

SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2011-0087 – 6500 Manor Road

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6500 and 6502 Manor Road (Little Walnut Creek Watershed) from limited office – neighborhood plan (LO-NP) combining district zoning to general commercial services – neighborhood plan (CS-NP) combining district zoning. On First Reading, Council approved LR-MU-CO-NP district zoning, with the conditional overlay prohibiting off-site accessory parking, restaurant (general), and service station; limiting drive-through services to one lane with access restricted to Manor Road, establishing LO site development regulations, and limiting the number of daily vehicle trips to 2,000.

DEPARTMENT COMMENTS:

On Monday, March 19th, the Staff and the Applicant attended the University Hills Contact Team meeting to further discuss the rezoning and neighborhood plan amendment cases, as directed by Council at First Reading. Representatives from the University Hills Neighborhood Association and nearby property owners were also in attendance. The Applicant indicated a desire for only two land uses, being personal services for a dry cleaning drop-off facility and general retail sales (convenience) for a tuxedo rental business. There was no consensus between the Applicant and the Contact Team and Neighborhood Association regarding a rezoning of the property.

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

A valid petition of 38.25% has been filed by the adjacent property owners in opposition to this rezoning request.

OWNER & APPLICANT: Sneed Realtors (Mildred and Kennie Sneed)

DATE OF FIRST READING: February 2, 2012, Approved LR-MU-CO-NP combining district zoning, on First Reading (5-2, Council Members Morrison and Tovo voted nay).

CITY COUNCIL HEARING DATE: April 5, 2012

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0087 – 6500 Manor Road

P.C. DATE: November 8, 2011
December 13, 2011
January 10, 2012

ADDRESS: 6500 and 6502 Manor Road

OWNER/APPLICANT: Sneed Realtors (Mildred and Kennie Sneed)

ZONING FROM: LO-NP

TO: CS-NP

AREA: 0.4044 acres
(17,616 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000 and prohibits service station.

PLANNING COMMISSION RECOMMENDATION:

November 8, 2011: *POSTPONED TO DECEMBER 13, 2011 BY THE PLANNING COMMISSION*

*[M. DEALEY; J. STEVENS – 2ND] (7-0-1) D. TIEMANN, D. CHIMENTI – ABSENT;
J. JACK – ABSTAIN*

NOTE: *PLACE EARLY ON THE AGENDA*

December 13, 2011: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO JANUARY 10, 2012*

*[D. CHIMENTI; D. TIEMANN – 2ND] (6-2, R. HATFIELD, A. HERNANDEZ – NAY)
D. ANDERSON – ABSENT*

NOTE: *PLACE EARLY ON THE AGENDA*

January 10, 2012: *TO GRANT LR-MU-CO-NP DISTRICT ZONING AS RECOMMENDED BY STAFF WITH ADDITIONAL CONDITIONS: 1) LIMITED TO LO SITE DEVELOPMENT REGULATIONS, PROHIBIT OFF-SITE ACCESSORY PARKING AND RESTAURANT (GENERAL) USES, LIMIT DRIVE-THROUGH SERVICES TO ONE BAY WITH ACCESS RESTRICTED TO MANOR ROAD.*

[S. KIRK; D. ANDERSON – 2ND] (7-1) D. CHIMENTI – NAY; M. DEALEY – ABSENT

ISSUES:

On Monday, March 19th, the Staff and the Applicant attended the University Hills Contact Team meeting to further discuss the rezoning and neighborhood plan amendment cases, as directed by Council at First Reading. Representatives from the University Hills

Neighborhood Association and nearby property owners were also in attendance. The Applicant indicated a desire for only two land uses, being personal services for a dry cleaning drop-off facility and general retail sales (convenience) for a tuxedo rental business. There was no consensus between the Applicant and the Contact Team and Neighborhood Association regarding a rezoning of the property.

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

A valid petition of 38.25% has been filed by the adjacent property owners in opposition to this rezoning request. Petition information is located at the back of the Staff report.

On December 17, 2011, the Applicants attended the University Hills Neighborhood Association meeting. The Applicants stated that approximately 27 people attended the meeting, which included members and non-members of the association. Of the 15 association members in attendance, 13 were opposed to the Applicant's amended rezoning request and 2 were in favor.

On December 6, 2011, the University Hills Neighborhood Plan Contact Team met to discuss whether there was support for adding conditional overlays (COs) to LR base district zoning. The Applicants and Staff also attended the meeting. The Contact Team did not support the addition of COs and opposes any change in zoning on the subject properties from LO-NP.

A statement of support for the Applicant's amended request of LR-MU-CO-NP has been signed by several residents in the area. Please refer to correspondence attached at the back of the Staff packet.

The Applicant is in agreement with the Staff recommendation.

DEPARTMENT COMMENTS:

The subject two lots are located at the northeast intersection of Manor Road and Northeast Drive, and developed with two office buildings (total of 5,000 square feet) and adjacent parking areas. The buildings were formerly used as four-plexes. The east lot has driveway access to Manor Road and the west lot has access to Northeast Drive. There are single family residences, duplexes and apartments on Northeast Drive to the north (SF-3-NP), single family residences to the east on Carol Ann Drive (SF-3-NP), retail sales (general) and a service station to the south (GR-V-NP) and single family residences to the west on Manor Road (LR-MU-V-CO-NP; SF-3-NP). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes general commercial services – neighborhood plan (CS-NP) combining district zoning in order to allow for the property to be converted to commercial and retail uses. In evaluating the Applicant's request, Staff notes that neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) zoning was approved on a similarly situated property to the west (Northeast Drive / Manor Road intersection within the Windsor Park NPA) in 2007, with the vertical mixed use

building (V) zoning added in 2008. The Conditional Overlay on that property prohibits service station use.

Staff is able to recommend LR-MU-CO-NP zoning based on the following considerations of the property: 1) location on an arterial roadway, and ability to provide commercial, retail and office services in close proximity to the surrounding residential subdivision; and 2) consistency with the similarly located property to the west, including the conditional overlay to prohibit service station use.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------------------|------------------------------------------------------------------------------------------|
| <i>Site</i> | LO-NP | Two single story offices and adjacent parking areas |
| <i>North</i> | SF-3-NP | Single family residences in the Walnut Hills Section 5 subdivision; Duplexes; Apartments |
| <i>South</i> | GR-V-NP | Service station with food sales; Retail sales (general); Church |
| <i>East</i> | SF-2-NP; LR-NP | Single family residence; Office |
| <i>West</i> | LR-MU-V-CO-NP; SF-3-NP | Single family residences |

NEIGHBORHOOD PLAN AREA: University Hills / Windsor Park Combined
(University Hills)

TIA: Is not required

WATERSHED: Little Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

60 – Pecan Springs / Springdale Neighborhood Association
 84 – University Hills Neighborhood Association
 174 – Windsor Park Neighborhood Association 511 – Austin Neighborhoods Council
 686 – East MLK Neighborhood Combined COA Liaison
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 972 – PODER 981 – Anberly Airport Association
 1019 – Responsible Growth for Windsor Park
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1119 – University Hills Neighborhood Plan Contact Team
 1113 – Austin Parks Foundation 1155 – Windsor Park Neighborhood Plan Contact Team
 1094 – Sweeney Farms Neighborhood Association
 1097 – Windsor Park – Pecan Springs Heritage Neighborhood Association
 1197 – East MLK Combined Neighborhood Contact Team

1213 – East MLK Combined Neighborhood Association
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1215 – FRS Property Owners Association 1224 – Austin Monorail Project
 1228 – Sierra Club, Austin Regional Group 1236 – The Real Estate Council of Austin, Inc.
 1258 – Del Valle Community Coalition 1322 – Senate Hills Homeowners Association

SCHOOLS:

Winn Elementary School

Pearce Middle School

LBJ High School

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| C14-2008-0044 – Windsor Park NPA VMU Building (V) Zoning | Add a vertical mixed use building (V) zoning to 31 tracts of land | To Grant | Approved the addition of V zoning for 27 tracts of land (5-22-08). |
| C14-2007-0007 – Windsor Park Neighborhood Plan Area Rezoning – US Hwy 290 on the north, Northeast Drive on the east, Manor Road and 51 st Street on the south and IH-35 on the west | Rezoning of 95 tracts of land | To Grant | Approved (8-9-07). Note: Tract 100 located at 3211 Jack Cook Drive is zoned LR-MU-CO-NP with the CO prohibiting service station |
| C14-00-2017 – 6620 Manor Road – 3410 and 3412 Lakeside Drive | SF-2 to NO, as amended | To Grant NO-CO with CO prohibiting all uses except for parking and civic uses, prohibit access to Lakeside & Carol Ann drives and 10' landscape buffer to screen parking lot along east, west and north property lines | Approved NO-CO as Commission recommended (6-22-00). |

RELATED CASES:

The property is platted as the Resubdivision of Lot 37, Walnut Hills Section 5, a subdivision recorded in October 18, 1968 (C8s-68-160). Please refer to Exhibit B. Lot 37 was rezoned to "O", Office district in 1977 (C14-77-124). There are no related site plan applications on the subject property.

The University Hills Neighborhood Plan rezonings were approved by Council on August 9, 2007 (C14-2007-0006 – Ordinance No. 20070809-056). The base district of the subject property did not change, and the NP combining district was added. The FLUM designation on this site is Office and a plan amendment to Commercial is also under consideration (NPA-2011-0023.01).

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | Daily Traffic |
|-----------------|---------|----------|----------------|---------------|
| Manor Road | 88 feet | MAU 4 | Major Arterial | 9,474 |
| Northeast Drive | 80 feet | 40 feet | Collector | 2,844 |
| Carol Ann Drive | 50 feet | 30 feet | Local | Not Available |

- Manor Road is classified in the Bicycle Plan as Bike Route No. 42. Northeast Drive is classified in the Bicycle Plan as Bike Route No 18.
- Capital Metro bus service (Route No. 20) is available along Manor Road.
- There are existing sidewalks along Manor Road, Northeast Drive and Carol Ann Drive.

CITY COUNCIL DATE: December 8, 2011

ACTION: Approved a Postponement request by the Staff to January 12, 2012 (6-0, Mayor Pro Tem Cole – off the dais).

January 12, 2012

Approved a Postponement request by Staff to February 2, 2012 (7-0).

February 2, 2012

Approved LR-MU-CO-NP district zoning, on First Reading (5-2, Council Members Morrison and Tovo – Nay).
Note: Public Hearing is left open.

March 22, 2012

Approved a Postponement request by the Applicant to April 5, 2012 (6-0, Council Member Morrison – absent).

April 5, 2012

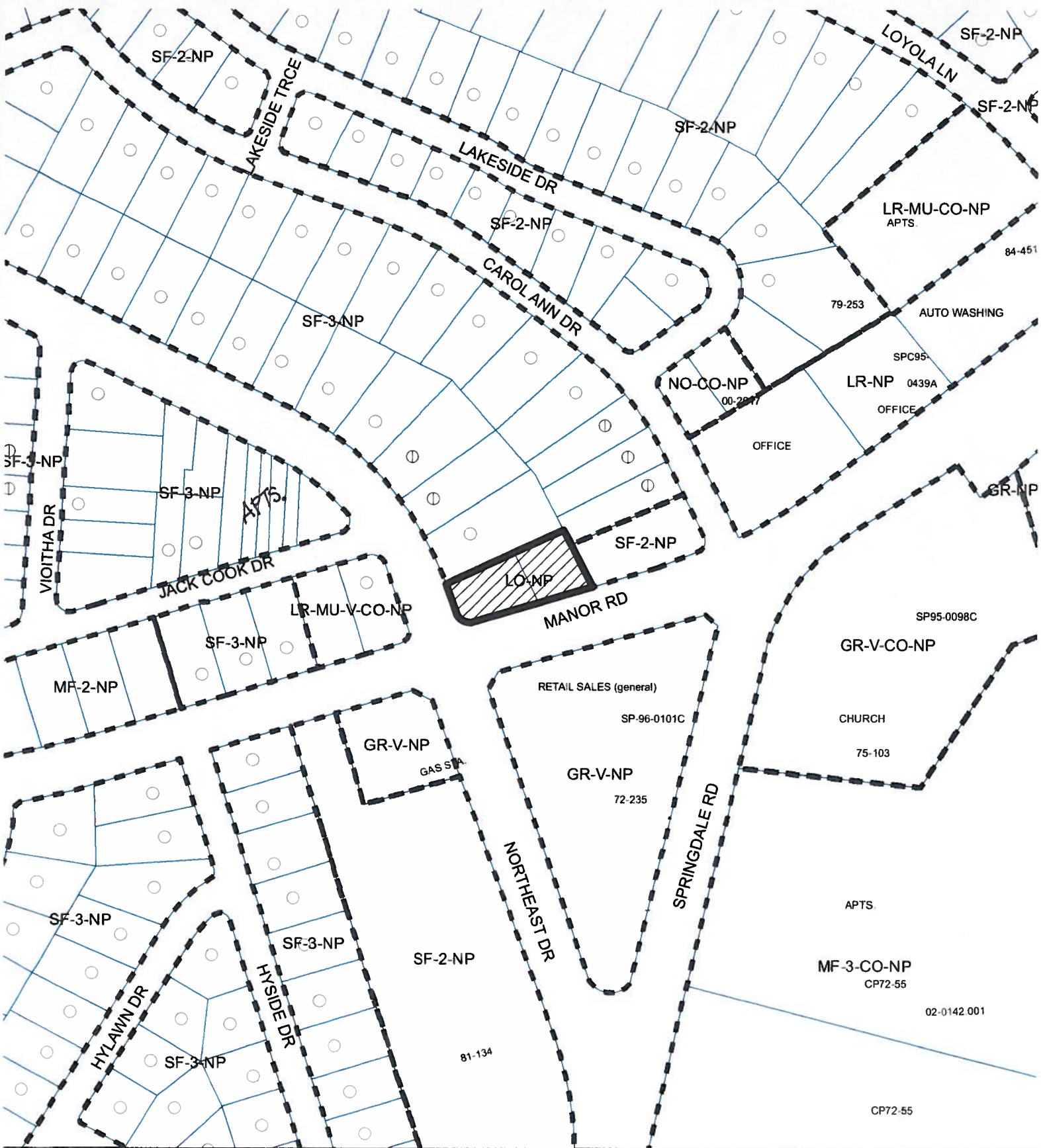
ORDINANCE READINGS: 1st February 2, 2012 2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



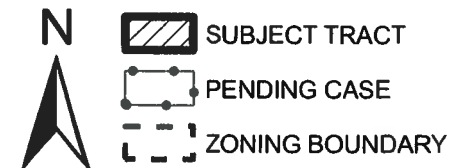
ZONING

Exhibit A

ZONING CASE#: C14-2011-0087
 LOCATION: 6500 and 6502 MANOR RD
 SUBJECT AREA: 0.4044 ACRES
 GRID: M25, M26
 MANAGER: WENDY RHOADES

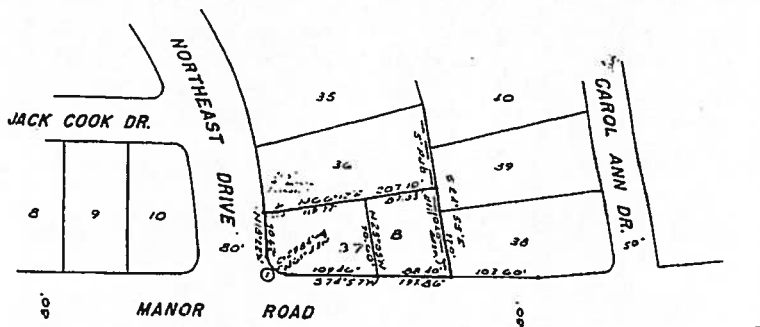


This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 200'





RESUBDIVISION OF LOT 37
WALNUT HILLS SECTION 5

SCALE 1"=100'

LEGEND
■ Conc. Man. Found
• Iron Pin Found
○ Iron Pin Set

STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, WILLIAM STRINGER, OWNER OF LOT 37, OF WALNUT HILLS SECTION FIVE, AS RECORDED IN PLAT BOOK 5, PAGE 98, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND AS CONVEYED TO ME BY DEED RECORDED IN VOLUME 3541, PAGE 2246, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, DO HEREBY RESUBDIVIDE SAID LOT, SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AS SHOWN HEREON TO BE KNOWN AS THE RESUBDIVISION OF LOT 37, WALNUT HILLS SECTION 5, AND I DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS AS SHOWN HEREON.

WITNESS MY HAND THIS 25th DAY OF September, 1968

William Stringer
WILLIAM STRINGER

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED WILLIAM STRINGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 25th DAY OF September, 1968

John L. Spence
NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS
Harold H. Osborne
DIRECTOR OF PLANNING - World H. Osborne



APPROVED FOR ACCEPTANCE October 2, 1968, A.D.

ACCEPTED AND AUTHORIZED FOR RECORD BY THE CITY PLANNING COMMISSION, CITY OF AUSTIN, TEXAS, October 2, 1968, A.D.

James B. Dumas
CHAIRMAN

Robert A. Harbo
SECRETARY

FILED FOR RECORD AT 11:45 O'CLOCK A.M. THE 18 DAY OF Oct, 1968

MISS EMILIE LINBERG, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS

Willie M. Hall
DEPUTY

STATE OF TEXAS
COUNTY OF TRAVIS

I, MISS EMILIE LINBERG, CLERK OF COUNTY COURT, WITHIN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 18 DAY OF Oct, 1968, A.D., AT 11:45 O'CLOCK A.M. AND DULY RECORDED ON THE 18 DAY OF Oct, 1968, A.D., AT 11:50 O'CLOCK A.M. IN THE PLAT RECORDS OF SAID COUNTY, IN PLAT BOOK 43, PAGE 50.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT OF SAID COUNTY, THE DATE LAST WRITTEN ABOVE.

MISS EMILIE LINBERG, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS
Willie M. Hall
DEPUTY

THIS IS TO CERTIFY THAT AUSTIN CITY CODE CHAPTER 22.27 OF 1954, HAS BEEN COMPLIED WITH.

AS SURVEYED BY:

W. Harvey Smith
W. HARVEY SMITH
REGISTERED PUBLIC SURVEYOR No. 170
1714 WEST 30th
AUSTIN, TEXAS
SEPTEMBER 25, 1968



EXHIBIT B
RECORDED PLAT

C 8568-160

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000 and prohibits service station.

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 general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

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

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

In evaluating the Applicant's request, Staff notes that neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) zoning was approved on a similarly situated property to the west (Northeast Drive / Manor Road intersection within the Windsor Park NPA) in 2007, with the vertical mixed use building (V) zoning added in 2008. The Conditional Overlay on that property prohibits service station use.

EXISTING CONDITIONS

Site Characteristics

The rezoning area is developed with two office buildings and the site is relatively flat. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the CS base zoning district is 95%, based on the more restrictive *zoning* regulations. The maximum impervious cover allowed by the LR base zoning district is 80%, also based on the more restrictive *zoning* regulations.

Environmental

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

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

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. 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.

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

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's 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.

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

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 over the current land use [LDC, 25-6-117].

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

Any new development on this site will be subject to Subchapter E – Design Standards and Mixed Use regulations. Additional comments will be made when the site plan is submitted for review.

According to the Tax Maps this property is composed of two legal lots.

1) If the buildings are torn down and the site is developed (on both lots) as a new project on the 17,600 sq. ft. site, then the new buildings would be subject to compatibility standards triggered by the abutting SF-3 zoned property and/or single family use to the north.

- The compatibility standards would trigger a 25 foot setback from the north property line for new building and parking areas. The requested CS-NP would only require a zoning side* yard setback of zero feet from the north property line. The Council approved LR-MU-CO-NP would only require a zoning side yard setback of zero feet from the north property. Compatibility standards are more restrictive and would supersede the building base zoning site back requirements. Because this lot fronts on Northeast Drive and abuts the SF-3-NP property/single family use to the north, then a 25 foot new building setback is triggered from Northeast Drive.

**Please note on corner lots the narrowest portion of the lot is considered the front.*

2) If the buildings are torn down and the site is developed as two projects each on a separate lot, then the new buildings would be subject to compatibility standards triggered by the abutting SF-3 zoned property and/or single family use to the north. The west lot, known as Lot 37A (0.2184 sq. ft.) is located on the corner of Northeast Drive and Manor Road. The east lot, known as Lot 37B (0.1860 sq. ft.) is located Manor Road. Compatibility standards

are more restrictive and would supersede the building base zoning site back requirements for either proposed zoning (CS-NP or LR-MU-CO-NP) districts.

- A new building on Lot 37A with 88.4 feet of frontage would be subject to rear (north) yard setback of 22.5 feet. A new parking and driveway on Lot 37A with 88.4 feet of frontage would be subject to rear yard setback of 17 feet and 12, respectively. If Council approved CS-NP or LR-MU-CO-NP each would only require a zoning side yard setback of zero feet from the north property.
- A new building on Lot 37B with 77 feet (estimated) of frontage would be subject to side* (north) yard setback of 20 feet. A new parking and driveway on Lot 37B with 75 feet of frontage would be subject to side yard setback of 14 feet and 9, respectively. Because this lot fronts on Northeast Drive and abuts the SF-3-NP property/single family use to the north, then a 25 foot new building setback is triggered from Northeast Drive.
- The requested CS-NP would only require a zoning side* yard setback of zero feet from the north property line.
- The requested LR-MU-CO-NP would only require a zoning side* yard setback of five feet (limited by Council to LO District site development standards at 1st ordinance reading) from the north property line.

**Please note on corner lots the narrowest portion of the lot is considered the front.*

***Please note the lot with is measured at the front setback line (LR is 25 ft. and CS is 10 ft.) and at a distance of 50 feet behind the front setback line.*

If Council approved CS-NP or LR-MU-CO-NP district zoning, then a zoning side yard setback of zero feet is required from the north property.

3) If the uses within the existing buildings change or remain the same, the existing building and parking setback would remain.

Please note that all new exterior lighting on all three options listed above would be required to shield its light source and all new dumpster facilities will setback 20 feet from the north property line.

WE THE UNDERSIGNED SUPPORT THE CHANGE FROM LO TO LRC THAT HAS BEEN REQUESTED BY KENNIE SNEED AND BY MILDRED SNEED

Permitted and Conditional Uses

† For detail on marked uses in the Neighborhood Commercial district, see the Austin City Code 25-2-586.

Residential

Bed and Breakfast Residential (Group 1) *

Bed and Breakfast Residential (Group 2) *

Civic

Club or Lodge (c)
College and University Facilities *
Communication Service Facilities *
Community Events *
Community Recreation—Private (c) *
Community Recreation—Public (c) *
Congregate Living (c)
Counseling Services
Cultural Services
Day Care Services—Commercial
Day Care Services—General
Day Care Services—Limited
Family Home *
Group Home Class I—General *

Group Home Class I—Limited *
Group Home Class II (c) *
Guidance Services
Hospital Services—Limited (c)
Local Utility Services
Private Primary Educational Services *
Private Secondary Educational Services *
Public Primary Educational Services *
Public Secondary Educational Services *
Religious Assembly
Residential Treatment (c)
Safety Services
Telecommunication Tower (PC) *

LR (continued)

Commercial

Administrative Business Office

Art Gallery

Art Workshop *

Consumer Convenience Services

Consumer Repair Services

Financial Services

Food Sales

General Retail Sales—Convenience

General Retail Sales—General—not exceeding

5,000 sq. ft of gross floor space †

Medical Offices—not exceeding

5,000 sq/ft of gross floor space

Medical Offices—exceeding

5,000 sq/ft of gross floor space (c)

Off-Site Accessory Parking

Personal Improvement Services—not exceeding 5,000 sq/ft of gross floor space

Personal Services

Pet Services

Plant Nursery (c) *

Printing and Publishing

Professional Office

Restaurant—Limited *

Restaurant—General—not exceeding 4,000 sq/ft of gross floor space † *

Service Station *

Software Development

Special Use Historic (c) *

Industrial

Custom Manufacturing (c)

Agricultural

Urban Farm *

| Name | Address | Phone |
|----------------------|------------------|----------|
| 1. Kenzie C. Miller | 6606 GREENS BROO | 926-1134 |
| 2. Johnny Colvin | 2607 Loyola Lane | 929-8117 |
| 3. Dometta Colvin | 2607 Loyola Lane | 929-8117 |
| 4. Clyten L. Brown | 3101 Loyola Lane | 928-8153 |
| 5. Patricia L. Moore | 2101 Loyola Lane | 928-8155 |

p.1

| | | |
|------------------------------|----------------------|-------------------------|
| 6. Tipped & Satterwhite | 6308 waynesburg cove | 7290164 |
| 7. George J. Arnold | 6306 Waynesburg cove | 512-72828 |
| 8. Chief J. Davis | 6305 Waynesburg cv | 52524001 |
| 9. Delia Vences | 6309 waynesburg C.V | 512-799-05 |
| 10. Willie Collins | 6311 Waynesburg | 512/7438 |
| 11. Ashika Coleman | 6311 Waynesburg CV | 98-2740 512-317-9418 |
| 12. Ruth L Price | 6407 Hartwick Place | 512928011 |
| 13. Earnest Price | 6404 Hartwick Place | 512-738- 512-428-0 |
| 14. Mitchell L. Harris | 6403 Hartwick Pl. | 512-773-772 |
| 15. Linda More | 6801 Mullikin CV | 512 9267418 |
| 16. Theron T. More | 6801 millikin CV | 5129267411 |
| 17. Euleno Castaneda | 6802 Langston DE | 512-737- 512-737- |
| 18. Roy Eldred | 6611 Greensboro Dr | 926-3141 |
| New Names from Feb 1, 2012 | | |
| 20. Margarita Jaimes | 3211 JACK COOK | 293-9842 |
| 21. Esperanza Saldana Garcia | 3214 Northeast Dr. | 945-7653 |
| 22. Mato Saldana Garcia | 3214 Northeast Dr | 803 2559 |
| 23. Latasha Hill | 3213 northeast Dr | 367-997 |
| 24. Joshua Campbell | 3213 North east Dr | 317-317 |
| 25. Joel Rivera | 3210 Northeast Dr #B | 512-487-4144 |
| 26. Regilio Pikes | 3300 Northeast Dr #A | 512-916-89 |
| 27. BENJAMIN MEEKS | 3808 NORTHEAST | 512 929092 |
| 28. Monica Fernandez | 3208B Northeast Dr | 512-913-1019 |
| 29. Barbara White | 3206 Northeast Dr #A | 512) 933-076 |
| 30. Bridget Stewart | 3204 Northeast Dr. | 512 929 3713 |
| 31. Charles Lewis | 6502 Manor Rd A | 210781880 |
| 32. Rodney Durley | 6502 Manor Rd. | 512 8105174 |

TO: City of Austin Planning Commission
and City Council Members

RE: Planning Commission Agenda – November 8, 2011 (Agenda
Items #6 & #7)
City Council Agenda -- December 8, 2011

Application for rezoning – 6500 & 6402 Manor Road (C14-
2011-0087) (Kennie & Mildred Sneed, Applicants)

University Hills/Windsor Park Neighborhood Plan Amendment
Request (NPA-2011-0023.01)

DATE: November 8, 2011

Dear Planning Commission and City Council Members:

On September 6, 2011, October 4, 2011 and November 1, 2011, the University Hills Contact Team held meetings in accordance with its bylaws to discuss the applicants' proposed future land use amendment and zoning change from Limited Office ("LO") to General Commercial Services ("CS") for the properties located at 6500 Manor Road and 6402 Manor Road. Along with several contact team members, residents of the community were present during at least two of those public meetings. In September and October, contact team members received additional feedback from other surrounding neighbors which was taken into consideration by the contact team. On September 26, 2011, a public meeting was held with regard to the proposed plan amendment, which was noticed by and facilitated by Maureen Meredith of the City's Planning and Development Review Department. Several members of the community were present for that meeting. Ms. Meredith provided background and education with regard to the zoning and plan amendment process and answered questions from those present.

Although Mrs. & Mrs. Sneed's (the applicants) application for zoning filed in July 2011 listed a proposed use for the properties as "music studio," they have since stated this is no longer the case. According to the Sneeds, investors who have shown interest in purchasing the property at some point in the past included a funeral home and a clothing store; however, they have no serious potential buyers currently. Mr. & Mrs. Sneed were very clear

during our meetings that they simply want the highest zoning for the property for speculative purposes in order to sell at the highest price possible since they are retiring and closing their business.

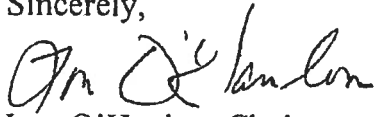
On November 1, 2011, the University Hills Contact Team of the University Hills/Windsor Park Neighborhood Plan voted to oppose the applicants' application to rezone these properties from LO to CS. Some discussion occurred regarding a compromise to LR (staff's recommendation); however, it was felt by the majority that no change in circumstance has taken place that would be significant enough to go against the wishes of the community developed during the neighborhood plan process by agreeing to change the zoning from LO to any higher level of zoning. To address staff's historical statement in the backup material, it is our position that the fact a piece of property west of the subject property was rezoned in 2007 to LR should not be a determining factor in this instance since that property lies within the Windsor Park planning area of the neighborhood plan. Consequently, that decision was made solely by the Windsor Park Contact Team.

As background, it is our understanding that in the early 1970s Mr. and Mrs. Sneed requested that these properties be rezoned from Single Family Residential to LO for the express purpose of putting their real estate office at that location. Despite the considerable protest by the residents of University Hills at the time, the zoning was changed to LO. These properties adjoin several homes. From 2005 to 2007, the neighborhood planning process took place with regard to the University Hills and Windsor Park planning area. When the University Hills/Windsor Park Neighborhood Plan was submitted to the Planning Commission in 2007 for approval, City planners agreed with the University Hills planning team to keep the zoning on these properties to LO. Accordingly, the current zoning of LO was kept in place at that time and the corresponding FLUM was adopted. Based on the comments received by the contact team during its recent public meetings, the basis for the community's desire to maintain this property as LO during the 2005-2007 neighborhood planning process has not changed.

For the reasons stated above, the University Hills Contact Team opposes any change in zoning on the subject properties from LO-NP.

Thank you for your time and for your service to our City.

Sincerely,

A handwritten signature in black ink, appearing to read "Lou O'Hanlon". The signature is fluid and cursive, with the first name "Lou" and last name "O'Hanlon" clearly distinguishable.

Lou O'Hanlon, Chair

University Hills Contact Team

University Hills/Windsor Park Neighborhood Plan

Cc: Wendy Rhoades, Planning & Development Review Department
Maureen Meredith, Planning & Development Review Department

Rhoades, Wendy

From: Lou O'Hanlon [lohanlon@austin.rr.com]
Sent: Sunday, December 11, 2011 2:16 PM
To: Rhoades, Wendy; Meredith, Maureen
Cc: 'Scooter Cheatham'; 'Lynn Marshall'; Seth Fowler; 'Al Weber'; 'Fannie Akinbala'
Subject: RE: 6500 and 6502 Manor Road meeting with University Hills representatives
Hi, Wendy & Maureen –

I'm sure Jerry has filled you in with regard to events at the University Hills Contact Team meeting on the 6th. We had quite a few stakeholders in attendance. 11 stakeholders voted to keep the zoning at LO, with 1 person voting to support LR, but with conditional overlays restricting gas stations, restaurants and convenience stores. As we discussed, I would like to take this issue to the University Hills NA which meets on 12/17 and would like to request another postponement of the Planning Commission to January. Please let me know if you or Maureen will have any objection to a postponement from the 12/13 setting.

Thanks,

*Lou O'Hanlon, Chair
University Hills Neighborhood Plan Contact Team*

From: Rhoades, Wendy [mailto:Wendy.Rhoades@austintexas.gov]
Sent: Friday, December 02, 2011 4:31 PM
To: Lou O'Hanlon
Subject: RE: 6500 and 6502 Manor Road meeting with University Hills representatives

Hi Lou,
Thanks for your email and offer to have this case taken up at the December 6th Contact Team meeting. My manager Jerry Rusthoven has offered to attend in my place, as I have three zoning cases up for discussion at the Zoning and Platting Commission that evening. I'll coordinate with him and also let Mr. and Mrs. Sneed know about the time and place of the meeting.

Thank you,
Wendy

12/13/2011

VALID PETITION

Address of Rezoning Request: 6500 and 6502 Manor Road, Austin, TX 78723

Date: January 30th, 2012






Property ID/ Ref ID: 219355 & 219354 / 02212501300000 & 02212501290000

Case Number: C14-2011-0087

To: Planning Commission and Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would rezone the property to any zoning higher than the currently zoned LO-NP.

REASONS FOR PROTEST: The seller proposes to have the property rezoned from the single-family (LO-NP) zoning designated as part of the Neighborhood Plan rezoning in September 2007 to CS-NP or LR-NP in order to make the property more attractive to prospective buyers. We believe neither of these higher intensity zoning designations would be a suitable change for this location, and neither of these higher designations would preserve or enhance the character of the neighborhood(s).

| Signature | Printed Name | Address: |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|----------------------------------------------------|
|  | Jarad Hawkins (tele 5125850810, ModernMakeovers@live.com) | 3409 Carol Ann, Austin, TX |
|  | Refugio Gonzalez (tel: 512-220-5310, 512-929-9601) | 3407 Carol Ann, Austin, TX |
| | Luis & Roberta Rodriguez (tel: 512-928-2458) | 3405 Carol Ann, Austin TX |
| | Matthew Osborn | 3403 Carol Ann, Austin TX |
|  | Sebastian & Angela Cardenas (tel: 512-933-2435) <i>Myra Lopez-Cardenas (Co)</i> | 3401 Carol Ann, Austin TX <i>512-7429</i> |
|  | Maria E & Alexander Thomas (512-524-8137) <i>512-9103-1255</i> | 3302 Northeast, Austin TX |
| | Lawrence J Sternberg <i>mayor</i> <i>*opposes but out of town this week.</i> | 3300 Northeast, Austin TX |
|  | Jacinto Espinosa <i>Jacinto Espinosa</i> | 3214 Northeast, Austin TX <i>(512) 748-2887</i> |
| | Sergio M Olguin (512-929-1982) | 3211 Jack Cook Drive, Austin TX |
| | | |

Date: Feb 1st, 2012

Contact name: Andrew Seelye

Contact phone number: (512) 619-9956

VALID PETITION

Address of Rezoning Request: 6500 and 6502 Manor Road, Austin, TX 78723

Date: Feb 8, 2012


Property ID/ Ref ID: 219355 & 219354 / 02212501300000 & 02212501290000

Case Number: C14-2011-0087

To: Planning Commission and Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would rezone the property to any zoning higher than the currently zoned LO-NP.

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| | Luis & Roberta Rodriguez (tel: 512-928-2458) | 3405 Carol Ann, Austin TX |
| | Mortgagee Osborn | 3403 Carol Ann, Austin TX |
| | Sebastian & Angela Cardenas (tel: 512-933-9435) | 3401 Carol Ann, Austin TX |
| | Maria E & E Glen Jr & Alexander Thomas (512-524-8137) | 3302 Northeast, Austin TX |
|  | Lawrence J Sternberg 512-695-2447 lsterberg@yahoo.com | 3300 Northeast, Austin TX |
| | Jacinto Espinosa | 3214 Northeast, Austin TX |
| | Sergio M Olguin (512-929-1982) | 3211 Jack Cook Drive, Austin TX |
| | | |

Date: Feb 14, 2012

Contact name: Andrew Seebye
(512) 619-9456

PETITION

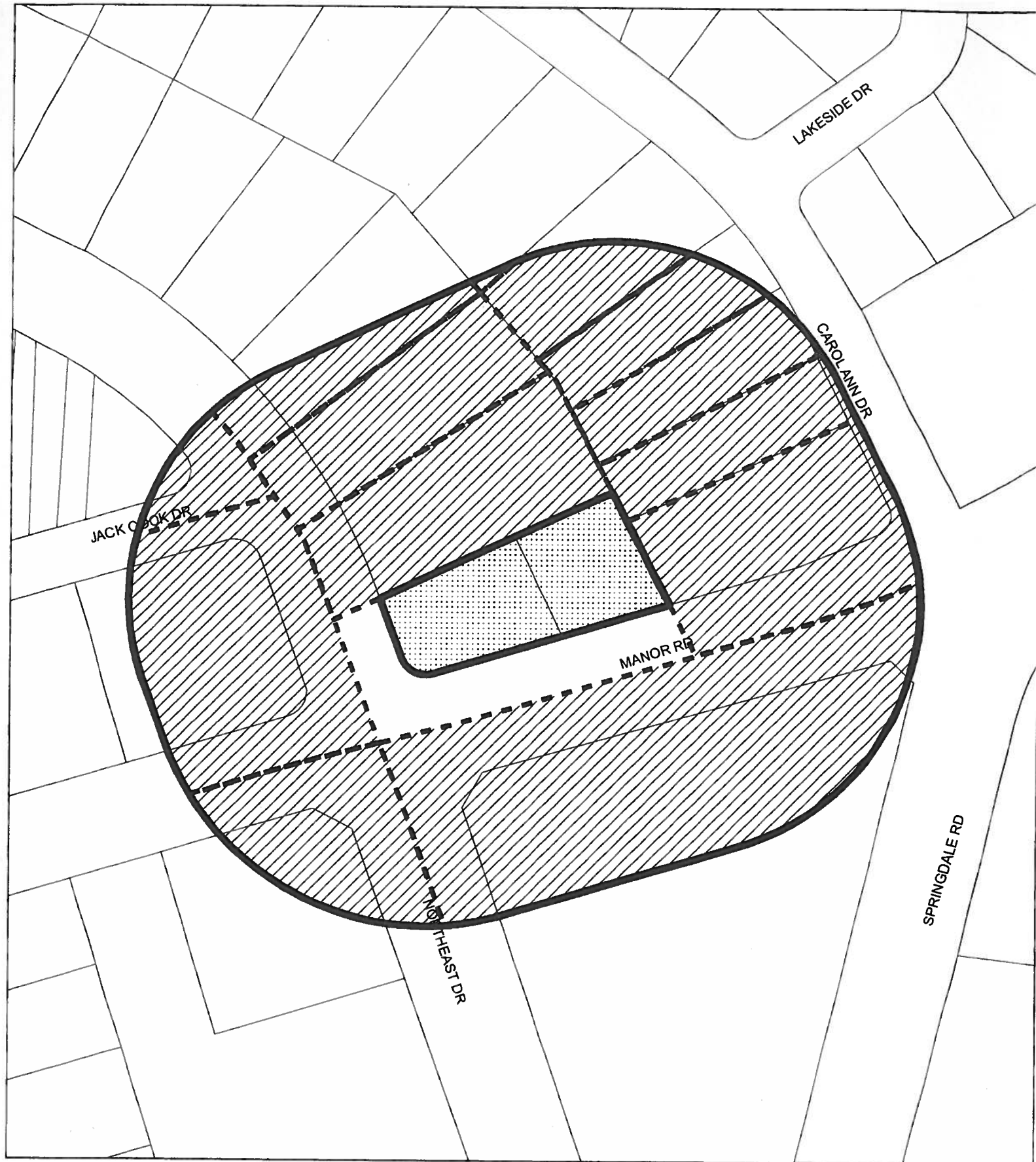
Case Number: **C14-2011-0087**
6500 & 6502 MANOR RD

Date: 2/3/2012

| | |
|------------------------------------------------------------------|-----------|
| Total Square Footage of Buffer: | 241797.34 |
| Percentage of Square Footage Owned by Petitioners Within Buffer: | 38.25% |



Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.



SUBJECT_TRACT

PROPERTY_OWNER

BUFFER

PETITION

CASE#: C14-2011-0087

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

