

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0204 – R. I. T. Inc.

Z.A.P. DATE: November 4, 2008

ADDRESS: 6516 and 6520 South 1st Street

OWNER: R. I. T. Inc. (Roberto J. Reyna)

ZONING FROM: LO **TO:** GR **AREA:** 0.40 acres (17,424 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to deny community commercial (GR) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

November 4, 2008: *TO DENY THE APPLICANT'S REQUEST FOR GR DISTRICT ZONING.*

[K. JACKSON; T. RABAGO – 2ND] (5-0) C. HAMMOND, R. EVANS – ABSENT

ISSUES:

The Applicant has inquired about the ability to classify automotive sales as an accessory use to the existing (principal) insurance office use. Regulations for accessory uses for a principal commercial use are defined in Section 25-2-894 of the Land Development Code. Staff does not consider an automotive sales use to be a customary to an office use.

The Applicant would like to discuss the recommendation of the Zoning and Platting Commission.

Letters of support and opposition are attached at the back of the Staff report.

DEPARTMENT COMMENTS:

The subject rezoning area consists of two platted lots located at the southwest corner of South 1st Street and King Edward Place, and is zoned limited office (LO) district. The site is developed with an insurance office and classroom instruction for a driving school. There are single family residences on King Edward Place to the west (SF-3), apartments to the north and south (MF-2 and GR), and the Southridge shopping center is to the east (CS-MU-CO-NP and CS-1-MU-CO-NP). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant is seeking community commercial (GR) district zoning in order to be able to add to the existing uses on site by selling automobiles within an undeveloped, fenced area at the corner of King Edward Place and South 1st Street. The driving school is first allowed in the neighborhood commercial (LR) district. The LO zoning approved in 1973 and provides a

transition between the LR and GR zoned apartments (zoning was cumulative until the mid-1980's) oriented towards West William Cannon Drive, and the residential neighborhood to the north and west. The GR district introduces the possibility for intense land uses, including automobile-related uses adjacent to the residential neighborhood served by King Edward Place, a local street, and therefore, the Staff recommends maintaining the LO district as it provides more compatible land use transition.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Insurance office; Classroom space for a driving school
<i>North</i>	MF-2; SF-3	Apartments; Single family residences
<i>South</i>	GR	Apartments; Service station with convenience store
<i>East</i>	CS-MU-CO-NP; CS-1-MU-CO-NP	Southridge shopping center with restaurants and liquor store
<i>West</i>	SF-3	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
 41 – South Boggy Creek Neighborhood Association
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs/Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 949 – Sweetbriar I 1037 – Homeless Neighborhood Organization
 1075 – League of Bicycling Voters 1113 – Austin Parks Foundation
 1116 – Soft Wind Neighborhood Association

SCHOOLS:

Odom Elementary School Bedichek Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0193 – Southridge Plaza – 502 West William	CS-MU-CO-NP for Tracts 1 and 2; CS-1-MU-	To Grant CS-1-MU-CO-NP for Tract 1 & CS-MU-CO-NP for	Approved CS-1-MU-CO-NP for Tract 1 & CS-MU-CO-NP for

Cannon Drive	CO-NP for Tract 3	Tracts 2 and 3. The CO prohibits auto sales, auto washing and pawn shops. On Tract 1, there is an additional CO for 2,000 trips.	Tracts 2 and 3 as Commission recommended (1-11-07).
C14-03-0158 – A.A.A. Storage – South First at William Cannon L.P. – 6509 South 1 st Street	GR; W/LO to W/LO	Approved W/LO	Approved W/LO (1-15-04).
C14-91-0088 – Buckingham Place – 6400 South 1 st Street	LR to GR	Approved GR-CO	Approved GR-CO with CO for prohibited uses, max FAR for restaurant uses (7-9-92).

RELATED CASES:

The property was zoned “O” Office, First Height and Area in July 1973 (C14-73-009).

The property is platted as Lots 2 and 3 of Buckingham Place Commercial Center Amended, recorded in March 1975 (C8-72-167B). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
South 1 st Street	80 feet	40 feet	Arterial	Yes	No	Yes
King Edward Place	50 feet	28 feet	Local	No	No	Yes

CITY COUNCIL DATE: December 11, 2008

ACTION: Approved a Postponement by the Applicant to January 15, 2009 (7-0).

January 15, 2009

Approved a Postponement by the Applicant to February 12, 2009 (6-0, Martinez – off the dais).

February 12, 2009

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719





SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to deny community commercial (GR) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Applicant's request: The proposed GR, 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 trafficways.

Staff recommendation: 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. The proposal meets the purpose statement set forth in the Land Development Code. The subject lot is adjacent to a neighborhood that is largely single family. The proposed office use would potentially serve the surrounding neighborhoods and the mixed use component would allow for residential uses on the property, which should be encouraged in the City's Desired Development Zone.

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

The GR district introduces the possibility for intense land uses, including automobile-related uses adjacent to the residential neighborhood served by King Edward Place, a local street, and therefore, the Staff recommends maintaining the LO district as it provides more compatible land use transition.

EXISTING CONDITIONS**Site Characteristics**

The subject property contains an insurance office and an administrative office space for a driving school. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district is 80%, which is based on the more restrictive zoning regulations.

Environmental

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

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

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

Trees will likely be impacted with this rezoning case. Please be aware that an approved rezoning status does not eliminate the requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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.

Transportation

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

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. *Please contact me at your earliest convenience regarding this comment. An NTA may not be required if no access is proposed to King William Place, or the proposed development will not increase trips by 300 vehicles per day.*

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 extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

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

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

- a. The site is subject to compatibility standards. Along the West and North property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- f. No parking or driveways are allowed within 25 feet of the property line.
- g. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- h. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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

According to Commercial Design Standards, Subsection 2.2.4.E Corner Sites: The development may not contain an auto-oriented use unless it meets option a. or b. in 2.2.4.E.1 above. Auto-oriented uses are prohibited from corner lots in Suburban Roadway unless the parking is landscaped and 100% of the building frontage is built up to the clear zone.

10-14-08

TO: Whom it MAY CONCERN:
CASE # C14-2008-0204

I, JOE T. LOPEZ, JR., LIVE NEXT DOOR TO THIS PROPERTY. MY WIFE AND I SUPPORT MR. REYNA'S REQUEST FOR THIS (GR) ZONING CHANGE.

I HAVE KNOWN MR. REYNA SINCE HE MOVED TO THIS NEIGHBORHOOD. HE IS POLITE, COURTEOUS AND CONCERN ABOUT OUR WELL BEING.

WE ALREADY HAVE APARTMENTS TO THE FRONT AND REAR OF US. ~~IT~~ IT WOULD BE EXTREMELY UNFAIR TO DENIED HIS REQUEST.

THANK YOU!
Joe T. Lopez, Jr.

MARY HOUSE CATHOLIC WORKER OF AUSTIN, INC. 512/447-0963
711B King Edward Place AUSTIN, TX 78745

October 16, 2008
RE: Case No. C14-2008-0204

Wendy Rhoades
Neighborhood Planning and Zoning Department
City of Austin, TX

Dear Ms. Rhoades:

I am writing regarding the petition of Mr. Robert Reyna to change the zoning of his business property on the southwest corner of South First and King Edward Place. I am in support of this change for the sake of our neighborhood, as Mr. Reyna is present during business hours, on weekends, and many nights.

Mr. Reyna, or anyone he sells to, is in a unique geographic position to benefit the neighborhood. The apartments directly across King Edward Place from Mr. Reyna's business, and the apartments directly behind him have, for the entire five years I have lived on this street, housed thugs who deal drugs, drag race, have gang fights, make huge amounts of raucous noise on weekends, and generally raise hell throughout the neighborhood immediately north of William Cannon and west of S. First. In fact, I went to the manager of the apartments directly south of Mr. Reyna to complain that young men from her complex were stalking a 16-year-old daughter of a member of our spiritual community, as well as staring through the apartments' back fence into our yard and coming to the street in front of our duplex to stare at and follow this youngster. The manager refused even to investigate.

Sunday night (Oct. 12) one of the thugs from the King Edward Place apartments was speeding through the neighborhood with his 6-year-old son at the wheel when their truck collided with a police car in front of our home. Of course the police are working to create more tranquility in our immediate area, but it is MR. REYNA who is able to observe even more than we can.

Some neighbors have said that a car-selling business would "attract the wrong people." I can only say, having taken a lead role to rid the neighborhood of a drug dealer on Pevensky, that the "wrong people" already are here! A business such as Mr. Reyna's proposed car lot would have security (lights, cameras) which ordinary homeowners cannot afford. I support the change of zoning at Mr. Reyna's property, especially since there is ample parking space.

It is beyond ironic that the City of Austin claims such concern re: Mr. Reyna and has failed to take care of REAL problems such as I have described. Please work with us to get our priorities straight.

If you have any questions, do not hesitate to call me at the number above.

Very Truly Yours,


Lynn Goodman-Strauss
Director

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: C14-2008-0204

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

JOE T. LOPEZ, Jr

Your Name (please print)

705 King Edward Pl. (NEXT DOOR NEIGHBOR)

Your address(es) affected by this application

JOE T. LOPEZ, Jr

Signature

10-25-08

Date

Comments:

WE ALREADY HAVE APPLS TO THE
FLOOT AND REAR OF OUR PROPERTY.
I SEE NO VALID REASON TO DENIED
MR. REYNOLDS ZONE CHANGE.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-9810

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Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

Wendy Rhoades
Your Name (please print)

6519 Poverney Dr

Your address(es) affected by this application

Wendy Rhoades

10-30-08

Signature

Date

Comments:

None

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-9910

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

JOE T. LOPEZ, JR.

Your Name (please print)

705 King Edward Pl. (NEXT DOOR NEIGHBOR)

Your address(es) affected by this application

JOE T. LOPEZ, JR.

Signature

10-25-08

Date

Comments:

WE ALREADY HAVE APPLS TO THE
PLAT AND REZON OF OUR PROPERTY.
I SEE NO VALID REASON TO DENY
MR. REYNOLDS ZONE CHANGE.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78762-0810

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Case Number: C14-2008-0204

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

HILBIE DEBORAH L

Your Name (please print)

6513 PEVENSEY DR

Your address(es) affected by this application

Deborah Hilbie 10-29-08

Signature

Date

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-8810

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Public Hearing:

November 4, 2008 Zoning and Platting
Commission

Dec. 11, 2008 City Council



Gregory Aguilar Jr
Your Name (please print)

Leslie Perseus

Your address(es) affected by this application

J. Gant

Signature

Date

11-2-08

Comments:

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

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Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-8810

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Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

ROSEMARY WALLS
Your Name (please print)

6520 PEVENSEY DR
Your address(es) affected by this application

Rosemary Walls 11/1/08
Signature Date

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-8810

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☒ I am in favor
☐ I object

ROOOLFO SANDOVAL SILVA
Your Name (please print)

6519 PEVENSEY DR

Your address(es) affected by this application

Signature

Date

Comments:

MAILED IN

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-9810

PUBLIC HEARING INFORMATION

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Will mail
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Case Number: C14-2008-0204

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☐ I am in favor
☐ I object

ROSS, ELL MATTHEW
Your Name (please print)

6518 PENESEY DR

Your address(es) affected by this application

Signature

Date

Comments:

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Neighborhood Planning and Zoning Department
Wendy Rhoades
P. O. Box 1088

Austin, TX 78767-9910

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Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

PRICE JOSEPH & ELISE WALDRUP & ELIZABETH PRICE
Your Name (please print)

6510 MIDDLEHAM PL

Your address(es) affected by this application

Elise W. Price 10-29-08

Signature

Date

Comments:

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

SHERLY BINHAM
Your Name (please print)

6509 MIDDLEHAM PL

Your address(es) affected by this application

Sherly Binham 10-29-08
Signature Date

Comments:

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Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-9910

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Public Hearing:

November 4, 2008 Zoning and Platting
Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

JENNIFER BODDEN GIBSON
Your Name (please print)

6508 MIDDLEHAM PL

Your address(es) affected by this application

JM Gibson

Signature

10-29-08

Date

Comments:

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

ANDREA LEAL - MURDER OFFENSES
Your Name (please print)

6507 MIDOLE HAM PL

Your address(es) affected by this application

M.C. Signature

10/29/08 Date

Comments:

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Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

NELEA DURAN

Your Name (please print)

6506 MIDLEHAM PL

Your address(es) affected by this application

Wendy C. Rhoades 10/22/08

Signature

Date

Comments:

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor ☐ I object
--

GAMER PEDRO P
Your Name (please print)

6504 MIDDLEHAM PL
Your address(es) affected by this application

10-29-08

Date

Signature

Comments:

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November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor ☐ I object
--

BREZZLEY PAULINE S.

Your Name (please print)

6502 MIDDLEHAM PL

Your address(es) affected by this application

Pauline Brezley 11-3-08

Signature

Date

Comments:

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

ALVAREZ ND RMA
Your Name (please print)

717 KING EDWARD PL

Your address(es) affected by this application

Norma A. Valera 10-29-08
Signature Date

Comments:

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

LOERA CARMEN

Your Name (please print)

713 KINLEDUARO PL

Your address(es) affected by this application

Wendy Rhoades

10-29-08

Signature

Date

Comments:

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☐ I am in favor
☐ I object

GONZALEZ GUJARDO
FELUGIO

Your Name (please print)

6505 PEUVENSEY DR

Your address(es) affected by this application

Xosha Gonzalez

Signature

Date

Comments:

10-27-08

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Austin, TX 78767-8810

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

TREJO ADAM S

Your Name (please print)

6503 PEVENSEY DR

Your address(es) affected by this application

10-29-08

Signature

Date

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Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council

☒ I am in favor
☐ I object

SHELTON ROBERT, SANDRA
Your Name (please print)

6503 MIDDLEHAM PL

Your address(es) affected by this application

[Signature]
Signature

Date

10/29/08

Comments:

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Neighborhood Planning and Zoning Department

Wendy Rhoades}

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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: C14-2008-0204

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

November 4, 2008 Zoning and Platting

Commission

Dec. 11, 2008 City Council



LYNN-ROODMAN-STRAUSS

Your Name (please print)

7113 KING EDWARD PL

Your address(es) affected by this application

Signature

Date

Comments:

Letter Submitted

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-9910

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.

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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: C14-2008-0204

Contact: Wendy Rhoades, (512) 974-7719

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Commission

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☐ I am in favor
☒ I object

Twila Willis

Your Name (please print)

6514 Pevensey Dr

Your address(es) affected by this application

J.W. Willey 25018

Signature

Date

Comments: there is already too

much traffic on King Edwards,

NO sidewalks for pedestrians

heading over to H.E.B. I already

had an incident with a test

drive of a use car from last. It's

enough to have driving school

written. No test drive traffic please.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades}

P. O. Box 1088

Austin, TX 78767-9910

December 5, 2008

Mayor Will Wynn
301 W. 2nd St.
Austin, Texas 78701

Dear Mayor Will Wynn and Counsel Members,

R.I.T. Inc. (Roberto J. Reyna) Case Number C14-2008-0204 is hereby requesting Postponement of our Hearing Scheduled for December 11, 2008. Due to a medical Procedure, I will not be available on this date. Please postpone our hearing to January 15, 2009. Thank You.

Sincerely
Roberto J. Reyna

Cc: Wendy Rhoades (Project Manager City of Austin)

ZONING CHANGE PROPOSAL
6516 & 6520 So. 1st Street, Austin, Texas 78745

This is to respectfully request your consideration and assistance for a zoning change for the land lots located at 6516 and 6520 So. 1st Street, Austin, Texas 78745. Roberto J. Reyna, a resident of Austin, Texas, owns these properties. The request is to change the zoning from Limited Office (LO) use to Community Commercial GR (CC/GR). This change will permit the current business located at this address, Reyna Insurance Agency, to initiate an innovative new business concept in providing programs, sales and services that will greatly benefit the community of south Austin and Austin proper.

Reyna Insurance Agency has provided automobile insurance services in Austin since 1986 and at the 1st Street location since 1990. With his additional experience as a Texas Education Agency licensed driver training instructor and owner of Texas Driving School, Mr. Reyna has grown to understand the direct relation between driver education, the purchase of an automobile and the insuring of that vehicle by his clients. Mr. Reyna's goal is to now establish a one-stop, one-shop business for all these needs. A zoning change from LO to CC/GR is needed to permit and facilitate this venture at the 1st Street site.

This important zoning change would allow Texas Driving School (TDS) to offer much needed driver's license classroom training to adults. The schools would also provide Texas Department of Public Safety instruction permit services so clients could go on to complete behind-the-wheel training with licensed instructors. After receiving an unrestricted driver's license, clients would then have the opportunity to purchase quality, safe automobiles and auto insurance from the same trusted business. Each client would then receive additional in-car training with their automobile purchase to familiarize themselves with their new vehicle. All training would be available in English and Spanish and include classroom training for low level and nonreaders. All tuitions paid for training would also be applied toward the purchase of an automobile from the business.

While this new concept would provide a complete and all-inclusive service to Austin residents, there has been opposition to the zoning request by one member of the Far South Austin Community Association (FSACA). Opposition to ANY business involving auto sales has prevented the head of FSACA from seeing the larger benefits offered to the citizens in south Austin. Persons in need of a driver's license, driver training, an automobile and the required insurance could have all their needs met at one location and through one entity. The end result would be more better trained, licensed drivers and less uninsured automobiles on Austin streets.

While knowledgeable, safer drivers and traffic safety should be foremost on the minds of responsible zoning staff members, the chairperson of the Zoning and Platting Commission dismissed the almost 99% support from the residents of the immediate area. The heavy-handed tactics of the FSACA and the Commission should not ignore the views of south Austin citizens. We ask the Austin City Council for a fair and thorough review of our request. (Letters and signatures of support and approval are included for

your review. A video of the hearing supporting our complaint against the Commission is available.)

In conclusion, the serious ongoing financial crisis has placed huge burdens on all businesses and growth-related ventures, nationally and locally. This crisis has resulted in businesses reducing services, goods and wide-scale employee layoffs. This proposal and plan is an effort to stimulate business growth and ensure continued employment of the six current staff members of Reyna Insurance Agency and Texas Driving School. The granting of this zoning change not only help us retain our employees but will also helps us create additional job opportunities. Denial will ensure the loss of time, effort and monies already invested in this venture and jeopardize the status of these Austin family-owned businesses. We hope the Council continues its long-standing history of supporting local businesses and growth.

Submitted by:

Roberto J. Reyna
President, R.I.T. Inc.
6516 S. 1st Street
Austin, Texas 78745
January 8, 2009

CC: Susan Morrison, Attorney At Law

Enclosures: Twenty-three letters/statements of support
Zoning & Platting Commission Hearing video*, November 4, 2008
(*Advance to time-of-day: 6:37 P.M.)

Rhoades, Wendy

From: LANA REYNA [LREYNA6059@SBCGLOBAL.NET]
Sent: Wednesday, January 14, 2009 2:12 PM
To: Rhoades, Wendy
Subject: Re: R.I.T. INC. (ROBERTO J REYNA)

January 14, 2009

Mayor Will Wynn
301 W. 2nd St.
Austin, Texas 78701

Dear Mayor Will Wynn and Council Members,

R.I.T. Inc. (Roberto J. Reyna) Case Number C14-2008-0204 is hereby requesting Postponement of our Hearing Scheduled for January 15, 2009. We are considering a modification to our request for zoning change. Please postpone our hearing to February 12, 2009.

Sincerely
Roberto J. Reyna

Cc: Wendy Rhoades (Project Manager City of Austin)

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

From: Rhoades, Wendy
To: LANA REYNA
Sent: Friday, January 09, 2009 1:14 PM
Subject: RE: R.I.T. INC. (ROBERTO J REYNA)

Roberto,
I received the your letter which will be scanned, as well as the DVD which will be kept with the case file.

Wendy

From: LANA REYNA [mailto:LREYNA6059@SBCGLOBAL.NET]
Sent: Friday, January 09, 2009 8:46 AM
To: Rhoades, Wendy
Subject: R.I.T. INC. (ROBERTO J REYNA)
Importance: High

Good Morning Wendy,

I am almost complete with my letter, and would like to know how I need to deliver it to you. In person or if by e-mail what format would it need to be in?

Thank-You,

Roberto J. Reyna

1/14/2009