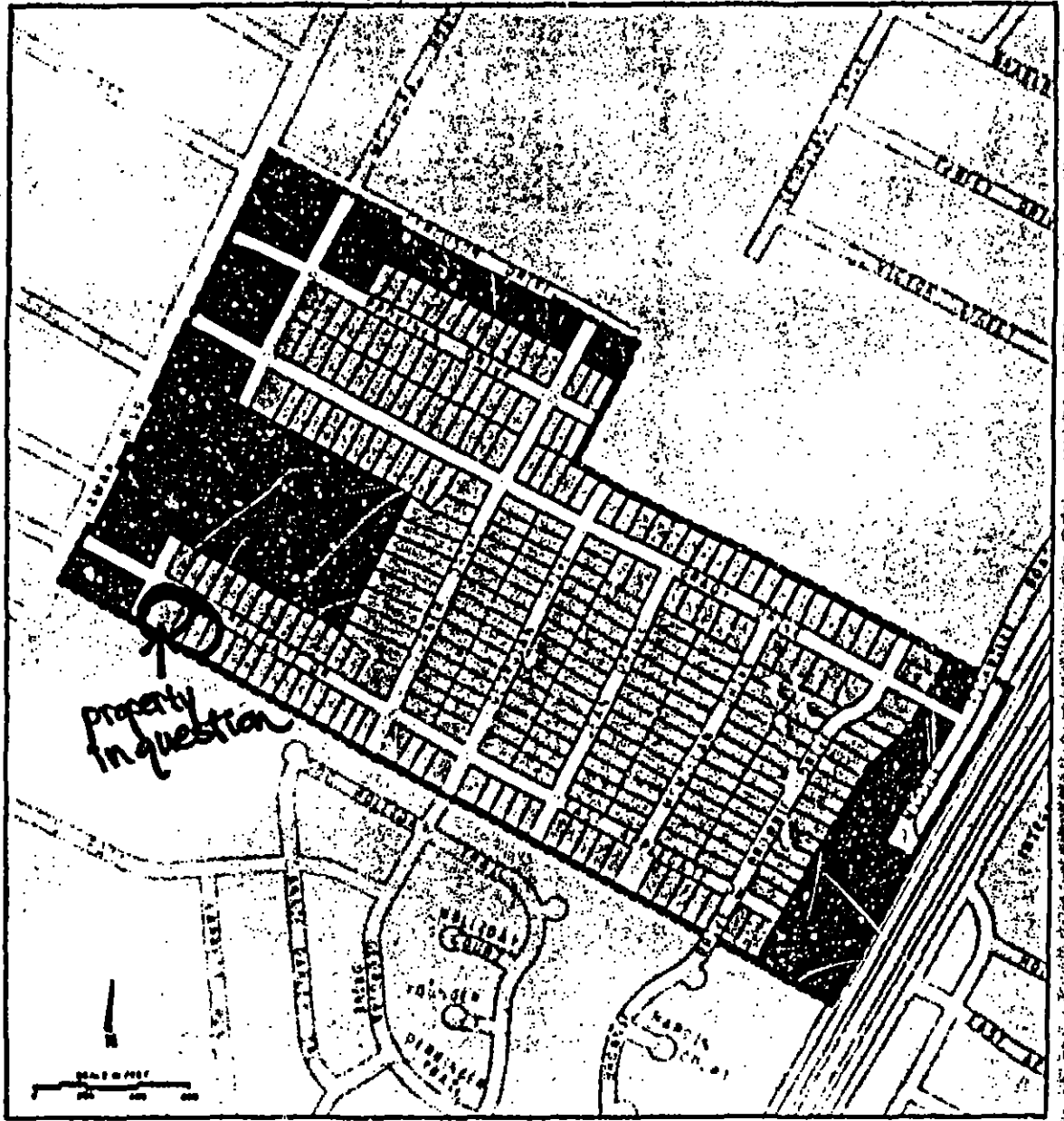
Promises

07/21/2005	PERMITTED, CONDITIONAL AND PROHIBITED USE	Code Ref: 25-2-491 Auto dismantling and vehicle storage are not permitted uses within the SF-3- NP Residential Zoning District; discontinue auto dismantling and storage of vehicles; remove vehicles from premises
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Legal Notice (Zoning) sent on 8/25/2005 to (the owner) Kellis & Bobbie Nell L Landrum, certified #7005 0390 0005 8920 5944. Status: Rec'd on 8/29/2005 by Marilyn Williams

Attachment B

MOCKINGBIRD HILL STUDY AREA
PROPOSED LAND USE
MAP 5 - OPTION 1



LEGEND

- OFFICE
- COMMERCIAL
- SINGLE FAMILY



NOTICE OF FILING OF APPLICATION FOR A PUBLIC HEARING ON REZONING

Mailing Date: September 27, 2005

Case Number: C14-05-0163

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 Sherri Sirwaitis of the Neighborhood Planning and Zoning Department at (512) 974-3057 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: Kellis Landrum

Telephone: 325-648-3339

Agent: Jim Bennett

Telephone: 512-784-4961

Location: 601 W. Applegate Drive

Proposed Zoning Change

From SF-2-(Tract 1)- **Single-Family Residence (Standard Lot)** district is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lot patterns, as well as for development of additional single-family housing areas with minimum land requirements. NONE-(Tract2)

To GR-(Tract 1) **Community Commercial** district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways. GR-(Tract 2) **Community Commercial** district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

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 DO NOT OBJECT TO THE REZONING OF THE PROPERTY LOCATED AT
601 WEST APPLGATE DRIVE OWNED BY KELLIS LANDRUM.**

Miguel Navarrete
SIGNATURE

606 West Applegate
ADDRESS



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SIGNATURE

700 W Applegate
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SIGNATURE

304 West Applegate
ADDRESS



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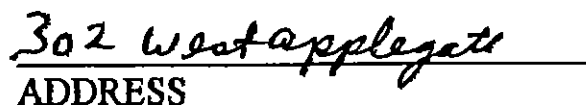
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SIGNATURE


ADDRESS



NOTICE OF FILING OF APPLICATION FOR A PUBLIC HEARING ON REZONING

Mailing Date: September 27, 2005

Case Number: C14-05-0163

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.

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Owner: Kellis Landrum

Telephone: 325-648-3339

Agent: Jim Bennett

Telephone: 512-784-4961

Location: 601 W. Applegate Drive

Proposed Zoning Change

From SF-2-(Tract 1)- **Single-Family Residence (Standard Lot)** district is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lot patterns, as well as for development of additional single-family housing areas with minimum land requirements. NONE-(Tract2)

To GR-(Tract 1) **Community Commercial** district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways. GR-(Tract 2) **Community Commercial** district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

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I DO NOT OBJECT TO THE REZONING OF THE PROPERTY LOCATED AT
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SIGNATURE

604 applegate Dr.
ADDRESS



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HELADIA SALAZAR.
SIGNATURE

506 West Applegate
ADDRESS



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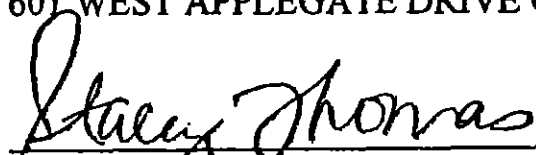
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Suena Franco
SIGNATURE

504 West Applegate
ADDRESS



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Beida Avila
SIGNATURE

502 West applegate
ADDRESS



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Maria Martinez
SIGNATURE

501 west applegate
ADDRESS

November 14, 2005

City Of Austin
P.O. Box 1088
Austin, Tx. 78756

RE: Zoning Case C-14-05-0163
601 Applegate Dr.

Dear Mrs. Sirwaitis

As agent on the above zoning case I wish to amend the application from "GR" to "CR" zoning. The intended purpose for the "CR" zoning is to allow the owner to construct RV and Boat storage.

Thank You for your assistance.

Sincerely ,


Jim Bennett

PETITION

Date: October 25, 2005
 File Number: C14-05-0163
 Address of Rezoning Request:
601 West Applegate Drive

To: Austin City Council
 Cc: Neighborhood Planning and Zoning

We, the undersigned, owners of property affected by the requested zoning change described in the referenced file, do hereby protest any changes to the Land Development Code which would allow the property located at 601 West Applegate Drive to be zoned under any classification other than SF-2 single-family residence.

This property has received a red tag for a zoning violation. The city inspector reports storage of vehicles on a site that is zoned for single-family uses. Mr. Landrum has been in violation of current zoning for several years. The neighborhood association did report this to the city several times in 2002 and 2003.

The property is adjacent to single-family homes to the North and East and apartments to the South, which makes commercial zoning inappropriate and intrusive to our residential neighborhood. Residents of this area have worked hard to clean up zoning violations in the neighborhood and would like to see all commercial zoning remain west of Motheral Drive. The property in question does not have direct access to major roadways. The adjacent street, Applegate Drive, is a residential street.

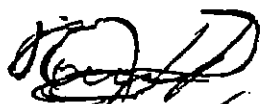
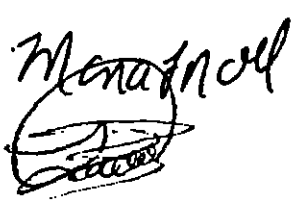
Questions please call Mona Noll, President Mockingbird Hill NA, 835-0231.

(Please use black ink when signing petition)

Signature

Printed Name

Address

	Tobias Flores	604 W Applegate Dr
ARNULFO PENA	Dany O Brando	302 " "
	ARNULFO PENA	505 WEST APPLE
		Gate
	mona L Noll	600 W Applegate Dr
	LEONCIO DE VITA	502 W APPLEGATE S

PETITION

Case Number:

C14-05-0163

Date:

Jan. 9, 2006

Total Area within 200' of subject tract: (sq. ft.)

294,414.08

1	02-4420-0132	BENITEZ LEONCIO & OTON OCAMPO	5,956.28	2.02%
2	02-4518-1103	NOLL MONA L FLORES TOBIAS M & ANA V	10,037.79	3.41%
3	02-4518-1105	MENDOZA ARNULFO PENA & MARIA E	10,438.95	3.55%
4	02-4518-1205		10,589.13	3.60%
5				0.00%
6				0.00%
7				0.00%
8				0.00%
9				0.00%
10				0.00%
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25				0.00%

Validated By:

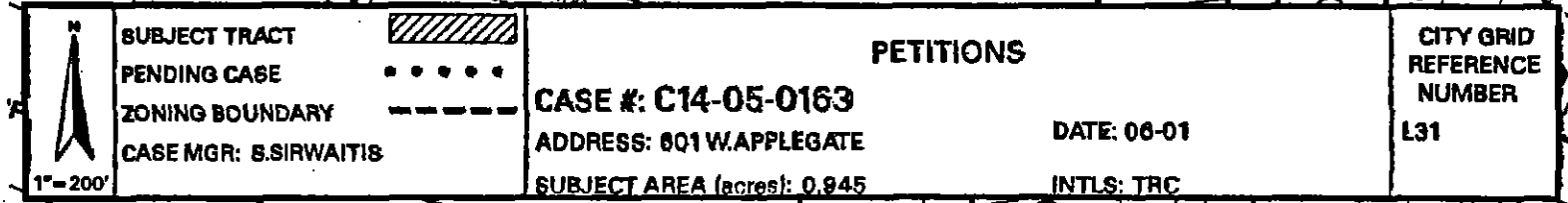
Stacy Meeks

Total Area of Petitioner:

37,022.14

Total %

12.57%



PUBLIC HEARING INFORMATION

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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: C14-05-0163

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

October 18, 2005 Zoning and Platting Commission

Mona L. Nell

Your Name (please print)

600 W. Applegate Dr 78753

Your address(es) affected by this application

Mamad Noll

Signature

11/1/05

Date

Comments:

I object to any zoning
other than residential. We
are working w/ Bi-Cade today,
neighborhood planning to keep
all commercial zoning west of
Motherland to put other zoning
issues that need fixing.



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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

OWNER	ADDRESS	MAILING ADDRESS	RESULTS
Fred Badilla	500 West Applegate	16406 BrookForest Dr, Houston Texas 77059	Sent Letter
Marciano Martinez	501 West Applegate		Never Home
Ocampo Oton	502 West Applegate		YES
Robert Neal	503 West Applegate	5011 Placid Place, Austin Texas 78731	Sent Letter
Alvin Joe Mynar	504 West Applegate	16405 Camino Real, Buda Texas 78610	Sent Letter
Arnulfo Mendoza	505 West Applegate		YES
Heladia Salazar	506 West Applegate		Did not understand
Kathleen Hall	507 West Applegate	2408 East Side Drive, Austin Texas 78704	Sent Letter
Mona Noll	600 West Applegate		YES
Tobias Flores	604 West Applegate		YES
Dionicio Chaves	606 West Applegate	HOUSE FOR SALE	House for Sale
			Contact is Wendi Hightower 288-8526—does not return phone calls—left 5 messages—also left message w/ Rex Jones
Austin Housing Authority	10401N. Lamar Blvd		

974-6054 Fax

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Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

January 17, 2006 Zoning and Platting Commission



Mona Nell
Your Name (please print)

600 W. Brookgate Dr
Your address(es) affected by this application

Mona Nell
Signature

4/16/06
Date

Comments: attach letter

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

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Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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January 16, 2006

Neighborhood Planning and Zoning Department
Sherri Sirwaitis
P.O. Box 1088
Austin, Texas 78767-8810

Re Case Number: C14-05-0163

My name is Mona Noll, president of the Mockingbird Hill Neighborhood Association. My interest stems from owning / living at the property located at 600 West Applegate Drive Austin, Texas 78753. We as a neighborhood strongly disagree with the rezoning of 601 West Applegate from SF-2 to GR on the following principals:

1. As a neighborhood we have been working hard with the zoning department to clean up improper zoning.
2. We are striving to be in compliance with the zoning that currently requires commercial zoning to be kept west of Motheral Drive.
3. Our neighborhood does not have the proper roads to support any type of commercial zoning or traffic.
 - Our streets are already overused by people using them for a cut thru from Lamar Blvd. to IH 25.
 - On Saturday January 14, 2006 we had a hit in run of a pedestrian crossing the 500 block of West Applegate Drive.
 - We are a residential neighborhood with children playing in front yards.
4. The property requesting the zoning does not have access to a major thoroughway, they would have to use Applegate Drive (a residential street) for access.
5. Applegate Drive is not equipped with curbs or drainage therefore it is unable to handle any run off from rain and general cleaning. (water would soak into the ground going directly into aquifer)

Sincerely



Mona Noll
President Mockingbird Hill NA

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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: C14-05-0163

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

January 17, 2006 Zoning and Platting Commission



John Wilbur
Your Name (please print)

307 West Applegate Drive - 78753
Your address(es) affected by this application

[Signature] 1-10-06
Signature Date

Comments: My house would be
too close to increased traffic.
Applegate is a narrow street
that is already congested.

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

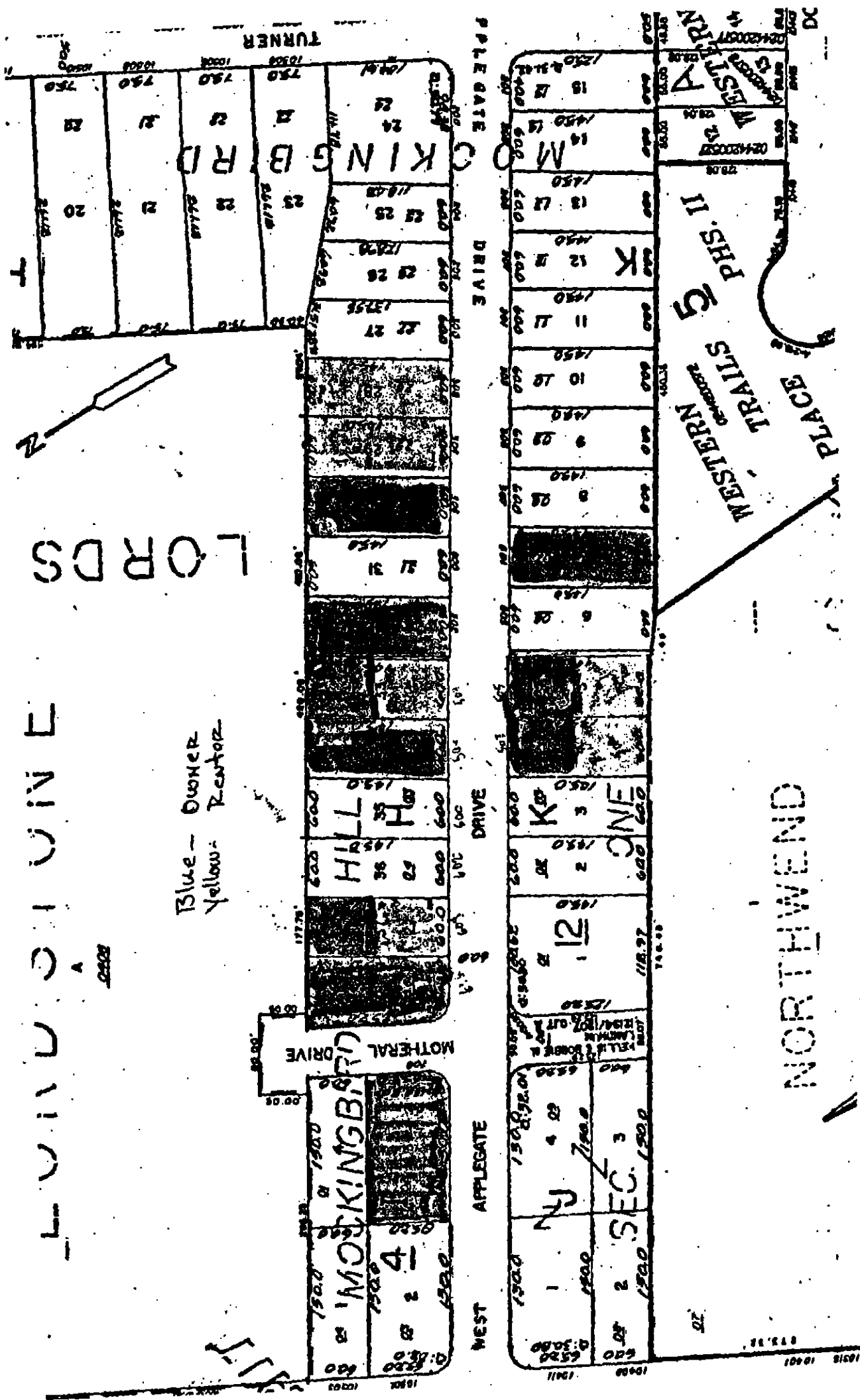
City of Austin
Neighborhood Planning and Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

Attachment F

Address	Owners Name	Action Taken	Response
500 W. Applegate	Fred Badilla	We sent Letter 12/14/05 to his Houston Address 16406 Brookforest Dr.	No Response
501 W. Applegate	Marciano Martinez	John explained the zone change to Mr. Martinez. Letter was written in spanish, Mr. Martinez signed that he was for the change.	FOR
502 W. Applegate	Leoncio Benitez and Beida Avila	Ocampo Oton is no longer owner of this property. Mr. Benitez and Mrs. Avila both signed for the zone change.	FOR
503 W. Applegate	Robert Neal	Letter was mailed to Robert Neal 12/14/2005. 5011 Placid Place Austin, TX 78731	No Response
504 W. Applegate	Alvin Mynar	Letter was mailed to Mr. Mynar on 12/14/05. 16405 Camino Real Buda, TX 78610.	FOR
505 W. Applegate	Arnulfo Mendoza	John explained the zone change to Mr. Mendoza in spanish. Mr. Mendoza signed for the zone change.	FOR
506 W. Applegate	Heladia Salazar	John explained the zone change in spanish to Mrs. Salazar. She signed for the change. The letter is written in spanish.	FOR
507 W. Applegate	Kathleen Hall	I spoke with Kathleen Hall. She said she would think it over. When John talked to her in person she gave him the name and phone number of her son, Mr. Davis. Kathleen wanted me to discuss the matter with him. Mr. Davis told John, he was willing to discuss it with me but as of 12/14/05 I have been unable to contact him.	FOR
600 W. Applegate	Mona Noll	We did not contact again, she has made it clear she is against the zone change.	AGAINST
604 W. Applegate	Tobias Flores	John explained the change in spanish to Mr. Flores. We also sent the letter in spanish. Although Mr. Flores had signed against the change earlier, he has since changed his mind and has now signed for the change.	FOR
606 W. Applegate	Miguel	Dioncio Chaves is no longer the owner	FOR

		of this property. Miguel is the new	
		owner. John explained the zone	
		change in spanish and we wrote him	
		a letter in spanish. He signed for	
		the change.	

Blue - Owner
Yellow - Rentor



Dear Kathleen Hall,

My wife, Bobbie Landrum, and I own the property located at 601 West Applegate. We have applied for a zone change from SF to CR with the city of Austin. We would appreciate your assistance in obtaining the change.

The property was purchased in May 1992 and was used as a body shop. Since that time it was used by Big A Towing and is presently used as an automotive repair shop and vehicle storage facility. Pictures of the current use are enclosed.

We would like to build some attractive, secure storage units (pictures enclosed) that would be used primarily to store motor homes and high end boats. The area will be kept clean and would be an asset to the community. It would be much better for the area than bringing in modular houses.

Most of the people I have talked to on West Applegate are in favor of the change. Please check one of the boxes below.

Thank you for your time and assistance,

Sincerely,

Kellis Landrum

☐ I am very much in favor of the change.

☒ I am in favor of the change.

☐ I have no opinion.

☐ I am not in favor of the change.

Please indicate if you are an owner or a renter.

☒ Owner

☐ Renter

507 W. Applegate
Address

Kathleen Hall
Signature

Estimados Heladia Salazar,

My esposa Bobbie Landrum, y yo somos dueños de la propiedad localizada en 601 West Applegate. Nosotros aplicamos para cambiar de SF a CR con la ciudad de Austin. Nosotros apreciamos su cooperación para hacer el cambio.

Esta propiedad fue comprada en Mayo 1992 y fue usada por Big A Towing. En el presente se esta usando como taller de reparación de autos. Como lo enseñan las fotos.

Nos gustaria construir algo mas atractivo como unidades para almacenar casas móviles barcos esta area se mantendrfa. Limpia todo se miraria mejor según como le enseñamos en las fotos.

Se hablara con toda la gente para saber si estan de acuerdo.

Favor de checar la parte de abajo.

Gracias por su tiempo y su asistencia.

Kellis Landrum

- ☒ Yo Estoy De Acuerdo con el cambio
- ☐ Yo solo un poco a favor
- ☐ Yo no opino
- ☐ Yo no estoy de acuerdo con el cambio

506 W. APPIEGATE
Direccion

HELADIA SALAZAR
Firma

Juan said this is Property owner

Estimados Arnulfo Mendoza,

My esposa Bobbie Landrum, y yo somos dueños de la propiedad localizada en 601 West Applegate. Nosotros aplicamos para cambiar de SF a CR con la ciudad de Austin. Nosotros apreciamos su cooperación para hacer el cambio.

Esta propiedad fue comprada en Mayo 1992 y fue usada por Big A Towing. En el presente se está usando como taller de reparación de autos. Como lo enseñan las fotos.

Nos gustaría construir algo más atractivo como unidades para almacenar casas móviles barcos-esta área se mantendría. Limpia todo se miraría mejor según como le enseñamos en las fotos.

Se hablara con toda la gente para saber si están de acuerdo.

Favor de checar la parte de abajo.

Gracias por su tiempo y su asistencia.

Kellis Landrum

- ☒ Yo Estoy De Acuerdo con el cambio
- ☐ Yo solo un poco a favor
- ☐ Yo no opino
- ☐ Yo no estoy de acuerdo con el cambio

505 W. APPLEGATE
Direccion

ARNULFO MENDOZA
Firma

Estimados Tobías Flores,

My esposa Bobbie Landrum, y yo somos dueños de la propiedad localizada en 601 West Applegate. Nosotros aplicamos para cambiar de SF a CR con la ciudad de Austin. Nosotros apreciamos su cooperación para hacer el cambio.

Esta propiedad fue comprada en Mayo 1992 y fue usada por Big A Towing. En el presente se está usando como taller de reparación de autos. Como lo enseñan las fotos.

Nos gustaría construir algo más atractivo como unidades para almacenar casas móviles barcos esta área se mantendría. Limpia todo se miraría mejor según como le enseñamos en las fotos.

Se hablará con toda la gente para saber si están de acuerdo.

Favor de checar la parte de abajo.


Gracias por su tiempo y su asistencia.

Kellis Landrum

- ☐ Yo Estoy De Acuerdo con el cambio
- ☒ Yo solo un poco a favor
- ☐ Yo no opino
- ☐ Yo no estoy de acuerdo con el cambio

601 W. APPEGATE

Dirección


Firma

Estimados Heladia Salazar,

My esposa Bobbie Landrum, y yo somos dueños de la propiedad localizada en 601 West Applegate. Nosotros aplicamos para cambiar de SF a CR con la ciudad de Austin. Nosotros apreciamos su cooperación para hacer el cambio.

Esta propiedad fue comprada en Mayo 1992 y fue usada por Big A Towing. En el presente se está usando como taller de reparación de autos. Como lo enseñan las fotos.

Nos gustaría construir algo más atractivo como unidades para almacenar casas móviles barcos esta área se mantendría. Limpia todo se miraría mejor según como le enseñamos en las fotos.

Se hablará con toda la gente para saber si están de acuerdo.

Favor de checar la parte de abajo.

Gracias por su tiempo y su asistencia.

Kellis Landrum

- ☒ Yo Estoy De Acuerdo con el cambio
- ☐ Yo solo un poco a favor
- ☐ Yo no opino
- ☐ Yo no estoy de acuerdo con el cambio

506 W. APPIEGATE
Direccion

HELADIA SALAZAR
Firma

Juan said this is property owner

Dear Mr. Mynar,

My wife, Bobbie Landrum, and I own the property located at 601 West Applegate. We have applied for a zone change from SF to CR with the city of Austin. We would appreciate your assistance in obtaining the change.

The property was purchased in May 1992 and was used as a body shop. Since that time it was used by Big A Towing and is presently used as an automotive repair shop and vehicle storage facility. Pictures of the current use are enclosed.

We would like to build some attractive, secure storage units (pictures enclosed) that would be used primarily to store motor homes and high end boats. The area will be kept clean and would be an asset to the community. It would be much better for the area than bringing in modular houses. It would also increase the value of your property.

Most of the people I have talked to on West Applegate are in favor of the change. John Deleon, who works here at Auto Credit, has spoken to the lady who lives in your house. She is very much in favor of the change. My wife and I would appreciate it if you would sign this letter and return it to me in the enclosed envelope. Should you wish to discuss this with me please call me at 1-800-280-9288. Should I not be present please leave me a number where I can contact you.

Thank you for your time and assistance,

Sincerely,

Kellis Landrum
Kellis Landrum

☒ I am very much in favor of the change.

☐ I am in favor of the change.

☐ I have no opinion.

☐ I am not in favor of the change.

Please indicate if you are an owner or a renter.

☒ Owner

☐ Renter

16405 CAMINO REAL
Address

Buda, Tx. 78610
504 W. Applegate

ag mynar
Signature

Estimados Dionisio Chaves,

My esposa Bobbie Landrum, y yo somos dueños de la propiedad localizada en 601 West Applegate. Nosotros aplicamos para cambiar de SF a CR con la ciudad de Austin. Nosotros apreciamos su cooperación para hacer el cambio.

Esta propiedad fue comprada en Mayo 1992 y fue usada por Big A Towing. En el presente se está usando como taller de reparación de autos. Como lo enseñan las fotos.

Nos gustaría construir algo más atractivo como unidades para almacenar casas móviles barcos esta área se mantendría. Limpia todo se miraría mejor según como le enseñamos en las fotos.

Se hablará con toda la gente para saber si están de acuerdo.

Favor de checar la parte de abajo.

Gracias por su tiempo y su asistencia.

Kellis Landrum

- ☒ Yo Estoy De Acuerdo con el cambio
- ☐ Yo solo un poco a favor
- ☐ Yo no opino
- ☐ Yo no estoy de acuerdo con el cambio

601 W. APPLEGATE
Direccion

Miguel A N
Firma

This is new owner of this property

Estimados Leoncio Benitez,

My esposa Bobbie Landrum, y yo somo duenos de la propiedad localizada en 601 West Applegate. Nosotros aplicamos para cambiar de SF a CR con la ciudad de Austin. Nosotros apreciamos su cooperaci3n para hacer el cambio.

Esta propiedad fue comprada en Mayo 1992 y fue usada por Big A Towing. En el presente se esta usando como taller de reparacion de autos. Como lo ensenan las fotos.

Nos gustaria construir algo mas atractivo como unidades para almacenar casas m3viles barcos esta area se mantendr3a. Limpia todo se miraria mejor seg3n como le enseñamos en las fotos.

Se hablara con toda la gente para saber si estan de acuerdo.

Favor de checar la parte de abajo.

Gracias por su tiempo y su asistencia.

Kellis Landrum

- ☒ Yo Estoy De Acuerdo con el cambio
- ☐ Yo solo un poco a favor
- ☐ Yo no opino
- ☐ Yo no estoy de acuerdo con el cambio

502 W. APPIEGATE
Direccion

LEONCIO Benitez
Firma

Husband

These are the owners not ocampo otan

Estimados Marciano Martinez,

My esposa Bobbie Landrum, y yo somos dueños de la propiedad localizada en 601 West Applegate. Nosotros aplicamos para cambiar de SF a CR con la ciudad de Austin. Nosotros apreciamos su cooperación para hacer el cambio.

Esta propiedad fue comprada en Mayo 1992 y fue usada por Big A Towing. En el presente se está usando como taller de reparación de autos. Como lo enseñan las fotos.

Nos gustaría construir algo más atractivo como unidades para almacenar casas móviles barcos esta área se mantendrá. Limpia todo se miraría mejor según como le enseñamos en las fotos.

Se hablará con toda la gente para saber si están de acuerdo.

Favor de chequear la parte de abajo.

Gracias por su tiempo y su asistencia.

Kellis Landrum

- ☒ Yo Estoy De Acuerdo con el cambio
- ☐ Yo solo un poco a favor
- ☐ Yo no opino
- ☐ Yo no estoy de acuerdo con el cambio

501 W. APPLGATE
Direccion

Marciano Martinez
Firma

Juan said this is property owner