

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 67
AGENDA DATE: Thu 01/13/2005
PAGE: 1 of 1

SUBJECT: C14-04-0152 - 4607 Manchaca Road - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4607 Manchaca Road (Williamson Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First Reading on December 16, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council at first ordinance reading. Applicant: Jolico Family Ltd. (Liliana R. Cohen). Agent: Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-04-0152

REQUEST:

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4607 Manchaca Road (Williamson Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. The Conditional Overlay: 1) limits the floor-to-area ratio to the existing building square footage (F.A.R. of 0.09961 to 1, based on a 4,300 square foot residence; 2) allows medical office uses as the only LO use and all NO, Neighborhood Office district uses; 3) establishes NO development standards; and, 4) restricts the number of vehicle trips to 300 per day.

DEPARTMENT COMMENTS:

The Conditional Overlay incorporates the conditions imposed by the City Council at First Reading.

OWNERS/APPLICANTS: Jolico Family Ltd. (Liliana R. Cohen)

AGENT: Jim Bennett Consulting (Jim Bennett)

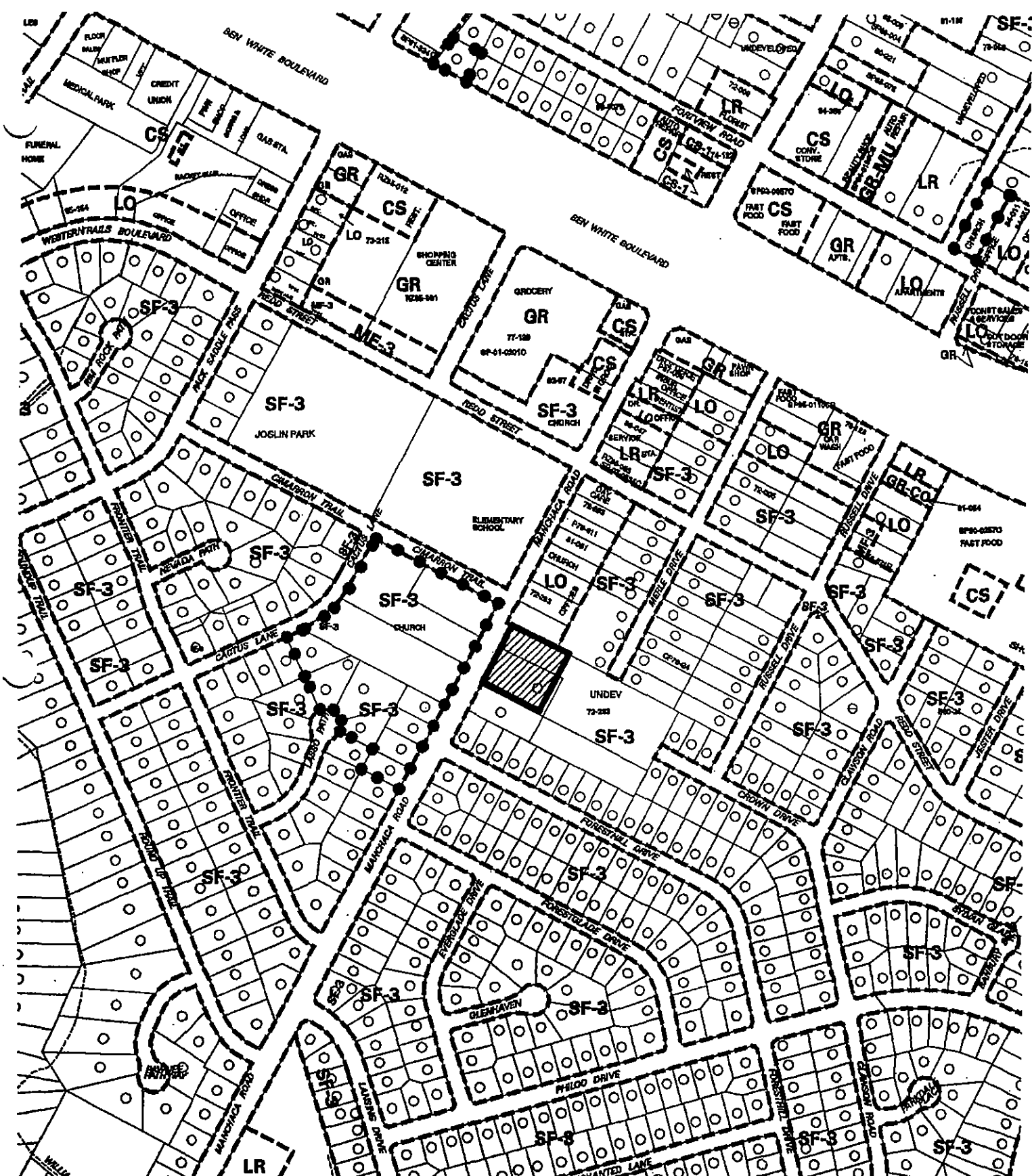
DATE OF FIRST READING: December 16, 2004, approved LO-CO district zoning, on 1st Reading (7-0).





CITY COUNCIL HEARING DATE: January 13, 2005

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us



| | | |
|---|---|--|
|  <p>1" = 400'</p> <p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: W. WALSH</p> | <h2>ZONING Exhibit A</h2> <p>CASE #: C14-04-0152</p> <p>ADDRESS: 4607 MANCHACA RD</p> <p>SUBJECT AREA (acres): 0.981</p> <p>DATE: 04-10</p> <p>INTLS: SM</p> | <p>CITY GRID REFERENCE NUMBER</p> <p>G19</p> |
|---|---|--|

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 4607 MANCHACA ROAD FROM FAMILY
3 RESIDENCE (SF-3) DISTRICT TO LIMITED OFFICE-CONDITIONAL
4 OVERLAY (LO-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 family residence (SF-3) district to limited office-conditional
10 overlay (LO-CO) combining district on the property described in Zoning Case No. C14-04-
11 0152, on file at the Neighborhood Planning and Zoning Department, as follows:

12
13 A 0.991 acre tract of land, more or less, out of the Issac Decker League in Travis
14 County, the tract of land being more particularly described by metes and bounds in
15 Exhibit "A" incorporated into this ordinance,

16
17 locally known as 4607 Manchaca Road, in the City of Austin, Travis County, Texas, and
generally identified in the map attached as Exhibit "B".

19
20 PART 2. The Property within the boundaries of the conditional overlay combining district
21 established by this ordinance is subject to the following conditions:

22
23 1. Development of the Property shall comply with the following regulations:

24
25 A. The maximum building coverage is 35 percent.

26
27 B. The maximum impervious cover is 60 percent.

28
29 C. The maximum height is 35 feet from ground level.

30
31 D. The maximum height is two stories.

32
33 E. The maximum floor area ratio (F.A.R.) is 0.09961 to 1.0.

2. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 300 trips per day.

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

College and university facilities

Convalescent services

Cultural services

Hospital services (limited)

Medical offices

Communications services

(exceeding 5,000 sq. ft. gross floor area)

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office (LO) 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

EXHIBIT "A"

LEGAL DESCRIPTION

FIELD NOTES OF 0.991 ACRE OF LAND BEING OUT OF AND A PART OF THAT CERTAIN 3 ACRES OF LAND OUT OF THE ISSAC DECKER LEAGUE IN TRAVIS COUNTY, TEXAS, DESCRIBED IN EXHIBIT A IN A WARRANTY DEED TO SARAH JO HASH OF RECORD IN DOC. 2003245697 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.991 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found on the East r-o-w line of Manchaca Road, as described in a Street Deed in V. 4350 Pg. 783, being a point on the South line of the above said 3 acre tract, being the Northwest corner of the Shawn Jeanette Hash Ochoa 0.49 acre tract of record in Doc. 2001215427, Official Public Records of Travis County, Texas, same being the Southwest corner of the herein described tract and the PLACE OF BEGINNING hereof

THENCE, along the current East r-o-w line of Manchaca Road, N 30° 00' 39" E, 209.14 ft. to a ½" iron rod found on the North line of the said 3 acres, tract, for the Northwest corner hereof, same being a point on the South line of Lot 1 Block A of Ford Place Number One, a Subdivision of record in Book 4 Pg. 26 P.R.T.C.T.

THENCE, along the North line of the 3 acres, and the South line of Block A of said Ford Place S 60° 09' 40" E, 206.90 ft. to a ½" iron rod set for the Northeast corner hereof

THENCE over and across the 3 acres, same being the Northwest line of the Hash Revocable Living Trust Tract of record in Vol. 10988 Pg. 130, Real Property Records of Travis County, Texas, S 30° 16' 21" W, 209.15 ft. to a ½" iron rod found on the South line of the 3 acres, being the Northeast corner of the above mentioned 0.49 acre tract, for the Southeast corner hereof

THENCE along the dividing line of the 3 acres and the 0.49 acre, N 60° 09' 40" W, 205.94 ft. to the PLACE OF BEGINNING and containing 0.991 acre of land

D. J. Bell 7-13-04

PREPARED IN THE OFFICE OF B&G SURVEYING
1404 W. NORTH LOOP BLVD.
AUSTIN, TEXAS 78756
(512) 458 - 6969



6/24/2004
Job#: B0619604

FORD PLACE (BOOK 4, PAGE 265)

LOT 1-A
BLK. A

LOT 12
BLK. A

MANCHACA ROAD

P.O.B.

0.991 acres

CONC. DRIVE

125.7'

117.9'

ADJACENT CONCRETE

S 60°09'40" E 205.94'

0.48 ACRE

SHAWN JEANETTE HASH OCHOL

DOC. NO. 2001215427

7 ACRES
SARAH JO HASH
DOC. 2003245687

TRAVIS MADISON HASH
AND SARAH JO HASH
CO-TRUSTEES HASH FAMILY
REVOCABLE LIVING TRUST
(V.10086, P.100)

S 30°16'21" W 208.15'

APPROXIMATE LOCATION OF 5' ELECTRIC
AND TELEPHONE EASEMENT IN (V.2254, P.284)

TRAVIS MADISON HASH
AND SARAH JO HASH
CO-TRUSTEES HASH FAMILY
REVOCABLE LIVING TRUST
(V.10086, P.100)

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- 60S NAIL FOUND
- 60S NAIL SET
- SPRINKLE FOUND
- BRASS WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- BUILDING LINE
- PUBLIC UTILITY EASEMENT
- SHRIMP EASEMENT
- SURFACE DRAINAGE EASEMENT
- ELECTRIC EASEMENT
- ELECTRIC EASEMENT
- ELECTRIC EASEMENT
- ELECTRIC EASEMENT
- POWER POLE
- OVERHEAD UTILITIES

Sanitary Sewer Easements in V.1794, P.548 and V.1794, P.19 do not appear to affect the subject premises.

Electric and Telephone Easement in V.2128, P.108 and V.2128, P.104 do not appear to affect the subject premises.

BEING ALL THAT CERTAIN 0.991 ACRES TRACT OF LAND OUT OF THE ISSAC DECKER LEAGUE BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

OWNER: TRAVIS MADISON HASH AND SARAH JO HASH
ADDRESS: 4807 MANCHACA ROAD
CITY: AUSTIN
STATE: TEXAS
COUNTY: DALLAS

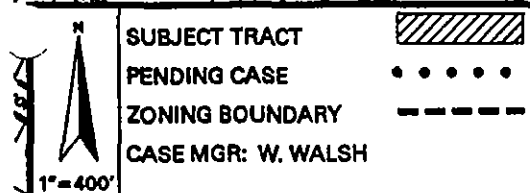
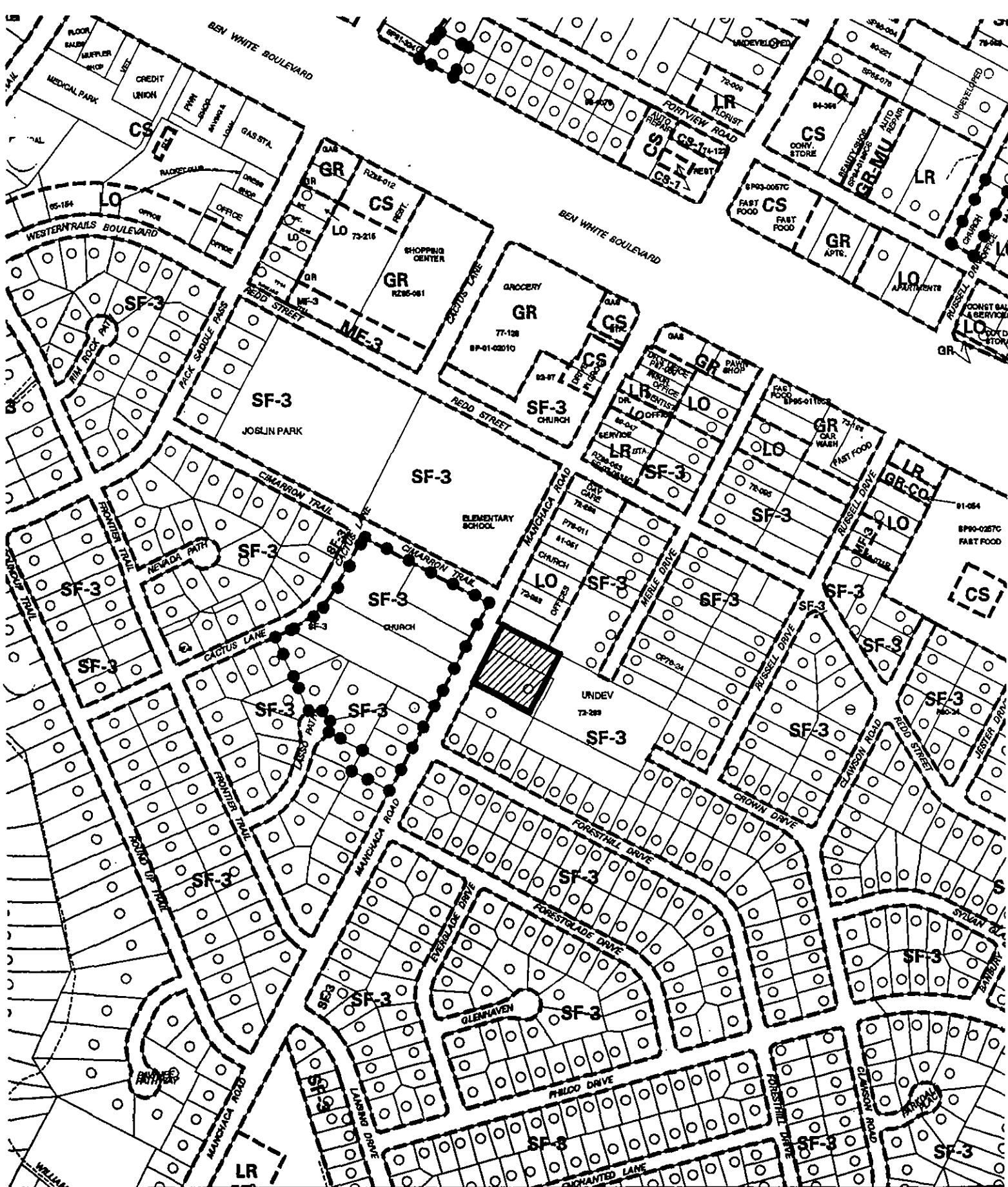
B&G Surveying, Inc.
Victor G. Gorse R.P.L.S.

Office 512-468-0880
Fax 512-468-0816
1004 West North Loop Blvd.
Austin, Texas 78703



THIS PLAN IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

| | | | |
|-----------------------|--|-----------|---------------|
| DATE: 07/13/04 | 1:50 SCALE: VERIFY IN FIELD. LINES SHOWN ARE THE LINES OF THE SURVEY. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. | NO. 10000 | EXP. 12/31/04 |
| FILE: CO. F.A.L.L.C. | 1:50 SCALE: VERIFY IN FIELD. LINES SHOWN ARE THE LINES OF THE SURVEY. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. | NO. 10000 | EXP. 12/31/04 |
| FILE: 4-100-0000-0000 | 1:50 SCALE: VERIFY IN FIELD. LINES SHOWN ARE THE LINES OF THE SURVEY. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. | NO. 10000 | EXP. 12/31/04 |
| FILE: 4-100-0000-0000 | 1:50 SCALE: VERIFY IN FIELD. LINES SHOWN ARE THE LINES OF THE SURVEY. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. | NO. 10000 | EXP. 12/31/04 |
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SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: W. WALSH

CASE #: C14-04-0152
ADDRESS: 4807 MANCHACA RD
SUBJECT AREA (acres): 0.991

ZONING EXHIBIT B

DATE: 04-10

INTLS: SM

CITY GRID
REFERENCE
NUMBER
G19

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0152

Z.P.C. DATE: October 19, 2004

ADDRESS: 4607 Manchaca Road

OWNER AND APPLICANT: Jolico Family Ltd.
(Liliana R. Cohen)

AGENT: Bennett Consulting
(Jim Bennett)

ZONING FROM: SF-3

TO: LO

AREA: 0.991 acres (43,167.96 square feet)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant limited office (LO) district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

October 19, 2004: *APPROVED STAFF'S RECOMMENDATION OF LO DISTRICT ZONING.*
[B.B; T.R. 2ND] (8-0) J.M – OFF THE DAIS

ISSUES:

Two adjacent property owners have provided written comments expressing their concern with LO district zoning, as attached to the back of the staff report.

DEPARTMENT COMMENTS:

The subject rezoning area consists of one single family residence, takes direct access to Manchaca Road and is zoned family residence (SF-3) district. This segment of Manchaca Road between Redd Street and Forest Hill Drive consists of a service station, child care facility, church and offices to the north (zoned LO), and single family residences to the east and south (SF-3). The west side of Manchaca Road is developed with two churches, an elementary school and single family residences (zoned SF-3, with a pending rezoning application for Woodlawn Baptist Church and adjacent residential properties at the southwest corner of Manchaca and Cimarron Trail for general office (GO) base district zoning. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View); A-2 (City of Austin Neighborhood Planning Areas and A-3 (Future Neighborhood Planning Area – South Manchaca).

The applicant proposes to rezone the lot to the limited office (LO) district to accommodate the redevelopment to medical office use. Staff recommends LO district zoning in the context of its location on an arterial roadway and compatibility with the office and civic uses to the north and west, and the single family residences to the northeast, south and to the west.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|---|
| <i>Site</i> | SF-3 | One single family residence |
| <i>North</i> | LO; LR; SF-3 | Offices; Church; Child care facility; service station; single family residences |
| <i>South</i> | SF-3 | Single family residences |
| <i>East</i> | SF-3 | Single family residences; Undeveloped |
| <i>West</i> | SF-3 | Single family residences; Church; Park; Elementary school |

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

378 – Western Trails Neighborhood Association

384 – Save Barton Creek Association

385 – Barton Springs Coalition

428 – Barton Springs / Edwards Aquifer Conservation District

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Assocn.

943 – Save Our Springs Alliance

950 – Southwood Neighborhood Assocn.

SCHOOLS:

Joslin Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---------------------------------------|---------------------------|---|---------------------|
| C14-04-0093 – Woodlawn Baptist Church | SF-3 to GO-CO, as amended | Pending completion of the Neighborhood Traffic Analysis | Pending |

RELATED CASES:

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

ABUTTING STREETS:

| STREET | RIGHT-OF-WAY | PAVEMENT WIDTH | CLASSIFICATION | DAILY TRAFFIC |
|---------------|---------------------|-----------------------|-----------------------|----------------------|
| Manchaca Road | 70 feet | 50 feet | Arterial | 25,350 |

- There are existing sidewalks along Manchaca Road.
- Manchaca Road is classified in the Bicycle Plan as a Priority 2 bike route.
- Capital Metro bus service is available along Manchaca Road.

CITY COUNCIL DATE:

December 2, 2004

ACTION: Postponed by the Council to
December 16, 2004 (7-0)

December 16, 2004

Approved LO-CO district zoning with the
CO limiting the F.A.R. to the existing
building square footage; medical offices as
the only LO use and all NO, Neighborhood
Office uses; all NO development standards
and 300 vehicle trips, on 1st Reading (7-0)

ORDINANCE READINGS:

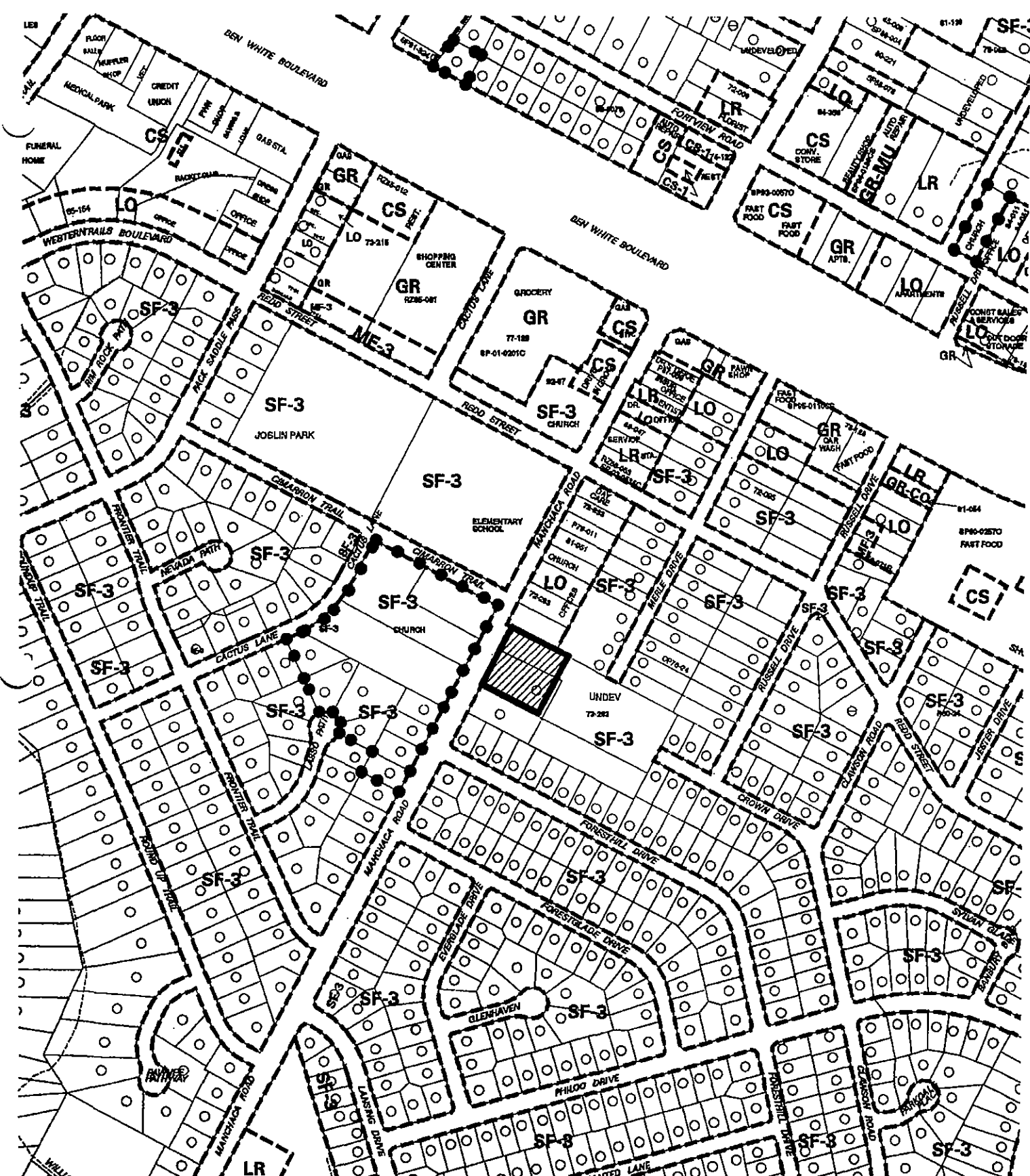
1st December 16, 2004 2nd





3rd

ORDINANCE NUMBER:

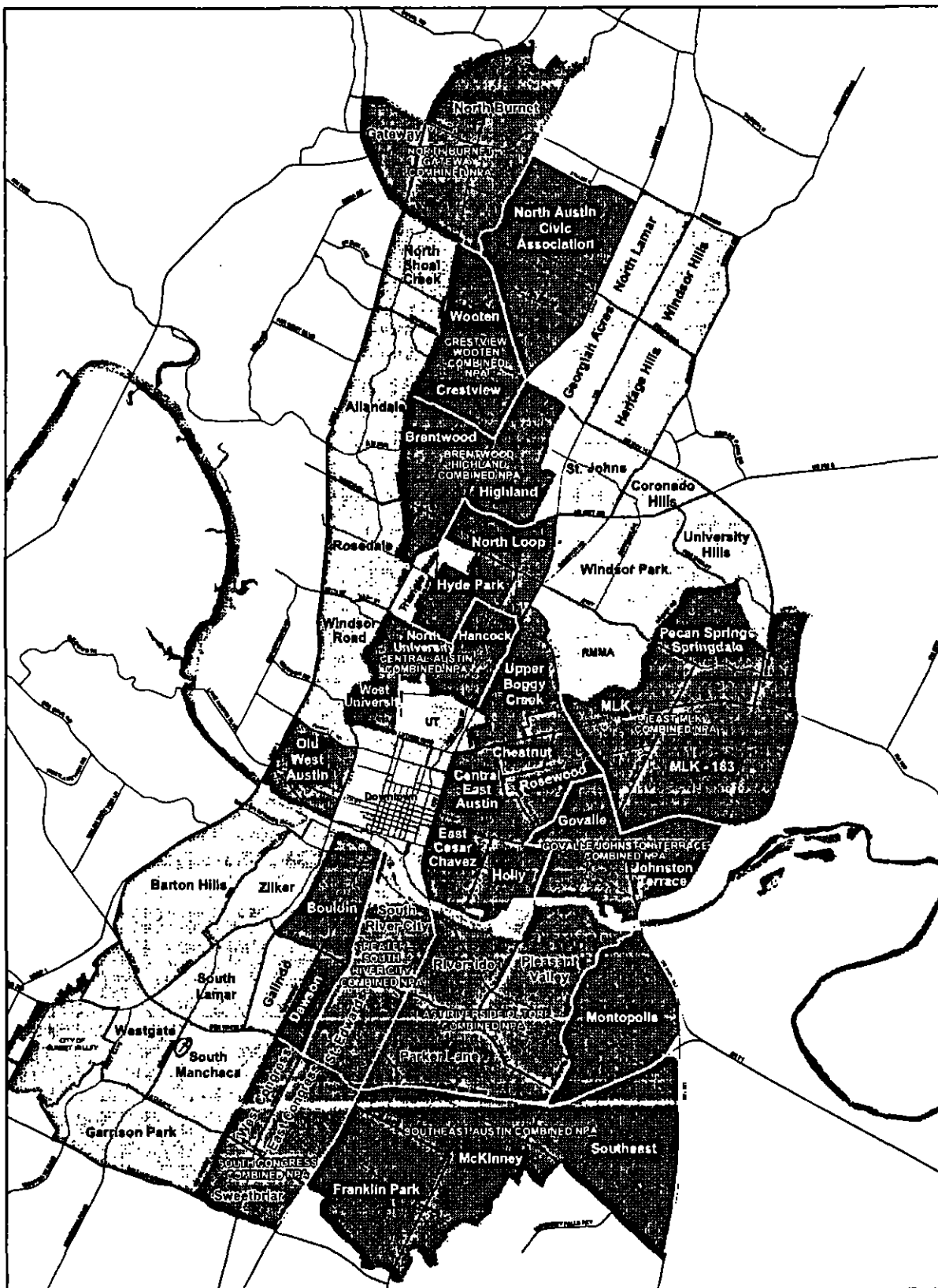
CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719



| | | |
|---|--|---|
|  <p>1" = 400'</p> <p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: W. WALSH</p> | <p align="center">ZONING Exhibit A</p> <p>CASE #: C14-04-0152</p> <p>ADDRESS: 4607 MANCHACA RD</p> <p>SUBJECT AREA (acres): 0.991</p> <p>DATE: 04-10</p> <p>INTLS: SM</p> | <p>CITY GRID REFERENCE NUMBER</p> <p align="center">G18</p> |
|---|--|---|





City of Austin Neighborhood Planning Areas



Produced by City of Austin
Neighborhood Planning & Zoning Department
August 28, 2004

 Combined Neighborhood
Planning Areas

Neighborhood Plan Status





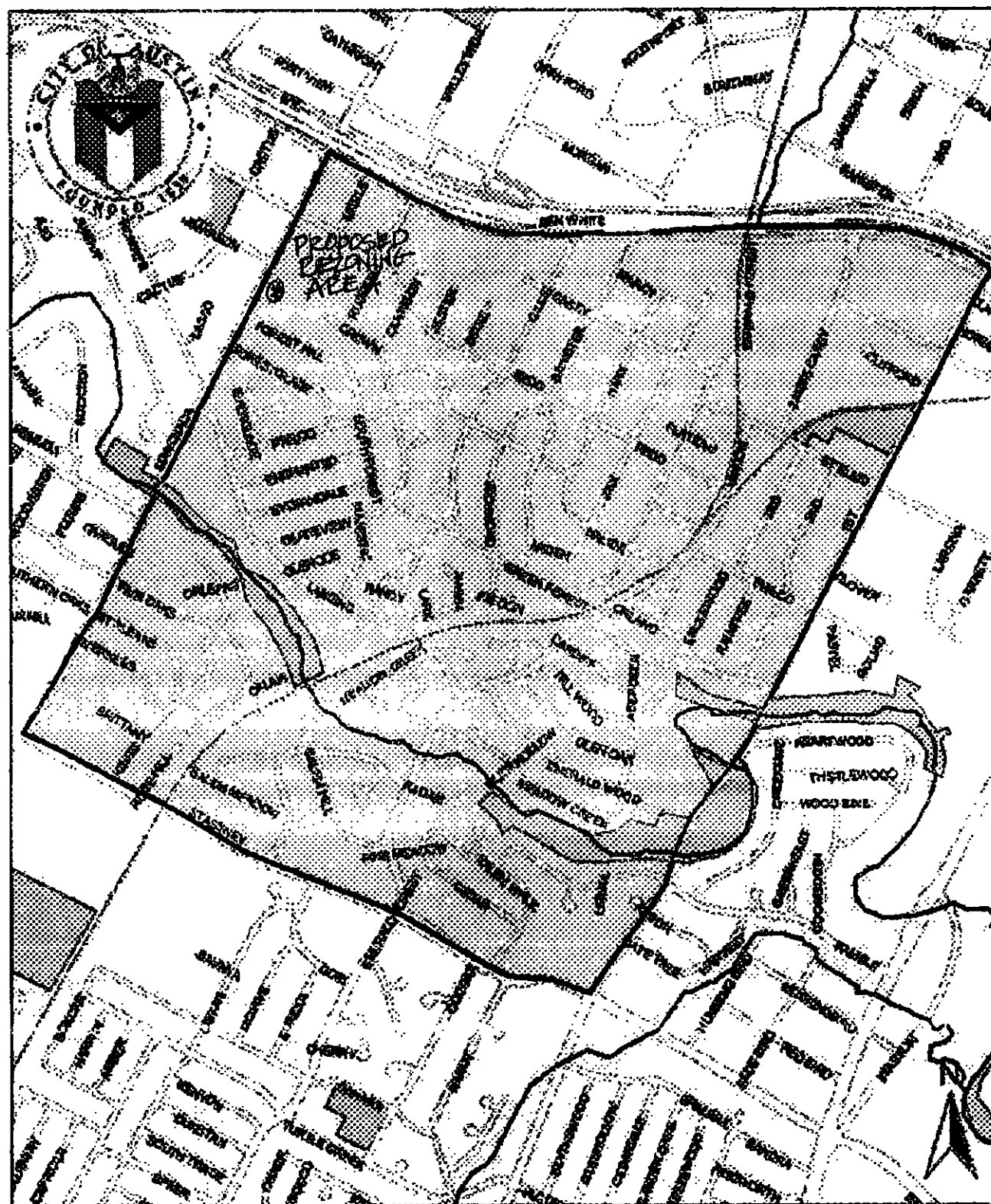
-  Adopted Neighborhood Plan & Zoning
-  Neighborhood Plan Underway
-  Future Neighborhood Planning Area
-  Non-Neighborhood Planning Area

EXHIBIT A-2

0 2,500 5,000 10,000 Feet

This map has been produced by the City of Austin for the
sole purpose of aiding regional planning and is not
intended for any other use. No warranty is made regarding
its accuracy or completeness.
austincityplanning@cityofaustin.gov



South Manchaca Neighborhood Planning Area

EXHIBIT A-3

 Parks

0.4

0.4

0.8 Miles



SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant limited office (LO) district zoning.

BACKGROUND

The subject rezoning area consists of one single family residence, takes direct access to Manchaca Road and is zoned family residence (SF-3) district. This segment of Manchaca Road between Redd Street and Forest Hill Drive consists of a service station, child care facility, church and offices to the north (zoned LO), and single family residences to the east and south (SF-3). The west side of Manchaca Road is developed with two churches, an elementary school and single family residences (zoned SF-3, with a pending rezoning application for Woodlawn Baptist Church and adjacent residential properties at the southwest corner of Manchaca and Cimarron Trail for general office (GO) base district zoning.

The applicant proposes to rezone the lot to the limited office (LO) district to accommodate the redevelopment to medical office use. Staff recommends LO district zoning in the context of its location on an arterial roadway and compatibility with the office and civic uses to the north and west, and the single family residences to the northeast, south and to the west.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

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 rezoning area is located along Manchaca Road, an arterial, and is adjacent to other office, civic and residential uses.

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

Staff recommends LO district zoning in the context of its location on an arterial roadway and compatibility with the office and civic uses to the north and west, and the single family residences to the northeast, south and to the west.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area is developed with one single family residence 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.

Environmental

The site is not located over the Edward's 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.

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.

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.

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.

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

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

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

The trip generation under the requested zoning is estimated to be 1,020 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).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

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 necessary for the land use or to serve the site, 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 design criteria and specifications. The utility construction must be inspected by the City.

The landowner must pay the City inspection fees. The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

Compatibility Standards

The site is subject to compatibility standards, due to SF-3 property within 540 feet. Along the south, east and a portion of the north property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- 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.

October 19, 2004

TO: City of Austin - City Zoning and Platting Commission**FROM: Bryan Hebert, President, Western Trails Neighborhood Association****RE: Case #C14-04-0052, proposed rezoning of 4607 Manchaca Road**

I am writing to express my concerns regarding the proposed rezoning of 4607 Manchaca Road, Case #C14-04-0052. I am personally opposed to the rezoning, and I also have reservations in my capacity as president of the Western Trails Neighborhood Association. The association encompasses much of the neighborhood on the west side of Manchaca Road directly across from the proposed rezoning. My chief concerns are as follows:

(1) The association received notice of the proposed rezoning application, but did not receive notice of tonight's meeting. It was only today that I confirmed that the proposed rezoning would be on tonight's Zoning and Platting Commission agenda. Unfortunately, I am unable to attend the hearing in person.

(2) The Western Trails Neighborhood Association seven-member Board of Directors is unanimously opposed to the proposed rezoning. The Western Trails Neighborhood Association is not scheduled to meet until this Thursday, October 21, 2004. As such, I am unable to present this matter to the association membership for the purpose of taking an official position on the proposed rezoning before tonight's Zoning and Platting Commission hearing.

(3) The neighborhood association is generally concerned with any attempts to decrease the number of residential properties in the area and increase the number of office and commercial properties. Our desire is to preserve the residential character of our neighborhood and surrounding neighborhoods. In fact, we have registered formal opposition to an unrelated rezoning application for property located on the west side of Manchaca Road directly across the street from 4607 Manchaca Road.

I am submitting this letter as a formal record of my personal opposition and to express my concerns on behalf of the Western Trails Neighborhood Association. Should the application be approved by the Zoning and Platting Commission and proceed to a vote of the City Council, I hope to be able to speak formally on behalf of the association.

Sincerely,



Bryan Hebert

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: C14-04-0152

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

October 19, 2004 Zoning and Platting Commission

Karen S. McKee
Your Name (please print)

☒ I am in favor
☐ I object

1908 Forest Hill Dr Austin TX 78745
Your address(es) affected by this application

Karen J. McKee
Signature

10/17/04
Date

Daytime Telephone: 512-462-9089

Comments: Please see attached

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

October 17., 2004

To Whom It May Concern:

I am writing regarding Case Number C14-04-0152 concerning a proposed zoning change. The property in question is located behind my house and has already had major changes that basically make this rezoning hearing seemingly null and void.

The new owner has already extended the driveway at the structure, so it is now a small parking lot. The structure is already set-up for LO zoning.

Even though I am not pleased to look out and see concrete, instead of trees, I do not have a major problem with the zoning change. I do, however, have a problem with the process. If these hearings are truly set-up for neighborhood input, why was this hearing not held before the cement was poured. It seems as though we should have been informed before the structure was set up for a small business.

In keeping with the spirit of the neighborhood, I would like to have been informed of the proposed changes, before the reconstruction started. One morning, the concrete trucks were pouring at 6 am. Situations like this make me feel as though the new owner really does not care what the neighborhood thinks.

In conclusion, I am not opposed to the zoning change. I guess my problem is feeling as though the neighborhood was an afterthought.

Sincerely,



Karen J. McKee