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MEMORANDUM

TO: Dave Anderson, Chairperson
Planning Commission Members

FROM: Sherri Sirwaitis
Planning and Development Review Department

DATE: April 17, 2013

RE: C14-2012-0140 (Street and Bridge District Office) Postponement Request

The staff would like to request a postponement of the above mentioned case to June 25, 2013. The staff is asking for this postponement to schedule a meeting between the applicant and all interested parties in this case including the neighborhood associations, the neighborhood contact team and the adjacent property owners. The staff is requesting a 60-day postponement because we would like to make sure that everyone is included in this process and is available to attend a proposed City facilitated meeting. The staff understands every ones position on this rezoning request.

The postponement request was made in a timely manner and meets the Planning Commission's policy.

ZONING CHANGE REVIEW SHEET

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CASE: C14-2012-0140

(Street and Bridge District Office)

P.C. DATE: January 22, 2013

February 12, 2013

April 23, 2013

ADDRESS: 3511 Manor Road

AREA: 2.59 acres

OWNER/AGENT: City of Austin (Peter Davis)

FROM: LO-V-NP, GR-NP, GR-V-NP

TO: CS-MU-CO-NP

NEIGHBORHOOD PLAN AREA: JJ Seabrook/East MLK Combined

TIA: Is not required

WATERSHED: Tannehill Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SUMMARY STAFF RECOMMENDATION:

Staff recommendation is to grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, subject to the following conditions:

1. A six-foot wood privacy fence is required along interior and rear property lines.
2. Vehicular traffic to Greenwood Avenue and Pershing Drive is prohibited.
3. Vehicular traffic generation will be limited to less than 2,000 trips per day.
4. All site development standards shall be reduced to match GR- community commercial standards, instead of CS standards. This includes:
 - a. Building Coverage: Maximum 75%
 - b. Impervious Coverage: Maximum 90%
 - c. Floor to Area Ratio (FAR): 1:1
5. The permitted land uses on the property shall be reduced to match GR land uses, with the following exceptions. The following land uses shall be permitted:
 - a. Construction sales and services
 - b. Vehicle storage
 - c. Maintenance and service facilities
6. The Applicant will enter into a Development Agreement with JJ Seabrook Neighborhood Association, adopting the conditions listed in Exhibit A (Please see attached Exhibit A- Neighborhood Conditions).

ISSUES:

The City of Austin Public Works Department purchased the subject property in 2009 intending to use the site as a maintenance & service facility for its Street & Bridge Division. This is not a permitted land use in GR zoning, the existing zoning on the property. In March, 2012, City staff received an inquiry from an area resident regarding possible violation of zoning code. Code Compliance Department investigated, and a code violation was filed. Public Works staff began working with Planning & Development Review Department (PDRD) staff in April, 2012, and filed applications for a neighborhood plan amendment and rezoning in July and November, 2012. Neighborhood concerns include land use, noise, dust, truck traffic through residential areas, and the continuation of the existing land use into the future.

The staff received a petition from adjacent property owners who are opposed to any changes to the existing LQ-V-NP, GR-V-NP, GR-NP zoning on the site (Please refer to attached Exhibit B-Petition). This petition is valid at 36.75 % and therefore will require an affirmative vote of three-fourths of the members of Council to approve a proposed rezoning.

The excerpt below is from the City of Austin's Land Development Code and explains when the City Council is subject to the three-fourths vote.

Sec. 25-2-284 REQUIREMENT FOR APPROVAL BY THREE-FOURTHS OF COUNCIL.

- (A) *The affirmative vote of three-fourths of the members of Council is required to approve a proposed rezoning if:*
 - (1) *the Land Use Commission recommends denial of an application to rezone property to a planned unit development; or*
 - (2) *the proposed rezoning is protested in writing by the owners of not less than 20 percent of the area of land:*
 - (a) *included in the proposed change; or*
 - (b) *immediately adjoining the area included in the proposed rezoning and extending 200 feet from the area.*

PLANNING COMMISSION RECOMMENDATION:

1/22/13: Postponed at the staff's request to February 12, 2013 on consent (8-0, J. Stevens-absent); J. Nortey-1st, R. Hattfield-2nd.

2/12/13: Postponed at the applicant's request to April 23, 2013 on consent (8-0, A. Hernandez-absent); D. Dhimenti-1st, J. Stevens-2nd.

DEPARTMENT COMMENTS:

Property Location:

The subject property is located on the south side of Manor Road across from the Mueller PUD. The subject property has frontage on Manor Road, Pershing Drive and Greenwood Avenue. The portion of the property that is adjacent to Manor Road is zoned Community commercial-Vertical-Neighborhood plan (GR-V-NP) combining district, and is occupied by an administrative office building and some parking. The remainder of the property is zoned Community commercial-Neighborhood plan (GR-NP) combining district, and is used for truck parking, materials storage, and other uses. Immediately west of the property is a lot zoned LO-V-NP, used as professional offices. Further west, across Greenwood Avenue, are properties zoned GR-V-CO-NP and used as church; and SF-3-NP properties used as residences. To the south, across Pershing Drive, are properties zoned LO-MU-NP and SF-3-NP, and developed with a mix of uses including administrative & business offices and residences. Immediately east of the subject property is a vacant car lot, zoned GR-V-NP. Further east, across E.M. Franklin Avenue, are properties zoned GR-V-NP, GR-NP, and CS-MU-CO-NP. Land uses include medical offices, church, professional offices, and machine repair shop.

Property History:

The subject property was zoned GR in 1983, in accordance with Zoning Ordinance No. 831020-D. This zoning case also included a site plan that showed a hotel development on the property. (Please refer to Exhibit C-Zoning Site Plan). The hotel was never constructed. Over the years, the land uses and site layout have changed several times. City records show that the following uses have existed and/or been permitted on the subject property: Offsite parking facility, Automotive rental, Automotive sales, Vehicle storage (Towing), Automotive washing, and Day care. Public Works leased the property in 2006, and purchased it in 2009.

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The Public Works Department purchased the subject property in 2009 intending to use the site as a maintenance & service facility for its Street & Bridge Division. This is not a permitted land use in GR zoning, the existing zoning on the property. In February, 2011, Public Works Department staff submitted a Site Development Exemption Request for a change of use with no associated construction. The request identified the existing land use as Daycare and the proposed use as Office/Business, and the exemption was approved. (Please refer to Exhibit D-Site Plan Exemption). The exemption was sought to accompany building plans for an extensive building remodel on the property.

In March, 2012, City staff received an inquiry from an area resident regarding possible zoning code violations. Code Compliance investigated, and a code violation was filed. Public Works staff began working with Planning & Development Review Department (PDRD) staff in April, 2012, and filed applications for a neighborhood plan amendment and rezoning in July and November, 2012. The goal of these applications is to bring the property into compliance with zoning requirements and address other neighborhood concerns. Neighborhood concerns include land use, noise, dust, truck traffic through residential areas, and the continuation of the existing land use into the future. The applicant has met with neighborhood representatives to discuss concerns, and the items listed in the recommended conditional overlay reflect many of the neighborhood requests, as well as City staff-generated recommendations. There is still significant neighborhood concern about the property, and correspondence from nearby property owners and residents is attached. (Please refer to Exhibit E-Correspondence).

Existing & Proposed Land Uses:

The overall land use on the property is Maintenance & Service Facility, which is defined by the LDC as, "the use of a site for the provision of maintenance, repair, vehicular or equipment servicing, material storage, or similar activities, and includes equipment service centers and similar uses having characteristics of commercial services, contracting, or industrial activities." This land use is also classified as civic in nature, and is permitted in CS zoning. If the existing and proposed land uses at the Street & Bridge District Office are broken down into their individual components as commercial land uses, however, they would be classified as follows:

- Administrative and business office- The 3,500 sq. ft. building adjacent to Manor Road is used as a District Office.
- Construction sales and services- Outdoor storage of roadway repair materials (gravel, etc.) and other bulk items trigger this category.
- Vehicle storage- The presence of heavy trucks and machinery on the property trigger this category.

While office use is permitted in GR zoning, construction sales & services and vehicle storage uses are not. The most restrictive commercial zoning category that permits either of these uses is CS.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO-V-NP, GR-NP, GR-V-NP	Maintenance & service facility
<i>North</i>	PUD	Mueller PUD, Open space
<i>South</i>	LO-MU-NP, SF-3-NP	Administrative & business office, residential
<i>East</i>	GR-V-NP, GR-NP, CS-MU-CO-NP	Vacant, Medical office, Religious assembly, Professional office, Equipment repair services
<i>West</i>	LO-V-NP, GR-V-CO-NP, SF-3-NP	Professional office, Religious assembly, Residential

RELATED CASES:

Neighborhood Plan Amendment NPA-2012-0015.01 was filed in conjunction with the proposed rezoning because PDRD originally advised the Applicant to request P- Public zoning for the property. Based on discussions with JJ

CJG

Seabrook Neighborhood Association, PDRD Director Greg Guernsey has advised that CS- General commercial services is an alternative that could satisfy the neighborhood association's request that Public Works seek a zoning category that will not preclude future private sector redevelopment of the property. If CS-MU-CO-NP is granted for the property, an NPA will not be required, because it will not conflict with the FLUM designation of Mixed Use.

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
Manor Road	Varies	MAU 4	Arterial	No	#20	# 42
Pershing Dr.	100'	2 @ 24'	Collector	No	No	No

NEIGHBORHOOD ORGANIZATIONS:

JJ Seabrook Neighborhood Association
 E. MLK Combined Neighborhood Association
 Mueller Property Owners Association
 Mueller Master Community, Inc.

E. MLK Combined Neighborhood Contact Team
 Senate Hills Homeowners Association
 Mueller Neighborhood Association

SCHOOLS:

Maplewood Elementary School

Kealing Middle School

McCallum High School

CITY COUNCIL DATE: February 28, 2013

ACTION: Postponed on consent to May 23, 2013 at the staff's request (7-0); Council Member Spelman's motion, Mayor Pro Tem Cole's-2nd.

May 23, 2013

ACTION:

ORDINANCE READINGS: 1st

2nd

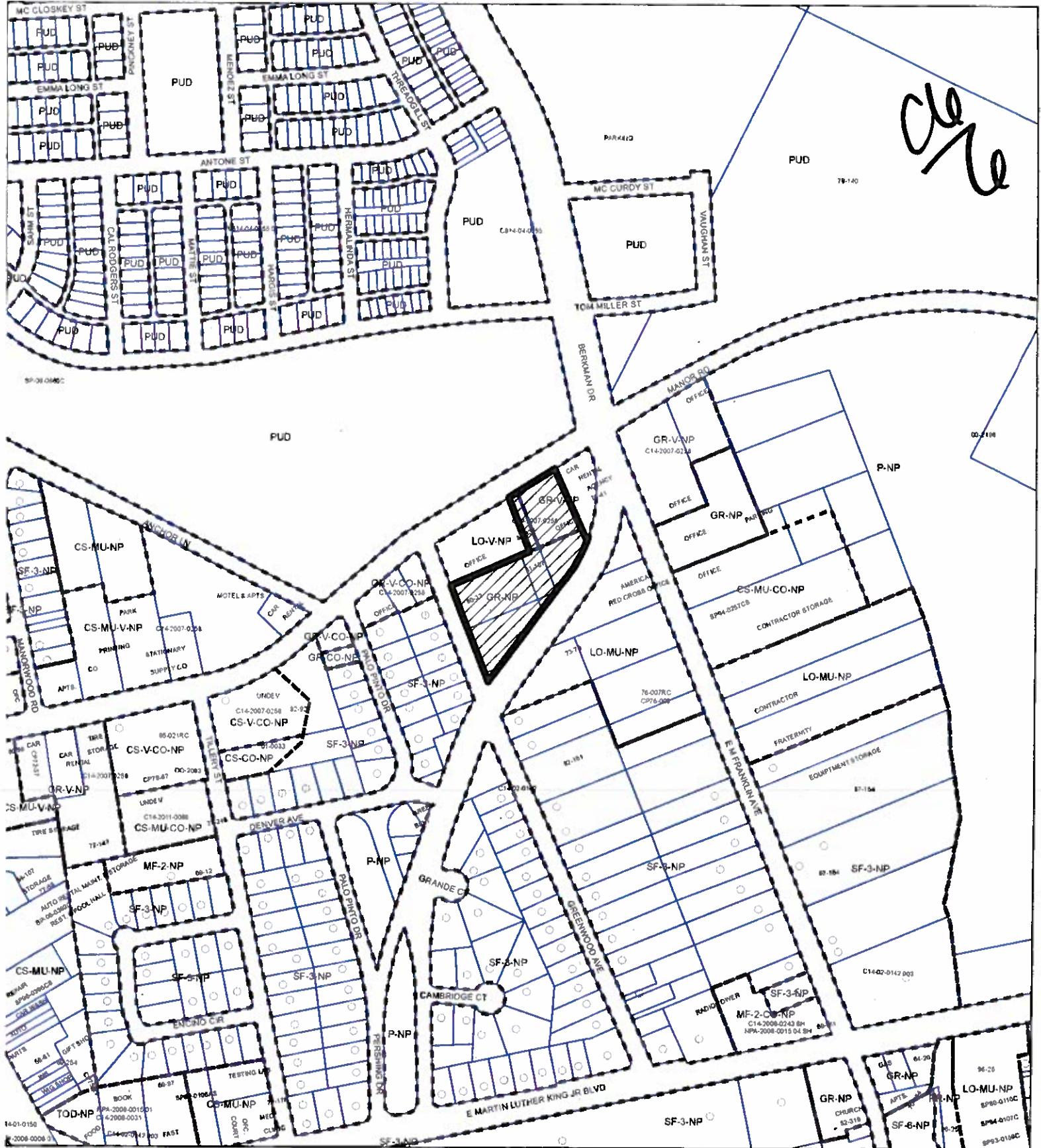
3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin

PHONE: 974-2122

e-mail: heather.chaffin@austintexas.gov



ZONING

ZONING CASE#: C14-2012-0140



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

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.





*CYJ***SUMMARY STAFF RECOMMENDATION:**

Staff recommendation is to grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, subject to the conditions listed on Page 1 of this report. Staff believes this is the most viable option to bring the current land use into compliance with all City regulations, while meeting as many neighborhood concerns as possible. While it may be ideal to relocate in the future, it is not viable to terminate operation of the Maintenance & Service Facility without an alternate location identified for this use.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
2. *Zoning should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

Site Plan

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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 sq. ft. 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.
4. According to flood plain maps there is no flood plain within the project area.
5. 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.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Transportation

TR1: No additional right-of-way is needed at this time.

TR2. 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]



TR3. Manor Road is classified in the Bicycle Plan as Bike Route # 42. Pershing Drive is not classified in the Bicycle Plan.

TR4. Capital Metro bus service (Route No. 20) is available along Manor Road. No Capital Metro bus service is available along Pershing Drive.

TR5. There are existing sidewalks along Manor Road. There are no existing sidewalks along Pershing Drive.

TR6. Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
Manor Road	Varies	MAU 4	Arterial	7,593
Pershing Dr.	100'	2 @ 24'	Collector	5,980

Water and Wastewater

FYI: No comments.

Exhibit A

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DRAFT PROPOSED CONDITIONS

Future use of site:

- Public Works will perform a real estate search of available comparable properties within ½ mile of 3511 Manor Road on a yearly basis.
- If a comparable site is found within a ½ mile radius of 3511 Manor that will accommodate PWD's maintenance of local ROW with no significant increase to emergency response time, funding is provided to purchase the site and construct necessary facilities, and City Council approves purchase and relocation, then Public Works will relocate daily local repair and emergency operations to newly acquired site.
- It is the goal of PWD to provide new facilities that are safe and healthy for our crew located at 3511 Manor Road. Any new construction will comply with the current requirements of Subchapter "E" Commercial Design Core Transit Corridor standards. New construction will achieve LEED Silver or better. New office structures will be designed to accommodate, with reasonable renovation, future uses compatible with neighborhood plan. The new office structure and shell will consider in its design the future renovation of the building into office, retail or restaurant.
- Future development of site will concentrate structures and impervious coverage to the north east portion of the site and seek to minimize structures and impervious coverage on the south west side of the property. Landscape and natural water quality measures (rain gardens, bio-swales, and other applicable environmentally sensitive BMP's) will be maximized on the south west portion of the property.

For normal daily operations:

- PWD will limit hours of operation to Monday-Friday between the hours of 7:00-7:00
- PWD will exit onto Manor Road and will use E.M. Franklin or Airport Blvd. to avoid cutting through neighborhood for southern destinations.
- PWD will limit material storage to the minimal amounts required to perform local minor repairs and address emergency situations. All materials will be contained in enclosures and covered.
- PWD will add water as necessary to minimize dust when moving stored materials.
- PWD will back vehicles into parking spaces at the end of the work day to eliminate backing warning noise in the morning.
- Waste materials collected in response to citizen requests or from normal operations will be contained temporarily in specific dumpsters (not dumped on the ground) to be recycled or disposed of in authorized landfill as appropriate.

For emergency operations:

- As required for emergency situations all above restrictions are waived, but for a limited time.
- Waived conditions of normal operation shall not be waived for a period exceeding 2 weeks from the date at which the emergency operations were engaged.

Exhibit B

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PETITION

Case Number: **C14-2012-0140**

Date: 2/21/2013

Total Square Footage of Buffer:	458124.95
Percentage of Square Footage Owned by Petitioners Within Buffer:	36.75%



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.

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#	TCAD ID	Address	Owner	Signature	Petition Area	Percent
1	0212150814	2203 PALO PINTO DR 78723	ALEXANDER JOHNNIE B & ILESTA	no	154.06	0.00%
2	0213170117	3601 MANOR RD 78723	ALLIANCE AUSTIN LLC	yes	7692.73	1.68%
3	0212150813	2205 PALO PINTO DR 78723	BAYER KENNETH D	no	1879.33	0.00%
4	0212150725	2106 GREENWOOD AVE	CALDWELL EDGAR CITY OF AUSTIN %	no	5678.00	0.00%
5	0213160201	2218 PERSHING DR 78723	REAL ESTATE DIVISION CITY OF AUSTIN %	no	71435.14	0.00%
6	0212150816	PERSHING DR 78723	REAL ESTATE DIVISION CITY OF AUSTIN %	no	12366.63	0.00%
7	0213160220	2226 PERSHING DR 78723	REAL ESTATE DIVSION 3952 1/2	no	37760.92	0.00%
8	0215161601	BERKMAN DR 78723	CITY OF AUSTIN P.O. BOX 1088	no	11.61	0.00%
9	0214150503	3401 MANOR RD	CRAFTCORPS INC	yes	513.78	0.11%
10	0214150507	2210 GREENWOOD AVE 78723	GARCIA ARACELY	yes	9921.99	2.17%
11	0212150804	2209 PALO PINTO DR 78723	GINGER ISLE LLC GONZALEZ ISRAEL T	no	1017.88	0.00%
12	0214150602	3501 MANOR RD AUSTIN 78723	% I T GONZALEZ ENGINEERS 2204	yes	58178.84	12.70%
13	0212150807	GREENWOOD AVE 78723	GOURD STUART N	no	10223.99	0.00%
14	0213160221	2201 GREENWOOD AVE AUSTIN 78723	HARPER HENRY D & LILLIE MAE	no	15.97	0.00%
15	0214150502	2213 PALO PINTO DR 78723	JOHNSON LILLIAN M	no	1380.74	0.00%
16	0212150806	2206 GREENWOOD AVE	MCCONICO EVON D	yes	9980.07	2.18%

СУЗ

		2208				
17	0212150805	GREENWOOD AVE	MCCONICO PETRENELLA	yes	10032.85	2.19%
18	0215131101	MILLER ST	COMMUNITY INC	no	77819.58	0.00%
19	0214150504	RD AUSTIN	CHURCH	no	26022.59	0.00%

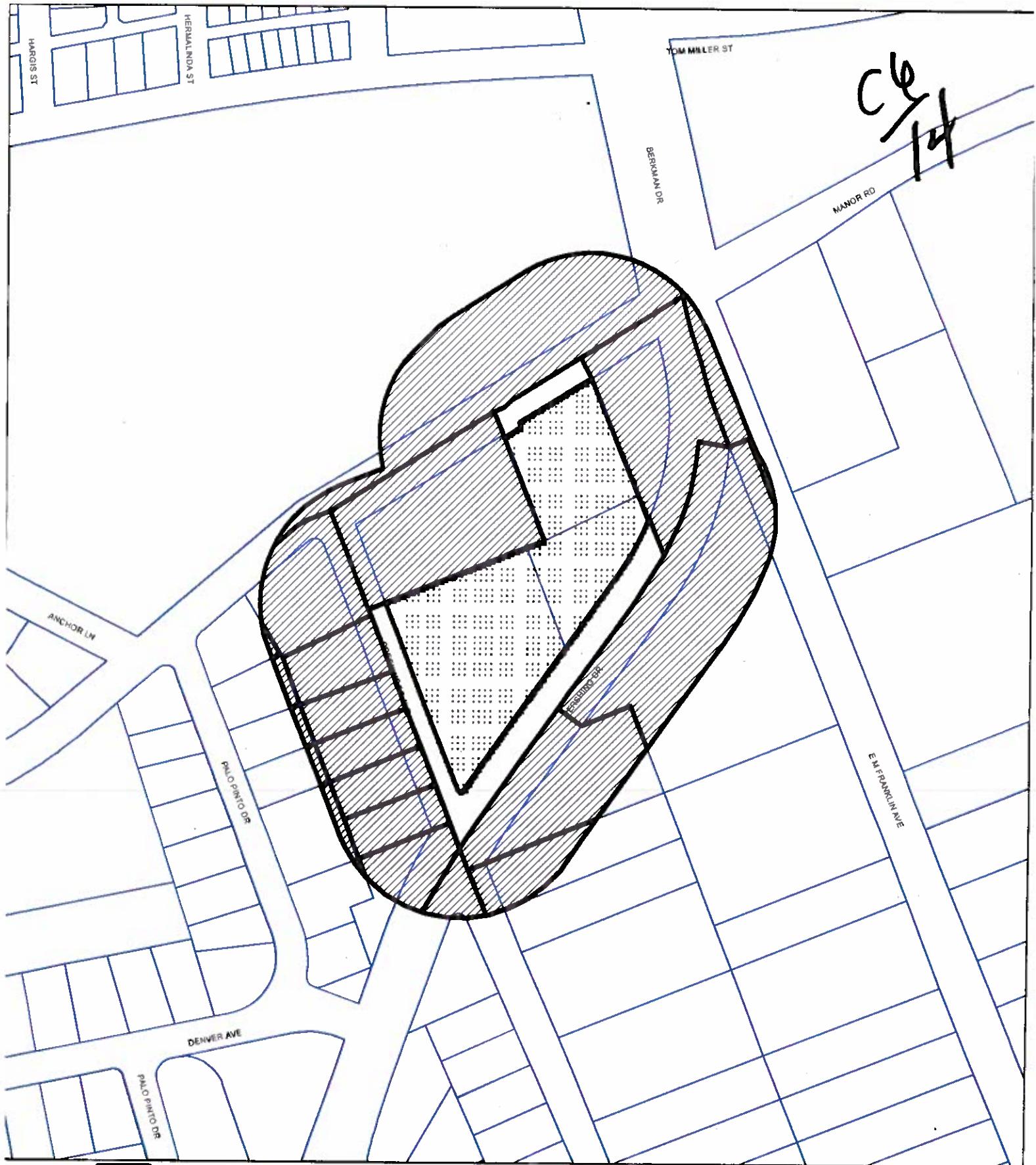
SPIRITUAL ASSEMBLY
OF THE BAHÁ BAHÁIS
OF AUSTIN THE %
CONQUEST AIRLINES

		2215 E M	OF AUSTIN TITLE %			
20	0213170116	FRANKLIN AVE	CONQUEST AIRLINES			
			CORP	no	36.20	0.00%
21	0214150506	GREENWOOD	STEWART ROSA MRS	yes	13596.57	2.97%
		2211 PALO				
		PINTO DR				
22	0214150501	78723	UNDERWOOD JAMES	no	1048.91	0.00%
			WALKER KENNETH %			
		3515 MANOR	WALKERS			
23	0214150604	RD 78723	RESOURCES	yes	46254.57	10.10%
24	0213160222	GREENWOOD	ROBERT R	yes	12205.99	2.66%

Total %

36.75%

C6
14



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

CASE#: C14-2012-0140

" = 200'

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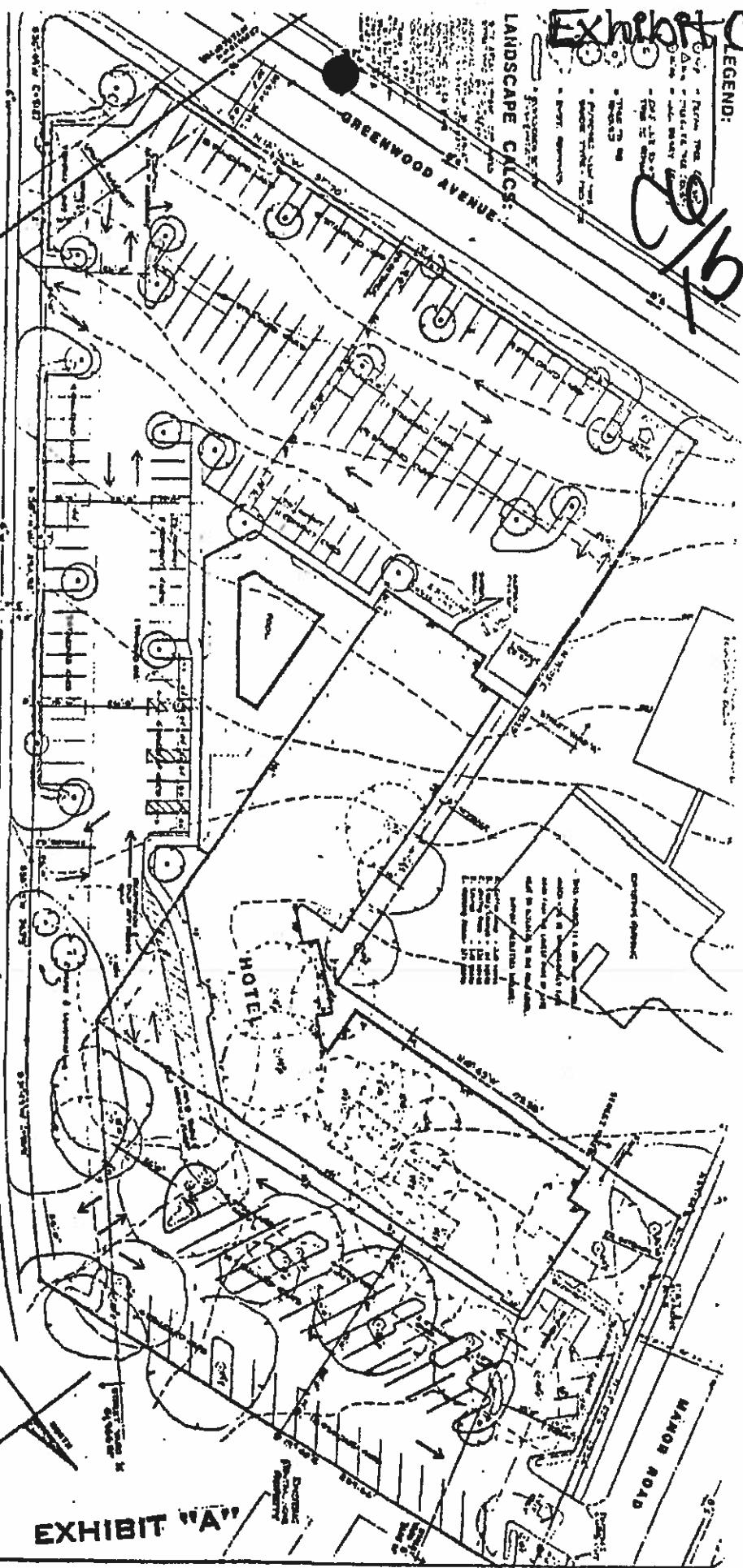
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Exhibit C

LEGEND:
205

LANDSCAPE CALCS:



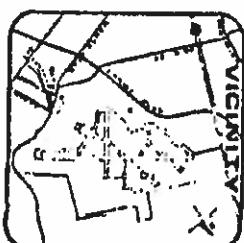
PERSHING DRIVE

PARKING SUMMARY

SITE PLAN

EXHIBIT "A"

LUNDGREN
AND
ASSOCIATES
AIA ARCHITECTS



APPROVALS

OWNER

WILLIS, LTD.

C4-31-187
Revised

S-1

AIRPORT
AUSTIN, TEXAS



Exhibit D

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Watershed Protection and Development Review Department
P.O. Box 1088, Austin, Texas 78767
One Texas Center, 505 Barton Springs Road
Telephone: (512) 974-6370 Fax: (512) 974-2423

DA 2011-D156

Site Development Exemption Request

Site Address: 3511 MANOR ROAD, AUSTIN 78723
Project Name: STREET & BRIDGE CENTRAL DISTRICT OFFICE
Legal Description: PORTIONS OF LOTS 1, 2, 3, 4, 5, 6, 7 - BLOCK 1 OF CRESTHAVEN ADDITION, TRAVIS COUNTY, TEXAS.
Zoning: CR - NP. Watershed: TANNEHILL Flood Plain? Yes No
Existing Land Use(s): DAYCARE CENTER
Proposed Land Use(s): OFFICE BUSINESS

Brief /General Description of the Development being sought:

CHANGE OF USE
NO CONSTRUCTION

Attach a detailed description of the proposed development in a memorandum or letter and a site plat or survey plan that graphically indicates, but is not limited to,:

- existing trees
- buildings
- parking areas
- roadways/streets
- all areas of impervious cover levels (existing & proposed)
- erosion controls (i.e.: silt fencing, tree protection)
- limits of construction
- type of construction
- location of construction
- accessible parking
- access route

I, _____, do hereby certify that I am the

owner owner's agent (*to act as the owner's agent, written authorization from the owner must be provided*) of this described property, and in this capacity, submit this request for exemption from the site plan submittal requirements pursuant to Chapter 25-5-2 of the Austin City Code.

Furthermore, I certify and acknowledge that:

1. Although the proposed development does not require a formal site plan approval, it may require, prior to beginning any site work, the approval of the subdivision or issuance of a building, remodel, and/or demolition permit;
2. Although the proposed development complies with all applicable zoning regulations, it does not prohibit enforcement of restrictive covenants and/or deed restrictions;
3. The approval of this exemption request does not constitute authorization to violate any provisions of the Austin City Code or other applicable requirements, which includes the use or occupancy of the improvement.
4. The approval notice with paid receipt shall be clearly posted on-site and protected from the elements at all times.

PETER DAVIS

PUBLIC WORKS DEPT

Date: 02/16/11

Signature of Requester CITY OF AUSTIN

Address: 505 BARTON SPRINGS ROAD STE 900 AUSTIN TX 78704

Telephone: 974 7267

Please indicate how you wish to receive a copy of the results of the review:

Mail FAX: E-mail: peter.davis@ci.austin.tx.us

Departmental Use Only

Project Name:		Case Number:	Applicant Name:
<input checked="" type="checkbox"/> If Required	Reviewer	Date	Peter Davis
<input type="checkbox"/> Site Plan		2-18-11	<input type="checkbox"/> SPOC*
<input type="checkbox"/> Transport		12-13-11	<input type="checkbox"/> SPOC*
<input type="checkbox"/> Drainage		2-18-11	<input type="checkbox"/> SPOC*
<input type="checkbox"/> Environ		02.18.11	<input type="checkbox"/> SPOC*
<input checked="" type="checkbox"/> AFD	JNL	2/18	N/A
<input checked="" type="checkbox"/> AWU	MOL	2-18-11	
<input checked="" type="checkbox"/> Plumbing	MOL	2-18-11	N/A
<input checked="" type="checkbox"/> AE		2-18-11	N/A

- SPOC – Single Point of Contact

Approved

Denied

Determined to be a Revision New Project

Building permit required? Yes No N/A
Smart Housing Project? Yes No

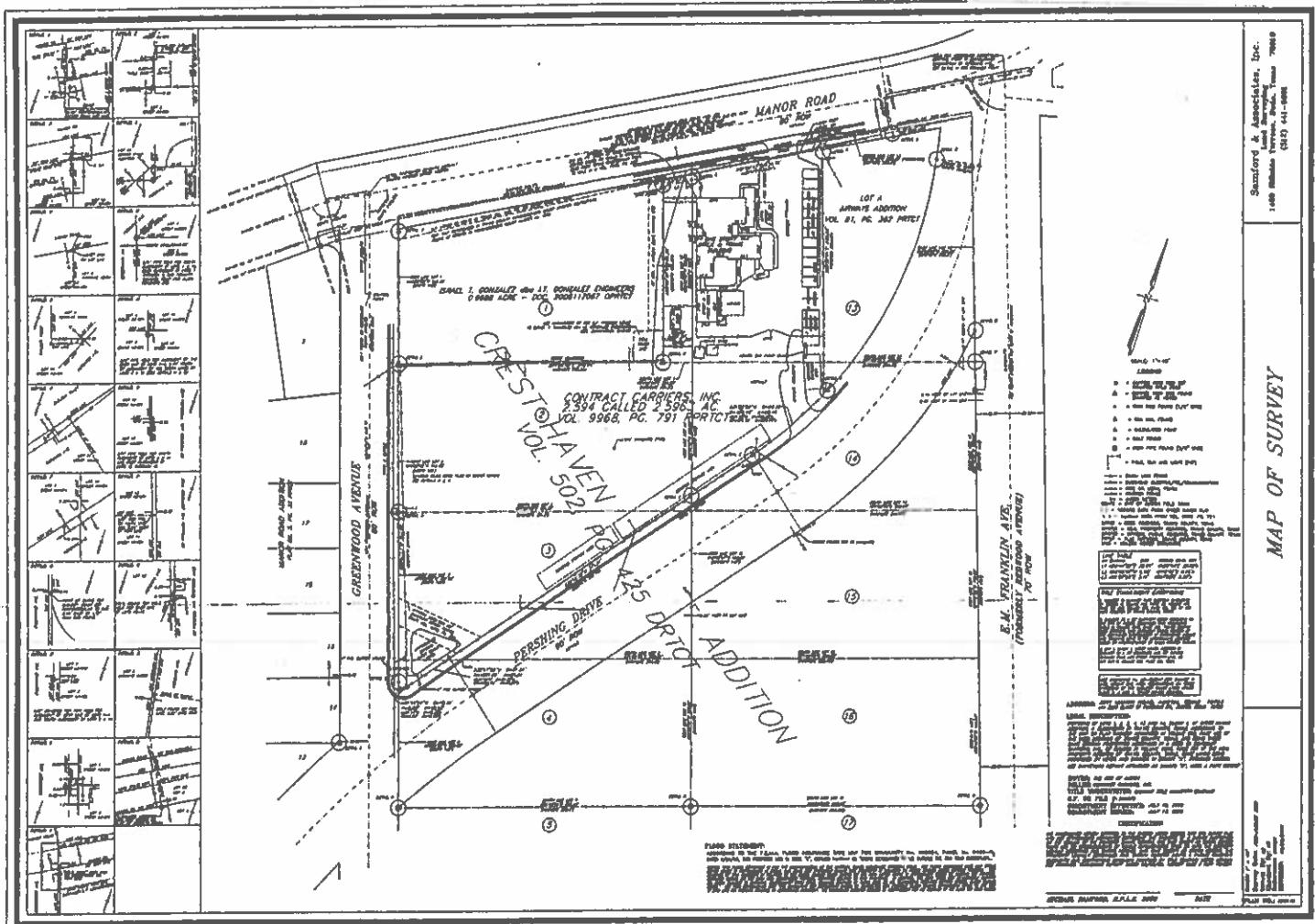
Qualifies for exemption per Section 25-5-2(____)

Check all that apply:

- Review Fee(s) Not Required
- Site Plan Correction/ Exemption Review Fee
- Change of Use Review Fee
- Phasing Review: _____ phases
- Landscape Inspection: _____ acres
- Shared Parking Review

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C₆/18



MAP OF SURVEY

Summord & Associates, Inc.
1400 Illinois Avenue, Suite 7000
Land Surveyors

Map No. 1000

(619) 441-6000

1400 Illinois Avenue, Suite 7000

Land Surveyors

Map No. 1000

1400 Illinois Avenue, Suite 7000

E.M. FRANKLIN AVE
(FORMERLY REDWOOD AVENUE)

70' ROW

MANOR ROAD

LOT A
ADDITION
VOL. 51, AC. 1.62 ACRES

DR. J. GONZALEZ AND ASSOCIATES
0.0000 ACRE - DEC. 2003/17/03 CAPT

CREST HAVEN
VOL. 502

CONTRACT CARRIERS, INC.
2594 CALLE 2516, PG. 797, RPTC

GREENWOOD AVENUE
00' ROW

ADDITION

PG. 425 DRTCT

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APPROXIMATE E.P.L.S. 3000

DATE

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.austintexas.gov

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: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

F.T. Gonzalez

Your Name (please print)

3501 Manual Rd, Austin, TX 78721

Your address(es) affected by this application

J.F. Gonzalez

Signature

1-15-13

Date

Daytime Telephone: 512-447-7406, ext 11

Comments:

See Attached letters, dated 1-15-13
To Heather Chaffin, Case Manager

Exhibit E

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

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January 15, 2013

Ms. Heather Chaffin
Case Manager
One Texas Center, 5th Floor
505 Barton Springs Rd
Austin, Texas 78704

RE: Proposed Zoning Change, Case No. C14-2012-0140
Amending Neighborhood Plan, Case NPA-2012-0015.01
Project Name: Street and Bridge Operations Central District Office
Project Location: 3511 Manor Road

Ms. Chaffin:

I, I. T. Gonzalez, PE, RPLS, am the owner of the property located at 3501 Manor Rd. My property is an adjoining property to the 3511 Manor Rd property, which is currently owned and occupied by Street and Bridge Operations Central District Office.

Please be advised that on a daily basis, for the last several years, I have witnessed the activities at 3511 Manor Rd. The Street and Bridge activities at this site have become increasingly more abusive to the neighborhood, particularly my property. Attached is a CD with dozens of pictures showing some of the daily activities at the site that are without a doubt in violation of Zoning, in violation of Land Development Codes, in violation of Environmental Codes, and in violation of Land Use Codes.

Some of the undesirable violations are as follows:

1. The Site is used as a temporary landfill. The Street and Bridge haul in debris of all sorts to the site. The debris may remain on site for weeks. This debris may be rained on and the containments are washed onto the neighborhood. The debris may include tree branches, broken asphalt material, demolished concrete, rotted wood, sheet metal, mattresses, sofas, tires, etc.
2. The Site is basically an ongoing construction site. On a daily basis, there is loading and unloading of: earth materials, excavated materials that have been brought in from other locations, cold-mix asphalt, flexible base, and prepared "sand" for bridge frozen conditions. These activities cause a constant problem of contaminated dust being blown onto my property and onto the surrounding neighbors property.
3. The blown dust keeps our building, vehicles, and yard dirty at all times. The yard vegetation constantly has a dust cover on it. Walking on the vegetation quickly puts a dust cover on your shoes. Our tree leaves are always dusty. Our parking lots always have a dust cover on it. The vehicles, if washed one day, the next day will have a heavy dust film.

Cu
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4. The 3511 Manor Rd site does not have a proper sedimentation filtration system that to clean the stormwaters that sheet flow over the dirty 3511 Manor Rd pavement.
5. The 3511 Manor Rd site has stockpiles of cold-mix asphalt, flexible base, and prepared "sand" material for frozen bridge conditions. Stormwaters that run off of these stockpiles are not filtered.
6. The Street and Bridge bring in tree limbs and mulch them on site. This, again, generates a dust of fine ground leaves that are blown by the prevailing winds.
7. Today, the site has a stockpile of debris, including sheetmetal, demolished concrete lumber, asphalt, and tires. Also, Street and Bridge has excavated to a 6-inch depth a strip of parking lot. It appears that Street and Bridge is reconstructing a portion of the existing pavement. I believe that if I was performing this reconstruction I would need a Permit of some type. My guess is that there is no permit in place for these reconstruction efforts.

Please do understand that all Street and Bridge staff, including superintendents and supervisors, and I have always had a friendly relationship. They have helped me out and I have helped them out. My cameras have been used to help with thefts at the 3511 Manor site. I have at least on 3 occasions informed them of holes that have been cut through the fences. In one instance, on a Sunday morning, I called Fernando, Supervisor, to inform him that the front fence had been knocked down by an out of control vehicle that rammed it and that security had been bridged. Recently, when Street and Bridge put up a wood fence, I had our survey staff locate the corners for them at no charge. In essence, I have no complaints about the staff.

I believe that City needs to consider that the Street and Bridge Department is at a handicap in fulfilling their daily tasks at a site located in our neighborhood.

I am totally opposed to the City Street and Bridge Department continuing at 3511 Manor Rd. My request is that Street and Bridge discontinue any efforts with a Land Use Change and/or a Zoning Change.

We presented our case to TCEQ and TCEQ informed us that we have valid environmental concerns and they were planning to schedule an inspector to come check the site.

I do not desire any hardships on the City. Nonetheless, I ask for your assistance in relaying my concerns to all decision-making individuals that are involved with the captioned cases.

Ms. Chaffin please be advised that I will use this letter to relay my concerns to other City of Austin decision-making people, as need be.

Sincerely



I.T. Gonzalez, PE, RPLS

PUBLIC HEARING INFORMATION

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www.austintexas.gov

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

Rosa Stewart

Your Name (please print)

3212 Greenwood Ave

Your address(es) affected by this application

Jean Stewart

Signature

01/12/2013

Date

Daytime Telephone: *450-9452*

Comments:

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

Loyd Johnson Sr.

Your Name (please print)

3403 Marwood New Build Chars L

Your address(es) affected by this application

Loyd Johnson Sr

Signature

Date

Daytime Telephone: _____

Comments: _____

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

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2/24*

PUBLIC HEARING INFORMATION

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P.O. BOX 1088
Austin, TX 78767-8810

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Case Number: C14-2012-0140	Contact: Heather Chaffin, 512-974-2122
Public Hearing: Jan 22, 2013 Planning Commission	
Feb 28, 2013, City Council	
<i>Sanderson President CRAFTCorps Inc.</i>	
Your Name (please print)	
<i>John Sanderson</i>	
Your address(es) affected by this application	
3401 Major Rd 78723	
Daytime Telephone: 512 476 8886	
<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object	
<i>John Sanderson</i> Signature	
1/31/13	
Date	
Comments: <u>NOT SUSTAINABLE FOR COMMERCIAL</u> <u>INCOMPATIBLE WITH RESIDENTIAL AREAS,</u> <u>LO-NP, STREETS IN AREA, NOISE</u> <u>HAS BEEN A PROBLEM FOR YEARS!</u>	

PUBLIC HEARING INFORMATION

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*2/6
J.T.*

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

J.T. Gonsalves

Your Name (please print)

3501 Manaca Rd, Austin TX 78723

Your address(es) affected by this application

J.T. Gonsalves

Signature

1-15-13

Date

Daytime Telephone: 512-447-7406, ext 11

Comments:

See Attached letter, dated 1-15-13
To Heather Chaffin, case manager

J.T.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

*2/6
J.T.*

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

MacKenzie McInish Dukes
Your Name (please print)

2008 #A Greenwood Ave
Your address(es) affected by this application

MacKenzie McInish Dukes
Signature

Date

Daytime Telephone:

Comments:

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

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2/2

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

April Andi Renter

Your Name (please print)

2205 Pale Pine Dr 78723

Your address(es) affected by this application

Andi Renter

Signature

Date

Daytime Telephone: 512 350 0859

Comments: No More Nasty Asphalt
Up The Hill From My
Bailey Aeo!

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department

Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

CC
2/28

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission
Feb 28, 2013, City Council

Heather Chaffin
Your Name (please print)

2201 Palomino Dr
Your address(es) affected by this application

I am in favor

I object

Heather Chaffin
Signature

Date

1-21-13
Daytime Telephone: 512 367-0591

Comments:

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

*SCC
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PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140
Contact: Heather Chaffin, 512-974-2122
Public Hearing: Jan 22, 2013, Planning Commission
Feb 28, 2013, City Council

Wtcker - Son West Prop En7/ES 22<

Your Name (please print)

3515 Nandar Road

Your address(es) affected by this application

Heather Wtcker Signature

Daytime Telephone: 210 581 9999

I am in favor
 I object

1/30/2013
Date

Comments: WE ARE STANDING OPPOSED
TO THE CURRENT ASSESSMENT
OF THE SUBJECT PROPERTY
BY THE CITY OF AUSTIN
BY BJC WORKS DEPT. IT
CONSTITUTES A PUBLIC PROPOSAL
AND SCAVENGE. WE ARE OPPOSED
TO THE RE-ZONING.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

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PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122
Public Hearing: ~~July 18, 2013~~, Planning Commission

~~July 18, 2013~~, City Council

2/12?

Heather greenwoodbamboo@yahoo.com

Your Name (please print)

2203 Greenwood

Your address(es) affected by this application

Rancho

Date

1/31/13

Signature

Daytime Telephone: 512 976-7809

I am in favor
I object

The history of the procurement of this property by COA, S&B is both embarrassing to lawmakers and disrespectful of neighbors.

Insight by many of the story is not told accurately, that TTS has been discussing this zoning violations for years. Current use is not 300

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810
Or sole enforcement should be done on-line. ~~300~~ ~~300~~ ~~300~~

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

Dawn Dene

Your Name (please print)

2002 Dene Dene

Your address(es) affected by this application

Austin

Signature

Date

Daytime Telephone:

Comments:

→ David Raines

2002 Dene Dene

J. Fox

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

Dorothy McPhaul

Your Name (please print)

#203 Poco Pinto Dr. Austin TX 78723

Your address(es) affected by this application

Dorothy McPhaul

Signature

01-31-2013

Date

Daytime Telephone: 477-8509

Comments: *I'm opposed to this. It's not compatible with family dwelling residence.*

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

*C6
32*

CB
1/30

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

Patsy McConico Anderson

Your Name (please print)

2208 Greenwood Ave, Austin, TX 78723

Your address(es) affected by this application

I am in favor
 I object

Patsy McConico Anderson

Signature

02/04/2013

Date

Daytime Telephone: (512) 928-2335

Comments: I am a trustee for the estate of Mr. Petrenella McConico. We own the property at 2208 Greenwood Ave and strongly object to this zoning change: (1) The tenants at this address have been over run by the infestation of Large field rats after influx of piles of debris at the storage facility (5800 Austin). (2) Constant dust particles (seem to be contaminated) blow constantly on this property and has also aggravated the tenants asthma. Settlement of dust on cars, vegetation inside/outside of duplex is a real problem. Please consider the environmental impact and residents' health and safety issues and deny this zoning change. Thank you. PMA

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City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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www.austintexas.gov

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission
Feb 28, 2013, City Council

WALKER - SOUTHWEST PROPOSAL ESS, LLC

Your Name (please print)

3515 MANDRILL ROAD

Your address(es) affected by this application

Joe Walker
Signature

1/30/2013
Date
Daytime Telephone: 210 581 9999

Comments: *We are strongly opposed to the subject property by the city of Austin public works dept. IT constitutes a public nuisance. We are oppose to the RE-zoning.*

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

JSC

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

Stuart Bond

Your Name (please print)

2204 Greenwood

Your address(es) affected by this application

Healy M/P

Signature

Date
2/6/13
Daytime Telephone:

Comments: *I don't mind the city there but they need to comply with environmental and zoning restrictions and work with neighbors on noise and pollution.*

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

*CC
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PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contract: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

Byron Anderson

Your Name (please print)

2208 Glenwood Ave, Austin, TX 78723

Your address(es) affected by this application

Byron Anderson

Signature

Date

0 Feb 2013
Daytime Telephone: (281) 468-7478

Comments:

Maintenance facility does not belong
in a neighborhood. Operations 15
in ~~an~~ unwanted burden on
residents and should be relocated.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

*CC
385*

PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before 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 amendment. You may also contact a registered neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin Planning and Development Review Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website: www.austintexas.gov/planning/.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
(512) 974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2012-0015.01

Contact: Maureen Meredith

Public Hearing: Jan 22, 2013, Planning Commission
Feb 28, 2013, City Council

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

BYRON ANDERSON
Your Name (please print)

2208 Greenwood Ave Austin, TX 78723
Your address(es) affected by this application

Byron Anderson
Signature

8 Feb 2013
Date

Comments:

Maintenance facility should be relocated to property where its operation will not impose an unwarranted burden on its neighbors.

CG
3/29/13

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission

on behalf of Feb 28, 2013, City Council
Austin

Ben Reuberg, member of Alliance

I am in favor
 I object

Your Name (please print) Austin Manager, TX

3601 Brandy Rock Austin TX

Your address(es) affected by this application


Heather Chaffin

2/8/13
Date

Daytime Telephone: 512-317-0077

Comments:

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810


Heather Chaffin


Heather Chaffin

WALKER SOUTHWEST PROPERTIES, LLC.

P. O. BOX 17967
SAN ANTONIO, TX 78217
210-581-9999

CL
CH

January 14, 2013

VIA CMRRR 7011 3500 0000 9444 1025

City of Austin
Planning and Development Review Department
Ms. Heather Chaffin, Case Manager
One Texas Center, 5th Floor
505 Barton Springs Road
Austin, TX 78704

Re: C14-2012-0140 –Notice of Filing Application for Rezoning – 3511 Manor Road,
Austin, TX 78723
NPA-2012-0015.01 – Notice of Public Hearing to Amend a Neighborhood Plan

To Whom It May Concern:

We are in receipt of your Notice of Filing Application For Rezoning for 3511 Manor Road property from GR-V-NP and GR-NP to P-NP Public.

Walker Southwest Properties, LLC formerly Walker Resources, Inc. wishes to go on record as opposing the zoning change. Walker Southwest Properties owns the property located at 3515 Manor Road next door to the 3511 Manor public street and bridge maintenance and utility location. The activity at 3511 has created undue equipment noise, unsightly dumping and loading activity and blowing dust, all of which is detrimental to the community at large.

Walker Southwest Properties feels this facility should be relocated to another property where neighbors and the community at large will be unaffected by the activities of the city workers.

Thank you for your consideration.

Very truly yours,

WALKER SOUTHWEST PROPERTIES, LLC



Helen Sturdevant
Executive Administrative Assistant

cc: File

Enclosures:

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122.

Public Hearing: Jan 22, 2013, Planning Commission

Feb 28, 2013, City Council

Evan McConville, Exec for McGuire Estate

Your Name (please print)

2208 Greenway

Your address(es) affected by this application

Evan McConville, Exec for McGuire Estate

Signature

2-12-13

Date

Daytime Telephone: 281-933-3953

Comments: *Heavy equipment is moving during the day. Noise and dust are greatest at these times. There has been an infestation of rats/rodents and snakes. These rats were all present in the past. Living across from the facility on N. Main, road has brought more dust noise, as well as unwelcome guests, of strongly oppose the rezoning of this property on N. Main Road. (3-5-11)*

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

*CC
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PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission
Feb 28, 2013, City Council

EVON D. MCCONNICO

Your Name (please print)

I am in favor
 I object

2206 GREENWOOD 78723

Your address(es) affected by this application

Jane D. McConico

Signature:

2-12-13

Date

Daytime Telephone: 281-933-3953

Comments: Since the city has been using this property at 3511 Manzana as a matter of fact, there have been unpleasant changes in my property. The noise and dust during the day is constant and unbearable. Residential problems are increasing. This has been an issue of great residents. Not sure of what is being stored there that could cause serious problems in the future. Does appeal to the beginning of his property.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

CC
A3

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jan 22, 2013, Planning Commission
Feb 28, 2013, City Council

Jeff Musgrove

Your Name (please print)

3607 Manor Road

Your address(es) affected by this application



Signature

Date

2/5/2013
Daytime Telephone: 512 477 1312

Comments:

I object to this zoning change

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Heather Chaffin
P.O. Box 1088
Austin, TX 78767-8810

