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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2012-0140  
(Street and Bridge District Office)

**P.C. DATE:** January 22, 2013  
February 12, 2013  
April 23, 2013  
May 28, 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:**

#### ***FINAL STAFF RECOMMENDATION IS PENDING SUBJECT TO NEIGHBORHOOD AGREEMENTS.***

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.

The permitted land uses on the property shall be reduced to match GR-MU land uses, with the following exceptions. The following land uses shall be permitted: Construction sales and services, Vehicle storage, and Maintenance and service facilities. The following land uses shall be prohibited: Alternative financial services, Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Commercial blood plasma center, Commercial off-street parking, Drop-off recycling collection facility, Exterminating services, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services, Pedicab storage and dispatch, Service station, Custom manufacturing, and Residential Treatment.

5. 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). **PENDING**

### **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.

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The staff received a petition from adjacent property owners who are opposed to any changes to the existing LO-V-NP, GR-V-NP, GR-NP zoning on the site (Please refer to attached Exhibit B-Petition). This petition is valid at 38.97 % and therefore will require an affirmative vote of three-fourths of the members of Council to approve a proposed rezoning.

### **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-1<sup>st</sup>, R. Hattfield-2<sup>nd</sup>.
- 2/12/13: Postponed at the applicant's request to April 23, 2013 on consent (8-0, A. Hernandez-absent); D. Chimenti-1<sup>st</sup>, J. Stevens-2<sup>nd</sup>.
- 4/23/13: Staff requested postponement to June 25, 2013; R. Hatfield made motion to approve staff recommendation- no further action on the motion. Commission approved postponement to May 28, 2013 (5-4); Hernandez- 1<sup>st</sup>, J. Stevens- 2<sup>nd</sup>. Commissioners R. Hatfield, J. Nortey, D. Anderson and M. Smith voted against the motion (nay).
- 5/28/13: Postponed at neighborhood association's request to June 25, 2013; (7-1-1), S. Oliver- 1<sup>st</sup>, D. Chimenti- 2<sup>nd</sup>; D. Anderson- nay; A. Hernandez- absent.

### **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.

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

C9  
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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. To allow the continued operation of the Street & Bridge facility, staff recommends the following land uses are permitted: Construction sales and services, Vehicle storage, and Maintenance and service facilities. These would be the only CS land uses permitted on the property; other permitted land uses would be based on GR-MU zoning restrictions.

Based on staff review and neighborhood input, several uses that are generally permitted in GR are recommended to be prohibited on the site, to encourage future development that is more compatible with the adjacent land uses. The recommended prohibited uses are: Alternative financial services, Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Commercial blood plasma center, Commercial off-street parking, Drop-off recycling collection facility, Exterminating services, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services, Pedicab storage and dispatch, Service station, Custom manufacturing, and Residential Treatment.

Staff also recommends that physical development standards, such as impervious cover, F.A.R., etc., conform to GR standards.

#### EXISTING ZONING AND LAND USES:

|              | <b>ZONING</b>                | <b>LAND USES</b>   |
|--------------|------------------------------|--|
| <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 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. Consequently the NPA request has been withdrawn.

C9  
4**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/ACTION:**

*February 28, 2013:* Postponed on consent to May 23, 2013 at the staff's request (7-0); Council Member Spelman's motion, Mayor Pro Tem Cole's-2<sup>nd</sup>.

*May 23, 2013:* Postponed on consent to May 23, 2013 at the staff's request (7-0); Council Member Spelman's motion, Council Member Morrison's-2<sup>nd</sup>.

*June 6, 2013:* Postponed on consent to August 22, 2013 at the staff's request (7-0); Council Member Spelman's motion, Mayor Pro Tem Cole's-2<sup>nd</sup>.

**ORDINANCE READINGS: 1<sup>st</sup>**2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin  
 e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**PHONE:** 974-2122

C9  
/5**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. Zoning should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The CS-MU-CO-NP recommendation that has been constructed with neighborhood input is designed to allow the subject property to transition from the current use to future uses that are more compatible and beneficial to the surrounding neighbors. The area has been identified as a potential Neighborhood Center in the Neighborhood Plan, and CS-MU-CO-NP is well suited for such development.

*2. The proposed rezoning should be consistent with the goals of the City Council.*

The area has been identified as a potential Neighborhood Center in the Neighborhood Plan, and CS-MU-CO-NP is well suited for such development.

**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:

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

C9/7



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

## ZONING

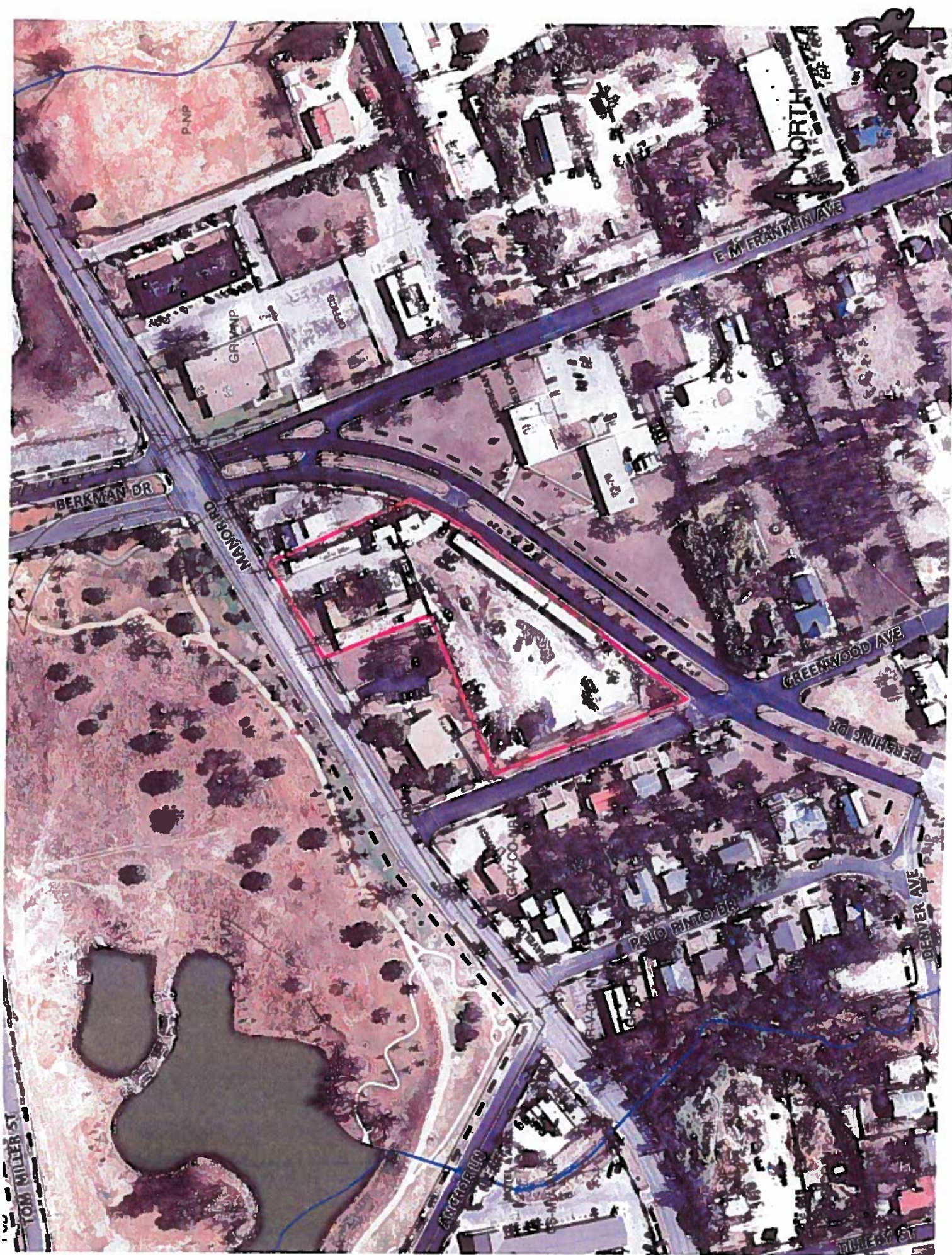
ZONING CASE#: C14-2012-0140

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.









**3511 Manor Road Street & Bridge Central District Maintenance and Emergency Operations Center -  
Conditions for continued use of property by City of Austin Public Works Department: 05/14/13 DRAFT**

**Future use of site by Public Works:**

- Public Works Department (PWD) will maintain Street and Bridge Central District operations at a reasonable but reduced functional level that satisfies completion of required tasks.
- PWD will reduce as much as feasible, the operational square feet on the property for: the area of materials storage, area for vehicle and equipment parking and area for structures. PWD will develop plans for alternative uses of unused property for urban neighborhood center compatible uses.
- PWD will continually monitor available real estate for viable properties to relocate PWD.
- When an economically feasible property is found that is comparable to 3511 Manor Road, that will accommodate PWD's maintenance of local ROW with no increase to emergency response time, and providing funding is available to purchase the property 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.
- PWD will implement planning processes to develop new facilities on the 3511 Manor Road property that are safe and healthy for crews located at 3511 Manor Road. New development will comply with the current requirements of Subchapter "E" Commercial Design Core Transit Corridor standards and will achieve "green" building rating LEED Silver. New structures will be designed to accommodate, with reasonable renovation, future uses compatible with the neighborhood plan.
- Development of site will locate PWD structures and impervious coverage to the north east portion of the site and seek to minimize structures and impervious coverage on the south and west side of the property. Landscape and water quality measures (rain gardens, bio-swales, and other applicable environmentally sensitive best management practices) will be maximized on the south west portion of the property. Property boundary screening (eg. vegetation, walls and fence) will be included to compliment the proposed Pershing Road bike trail.

**For normal daily operations:**

- PWD will limit hours of operation to Monday-Sunday between the hours of 7:00am -7:00pm.
- Two staff will be on call beyond these hours for responding to 311/Customer Service Requests.
- PWD will enter and exit the property onto Manor Road and will use Airport Blvd. and 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 within enclosures and covered.
- PWD will add water as necessary to minimize dust when moving stored materials.
- PWD will reverse vehicles into parking spaces at the end of the work day to eliminate backing warning noise in the mornings.
- Waste materials will not be stored on the ground. PWD will contain all waste materials, gathered from normal operational services, in dumpsters that are emptied regularly.
- PWD will maintain best management practices agreed with Water Protection Department for controlling surface storm water run-off.

**Emergency operations:**

A major emergency shall be declared by the PWD Director and will require preparedness and/or response that is beyond normal operations. Inclement weather conditions such as winds, rain

and ice storms are emergency situations for Street and Bridge operations. Emergencies that require preparedness and response by Street and Bridge can also be declared by Department of Homeland Security or local and state officials.

- Other “minor” emergency situations requiring Street and Bridge responses are certain traffic accidents, obstructions in the right of way and structural failures of right of way utilities. (311 Responses)
- Emergency and urgent situations require that all above normal restrictions are waived to allow Public Works to work as necessary at the discretion of the PWD director, but limited to the duration of the situation.
- In the event of a declared emergency, registered neighborhood groups will be notified of the declared emergency, the emergency’s impact on normal Service Center operations and the anticipated length of time the Service Center will be operated with emergency status.

DRAFT

## PETITION

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

UPDATED 5/22/2013  
Date: 2/21/2013

|  |           |
|--|-----------|
| Total Square Footage of Buffer:                                  | 458124.95 |
| Percentage of Square Footage Owned by Petitioners Within Buffer: | 38.97%    |



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.



C9  
12

| #  | TCAD ID    | Address                         | Owner                                      | Signature | Petition Area | Percent |
|----|------------|---------------------------------|--|-----------|---------------|---------|
| 1  | 0212150814 | 2203 PALO PINTO DR 78723        | ALEXANDER JOHNNIE B & ILESTA               | yes       | 154.06        | 0.03%   |
| 2  | 0213170117 | 3601 MANOR RD 78723             | ALLIANCE AUSTIN LLC                        | yes       | 7692.73       | 1.68%   |
| 3  | 0212150813 | 2205 PALO PINTO DR 78723        | BAYER KENNETH D                            | yes       | 1879.33       | 0.41%   |
| 4  | 0212150725 | 2106 GREENWOOD AVE              | CALDWELL EDGAR CITY OF AUSTIN %            | yes       | 5678.00       | 1.24%   |
| 5  | 0213160201 | 2218 PERSHING DR 78723          | REAL ESTATE DIVISION                       | no        | 71435.14      | 0.00%   |
| 6  | 0212150816 | PERSHING DR 78723               | CITY OF AUSTIN % REAL ESTATE DIVISION      | no        | 12366.63      | 0.00%   |
| 7  | 0213160220 | 2226 PERSHING DR 78723          | CITY OF AUSTIN % REAL ESTATE DIVISION      | no        | 37760.92      | 0.00%   |
| 8  | 0215161601 | 3952 1/2 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                            | no        | 1017.88       | 0.00%   |
| 12 | 0214150602 | 3501 MANOR RD AUSTIN 78723      | GONZALEZ ISRAEL T % I T GONZALEZ ENGINEERS | yes       | 58178.84      | 12.70%  |
| 13 | 0212150807 | 2204 GREENWOOD AVE 78723        | GOURD STUART N                             | no        | 10223.99      | 0.00%   |
| 14 | 0213160221 | 2201 GREENWOOD AVE AUSTIN 78723 | HARPER HENRY D & LILLIE MAE                | yes       | 15.97         | 0.00%   |
| 15 | 0214150502 | 2213 PALO PINTO DR 78723        | JOHNSON LILLIAN M                          | yes       | 1380.74       | 0.30%   |
| 16 | 0212150806 | 2206 GREENWOOD AVE              | MCCONICO EVON D                            | yes       | 9980.07       | 2.18%   |

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|    |            |                                |   |     |          |         |
|----|------------|--------------------------------|---|-----|----------|---------|
| 17 | 0212150805 | 2208<br>GREENWOOD<br>AVE       | MCCONICO<br>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%   |
| 20 | 0213170116 | 2215 E M<br>FRANKLIN AVE       | SPIRITUAL ASSEMBLY<br>OF THE BAHAI BAHAIS<br>OF AUSTIN THE %<br>CONQUEST AIRLINES<br>CORP | no  | 36.20    | 0.00%   |
| 21 | 0214150506 | GREENWOOD                      | STEWART ROSA MRS  | yes | 13596.57 | 2.97%   |
| 22 | 0214150501 | 2211 PALO<br>PINTO DR<br>78723 | UNDERWOOD JAMES<br>WALKER KENNETH %   | yes | 1048.91  | 0.23%   |
| 23 | 0214150604 | 3515 MANOR<br>RD 78723         | WALKERS<br>RESOURCES  | yes | 46254.57 | 10.10%  |
| 24 | 0213160222 | GREENWOOD                      | ROBERT R  | yes | 12205.99 | 2.66%   |
|    |            |                                |   |     |          | Total % |
|    |            |                                |   |     |          | 38.97%  |

February 19, 2013

Heather Chaffin, AICP  
Senior Planner-- Zoning Review Division  
Planning and Development Review Department  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78704

RE: Valid Petition in Opposition to Proposed Rezoning of 3511 Manor Road  
Case No. C14-2012-0140  
Project Name: Street and Bridge Central District Office

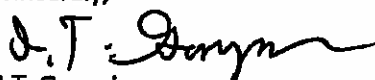
Ms. Chaffin,

As part of the submittal with this letter, I am delivering the signed originals of a Valid Petition in opposition to any change from the current zoning at 3511 Manor Road, the current location of the Street and Bridge District Office. In addition, I have included a copy of the deed record for 3515 Manor Road, which shows John Walker as the grantee.

As you know, the purpose of this valid petition is to make use of the COA LDC rule (525-2-284) that requires the affirmative vote of three-fourths of the City Council members to approve a proposed rezoning if the rezoning is protested by adjoining property owners controlling greater than 20% of the area that is within 200' of the property to be rezoned. As presented in the map and spreadsheet that have been included as part of this submittal, our calculations show that property owners controlling approximately 40% of the area within 200' from the 3511 Manor Road property have signed the petition.

I would like to request that the valid petition be reviewed and validation issued that attests that the 20% threshold has been met and that the affirmative vote of three-fourths of the City Council members will be needed to approve any change of zoning of the 3511 Manor Road property. If there is a problem with the form of the petition or any of the signatures, please let us know as soon as possible so that we may remedy the problem.

Sincerely,

  
I.T. Gonzalez



C9  
14

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

Rezoning Request: 3511 Manor Road

To: 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 zone the property to any classification other than the current zoning, GR-V-NP/GR-NP.

**REASONS FOR PROTEST**

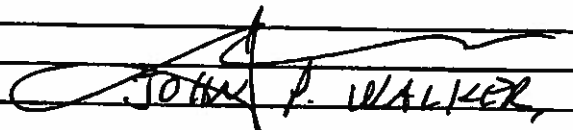
We are opposed to the requested zoning change at 3511 Manor Road. The zoning that is being requested, CS-MU-CO-NP, is not appropriate for property that is in near proximity to residential and light commercial use property. The type of land use that the rezoning would permit would work against the direction of the neighborhood plan. The current use as the City of Austin Street & Bridge maintenance facility is an unwarranted burden to the neighborhood in terms of blowing dust, noise from equipment that does not belong in a neighborhood, and environmental concerns raised by using the site to dump hauled in refuse. The site is in essence being used as an ongoing construction site. We do not believe that even with the best management and care that the maintenance facility can be operated without adversely impacting the neighborhood.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address

WALKER-SOUTHWEST PROPERTIES, LLC

By:

 JOHN P. WALKER, MANAGER

OWNER OF: 3515 MANOR ROAD  
AUSTIN, TX

Date: February 5, 2013 Contact Name: I. T. Gonzalez, I. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11

C9  
15

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

Rezoning Request: 3511 Manor Road

To: 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 zone the property to any classification other than the current zoning, GR-V-NP/GR-NP.

**REASONS FOR PROTEST**

We are opposed to the requested zoning change at 3511 Manor Road. The zoning that is being requested, CS-MU-CO-NP, is not appropriate for property that is in near proximity to residential and light commercial use property. The type of land use that the rezoning would permit would work against the direction of the neighborhood plan. The current use as the City of Austin Street & Bridge maintenance facility is an unwarranted burden to the neighborhood in terms of blowing dust, noise from equipment that does not belong in a neighborhood, and environmental concerns raised by using the site to dump hauled in refuse. The site is in essence being used as an ongoing construction site. We do not believe that even with the best management and care that the maintenance facility can be operated without adversely impacting the neighborhood.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address

[ Evan D. McConico EVAN D. McCONICO 2206 GREENWOOD AVE 78723 ]

[ Evan D. McConico executor of Estate of Petriella McConico  
EVAN D. McCONICO 2208 GREENWOOD AVE 78723 ]

2208 PALO PINTO DR. 78723

Date: February 5, 2013 Contact Name: L. T. Gonzalez, L. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11

02/16

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

Rezoning Request: 3511 Manor Road

To: 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 zone the property to any classification other than the current zoning, GR-V-NP/GR-NP.

**REASONS FOR PROTEST**

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address

Rosa STEWART  
2212 Greenwood Ave  
Austin, TX 78723  
512-480-9652

Rosa L Stewart

Duke R Wheeler 2203 Greenwood Ave 78723

Date: February 5, 2013 Contact Name: J. T. Gonzalez, J. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11



# PETITION

**Date: February 5, 2013**

**File Number: C14-2012-0140**

**Address of**

**Rezoning Request: 3511 Manor Road**

**To: 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 zone the property to any classification other than the current zoning, GR-V-NP/GR-NP.

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**REASONS FOR PROTEST**  
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**(PLEASE USE BLACK INK WHEN SIGNING PETITION)**

**Signature Printed Name Address**

Date: February 5, 2013 Contact Name: I. T. Gonzalez, I. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11

**PETITION**

**Date: February 5, 2013**

**File Number: C14-2012-0140**

**Address of**

## Rezoning Request: 3511 Manor Road

**To: Austin City Council**

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**(PLEASE USE BLACK INK WHEN SIGNING PETITION)**

Signature | Printed Name | Address

Henry D Harper HENRY D HARPER 2201 Greenwood Ave Des Moines

Date: February 5, 2013 Contact Name: I. T. Gonzalez, I. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11

02/19

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

Rezoning Request: 3511 Manor Road

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature | Printed Name | Address

Ethel Caldwell | Ethel Caldwell | 2106 Greenwood  
Ave

Date: February 5, 2013 Contact Name: J. T. Gonzalez, J. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11



09/20

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

Rezoning Request: 3511 Manor Road

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address

Sam Griswold, President Craftcorp, Inc.  
SAM GRISWOLD 3401 Manor Rd 78723 Austin  
Rene LaRue Johnson 3403 Manor Rd. Pastor of New Bethel Baptist Church.  
Rene LaRue Johnson

Date: February 5, 2013 Contact Name: I. T. Gonzalez, I. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

## Rezoning Request: 3511 Manor Road

**To: Austin City Council**

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address

120 Ben Reinberg on behalf of Alliance Austin LLC  
2201 Wenckebach Road, Suite 120 Bannockburn, IL 60015

**Date: February 5, 2013 Contact Name: I. T. Gonzalez, I. T. Gonzalez Engineers**

**Phone Number: 512-447-7400 ext. #11**

02/22

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

Rezoning Request: 3511 Manor Road

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature | Printed Name | Address

Ilesta Alexander  
Ilesta Alexander  
2203 Palo Pinto Dr, Austin, Texas 78722

Date: February 5, 2013 Contact Name: J. T. Gonzalez, J. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11

09,  
23

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

Rezoning Request: 3511 Manor Road

To: Austin City Council

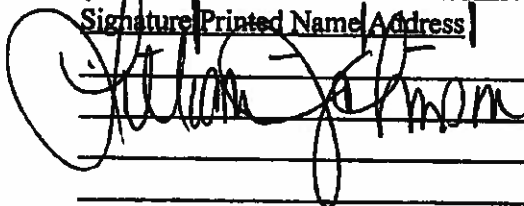
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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address

 Lillian Johnson 2213 TRL DR

Date: February 5, 2013 Contact Name: I. T. Gonzalez, I. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11

02/24

**PETITION**

Date: February 5, 2013

File Number: C14-2012-0140

Address of

Rezoning Request: 3511 Manor Road

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature | Printed Name | Address

James H. Underwood

JAMES H. UNDERWOOD

2211 PALO PINTO DRIVE  
AUSTIN TEXAS  
78723

( PROPERTY  
ADDRESS )

494 FAIRBANKS AVE  
OAKLAND CA  
94610

HOME  
ADDRESS

Date: February 5, 2013 Contact Name: I. T. Gonzalez, I. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11

# PETITION

**Date: February 5, 2013**

**File Number: C14-2012-0140**

**Address of**

**Rezoning Request: 3511 Manor Road**

**To: Austin City Council**

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

**Signature | Printed Name | Address**

Kenneth D. Bayer KENNETH D. BAYER 2205 PALO PINTO

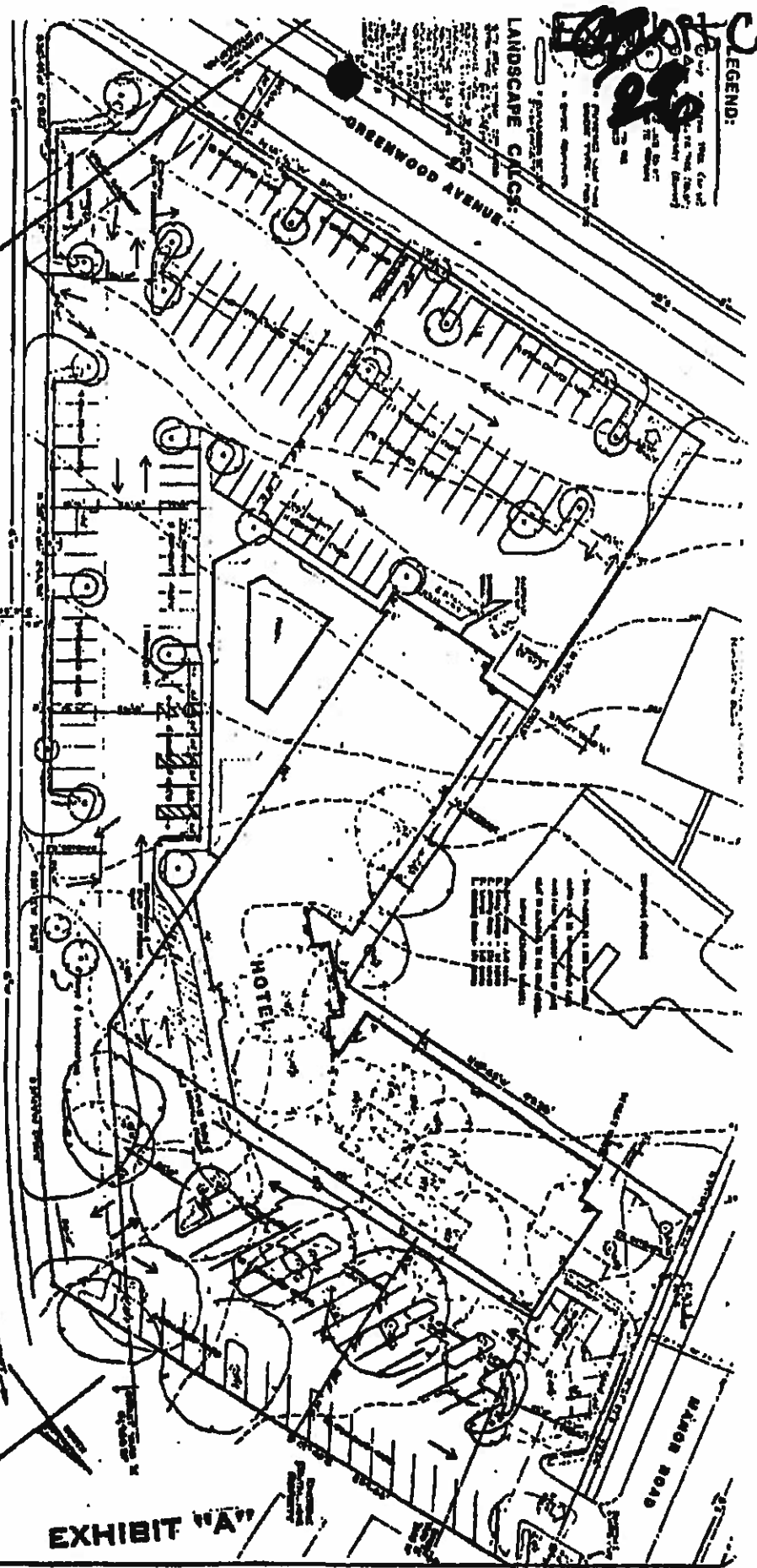
Date: February 5, 2013 Contact Name: I. T. Gonzalez, I. T. Gonzalez Engineers  
Phone Number: 512-447-7400 ext. #11



LEGEND:

236

LANDSCAPE CALC.



PERSHING DRIVE

GREENWOOD AVENUE

MAJOR ROAD

HOTEL

SITE PLAN

EXHIBIT "A"

NOTE: This drawing shall not be binding for the project unless it is accompanied by the following information:

1. The owner shall provide a copy of the final approved site plan to the local health department and the local fire department for their review and approval.

2. The owner shall provide a copy of the final approved site plan to the local health department and the local fire department for their review and approval.

VICINITY

APPROVALS

APPROVED BY: [Signature]

OWNER

CIA-91-187



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

Exhibit 69  
29

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, 13, 14 - BLOCK 1 OF CRESTHAVEN  
ADDITION, TRAVIS COUNTY, TEXAS  
Zoning: GR-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  
(PRINT NAME)  
☐ 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  
CITY OF AUSTIN

Date: 02/16/11

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

07/28

|   |          |                              |                                |                                |  |
|---|----------|------------------------------|--------------------------------|--------------------------------|--|
| Project Name:<br>3511 Manor Rd                  |          | Case Number:<br>DA-2011-0156 |                                | Applicant Name:<br>Peter Davis |  |
| <input checked="" type="checkbox"/> If Required | Reviewer | Date                         | Comments                       |                                |  |
| <input type="checkbox"/> Site Plan              |          | 2-18-11                      | <input type="checkbox"/> SPOC* |                                |  |
| AGM   |          |                              |                                |                                |  |
| <input type="checkbox"/> Transport              |          | 2-18-11                      | <input type="checkbox"/> SPOC* |                                |  |
| AGM   |          |                              |                                |                                |  |
| <input type="checkbox"/> Drainage               |          | 2.18.11                      | <input type="checkbox"/> SPOC* |                                |  |
| KCH   |          |                              |                                |                                |  |
| <input type="checkbox"/> Environ                |          | 02.18.11                     | <input type="checkbox"/> SPOC* |                                |  |
| Sig. Reviewer                                   |          |                              |                                |                                |  |
| <input checked="" type="checkbox"/> AFD         | JM       | 2/18                         | N/A                            |                                |  |
| <input checked="" type="checkbox"/> AWU         | MDL      | 2-18-11                      | N/A                            |                                |  |
| <input checked="" type="checkbox"/> Plumbing    | MDL      | 2-18-11                      | N/A                            |                                |  |
| <input checked="" type="checkbox"/> AE          |          | 2-18-11                      | N/A                            |                                |  |

\* SPOC - Single Point of Contact

|                                   |                                 |  |
|-----------------------------------|---------------------------------|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Denied | <input type="checkbox"/> Determined to be a <input type="checkbox"/> Revision <input type="checkbox"/> New Project |
|-----------------------------------|---------------------------------|--|

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

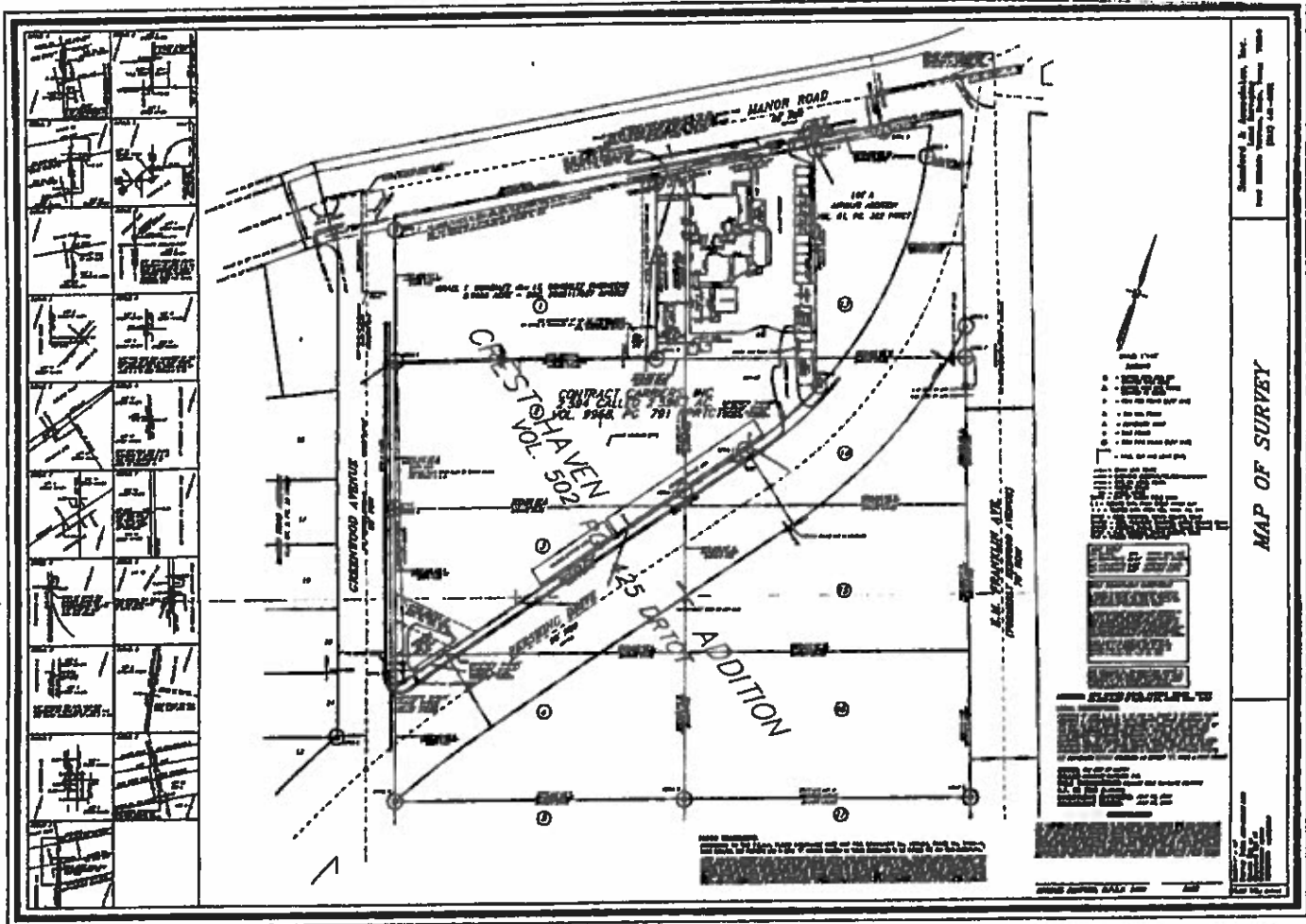
Qualifies for exemption per Section 25-5-2(\_\_\_\_)

## 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

CV  
29

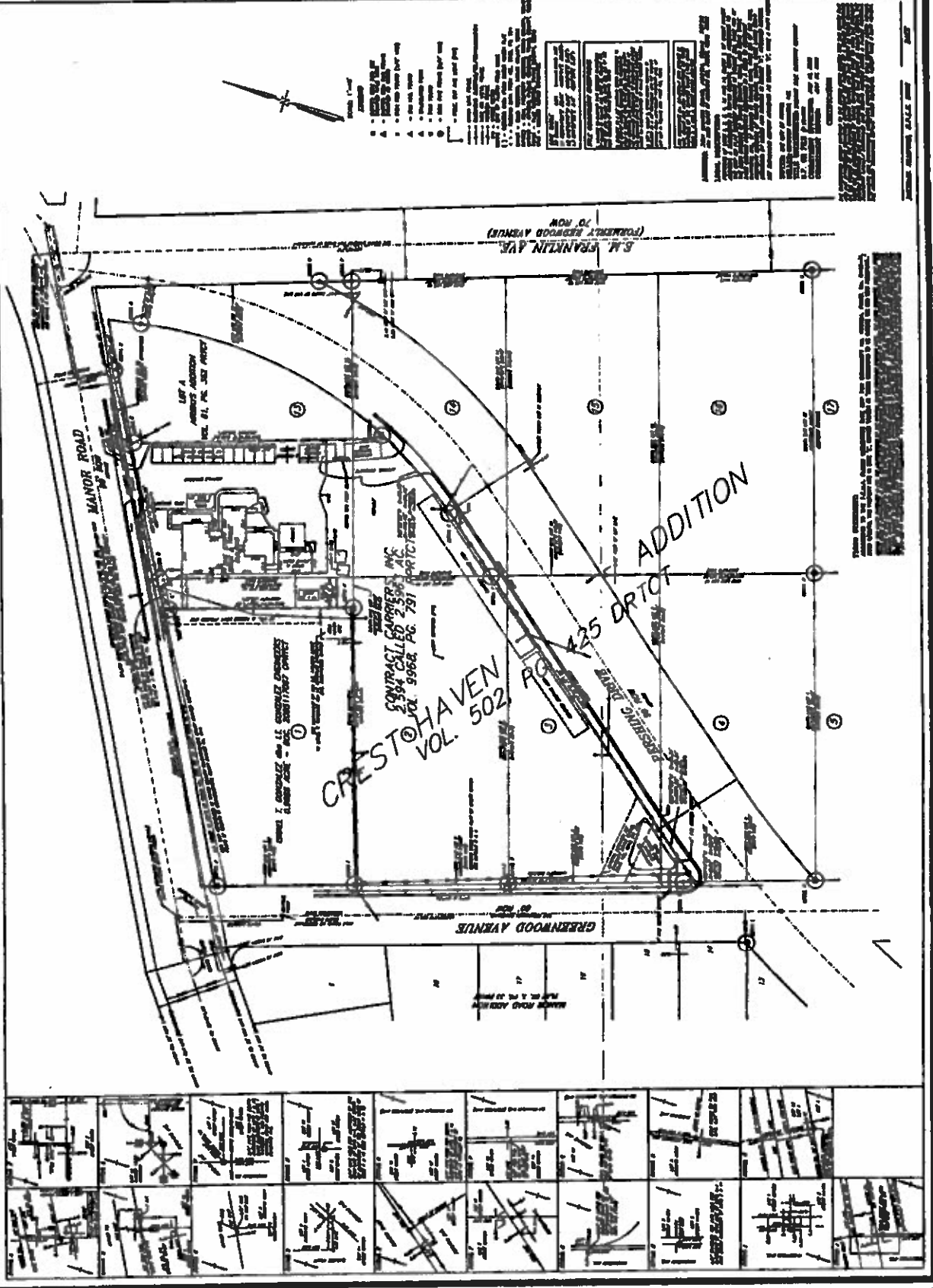
9210 1102 VI



09/80

# MAP OF SURVEY

Sanford & Associates, Inc.  
Land Surveying  
1000 Middle Tennessee Blvd., Room 200  
(615) 441-0501



9510-1004

## 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 use development process, visit our website:

[www.austintexas.gov](http://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

J.T. Gonzalez

Your Name (please print)

3501 MANANA RD, AUSTIN, TX 78721

Your address(es) affected by this application

J.T. Gonzalez

Signature

1-15-13

Date

Daytime Telephone: 512-447-7400, ext 11

Comments:

SEE ATTACHED LETTER, DATED 1-15-13,  
TO HEATHER CHAFFIN, CASE MANANA RD.

J.T.G.

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

Exhibit E

# IT GONZALEZ ENGINEERS

www.itgonzalezengineers.com

9/30  
Page 1 of 1

January 15, 2013

Ms. Heather Chaffin  
Case Manager  
One Texas Center, 5<sup>th</sup> 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.



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

09/34

# J.J. Seabrook Neighborhood Association

May 17, 2013

TO: City Planning Staff, Planning Commissioners, and City Council Members

RE: 3511 Manor Road;  
Case No. C14-2012-0140;  
Request for rezoning

Dear Planning Commission and Council Members:

The JJ Seabrook Neighborhood Association has voted to express our support of the rezoning application for the property at 3511 Manor Road going forward at this time with the qualification that the conceptual plan developed in the on-going negotiations and presented by the Public Works Department to us in recent meetings must be completed with appropriate conditions of zoning and other details being worked out before final approval is granted.

With this plan, the Public Works facility will be scaled down, adjacent property will be protectively screened, and improvements will be made so that the facility may function for a period of time until the eventual relocation can be achieved. Additionally, portions of the property fronting the residences on Greenwood Avenue will be designated a Community Land Trust, thereby making it eligible as a site for affordable housing.

Many volunteers have spent numerous hours discussing this issue, reaching out to other neighbors, and meeting with Public Works in order to find the best way to make this transition possible for the long-term benefit of the neighborhood and the City.

We thank you for your thoughtful consideration of this proposal and re-zoning request.

Sincerely,

Dan Daniels,

JJSNA President  
P.O. Box 6219, Austin, TX 78762  
(512)708-8926

\*\*\*

## PUBLIC HEARING INFORMATION

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[www.austintexas.gov](http://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)

2212 Greenwood Ave

Your address(es) affected by this application

Rosa Stewart  
Signature

2/1/2013  
Date

Daytime Telephone: 450-9652

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

09/35

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Case Number: C14-2012-0140

Contact: Heather Chaffin, 512-974-2122

Public Hearings: ~~July 2013~~, 2013, Planning Commission  
~~Aug 2013~~, 2013, City Council

Your Name (please print)

2203 Greenwood

Your address(es) affected by this application

Signature

Daytime Telephone: 512-976-7809

Date

Comments:

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

Oversight by many if the story is not told accurately, that JTS has been disavowing this zoning violation for years.

current use is Not

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City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

COA sole enforcement should be for residential *COA sole enforcement should be for residential*

36



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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

Your Name (please print)

Stuart Gaud

☒ I am in favor  
☐ I object

Your address(es) affected by this application

2204 Greenwood

Signature

Date

Daytime Telephone: 512-383-5583 or 512-936-4395

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

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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

BYRON ANDERSON  
Your Name (please print)

2208 GREENWOOD AVE AUSTIN, TX 78723  
Your address(es) affected by this application

[Signature]  
Signature

0 FEB 2013  
Date

Daytime Telephone: (281) 468-7479

Comments:

MAINTENANCE facility does not belong  
in a neighborhood. Operation is  
an ~~unwarranted~~ 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

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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

La Roy Johnson Jr.

Your Name (please print)

3403 Mawood Rd New Bedford Church

Your address(es) affected by this application

La Roy Johnson Jr.

Signature

Feb 06-2013

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

09/39



## 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

Your Name (please print)

☐ I am in favor

☒ Subject

Your address(es) affected by this application

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

## 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/](http://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

☐ I am in favor  
☒ I object

BYRON ANDERSON  
Your Name (please print)

2208 GREENWOOD AVE, AUSTIN, TX 79723  
Your address(es) affected by this application

Signature Date  
8 Feb 2013

Comments:

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

09/11/13

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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 Heather Chaffin

Ben Reinberg, member of Allstate

Your Name (please print) Austin, TX

3601 Manor Road, Austin, TX

Your address(es) affected by this application

Signature

Daytime Telephone: 847-317-0577

Comments:

2/8/13 Date

2/8/13 Date

2/8/13 Date

2/8/13 Date

2/8/13 Date

2/8/13 Date

2/8/13 Date

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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

**WALKER SOUTHWEST PROPERTIES, LLC.**

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

09/48

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, 5<sup>th</sup> 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:

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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

Your Name (please print) April Arndt

☐ I am in favor  
☒ I object

2205 Palo Pinto Dr 70723

Your address(es) affected by this application

And No 1/31/13  
Signature Date

Daytime Telephone: 512 350 0859

Comments: NO MORE NASTY ASPHALT  
UP THE HILL FROM MY  
BACKYARD!

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

*9/11/13*

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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

*Lodevick Brittenham* *RESIST*  
Your Name (please print) *940*

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

*2201 Palo Pinto Dr*

Your address(es) affected by this application

*Lodevick Brittenham* *1-31-13*  
Signature Date

Daytime Telephone: *512 367-6591*

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

*9/10*



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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

Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application

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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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 Properties, LLC

Your Name (please print)

3515 MANOR ROAD

Your address(es) affected by this application

John Walker Signature

Date

1/30/2013

Daytime Telephone: 210 581 9999

Comments:

WE ARE STRONGLY OPPOSED TO THE CURRENT USE OF THE SUBJECT PROPERTY BY THE CITY OF AUSTIN PUBLIC WORKS DEPT. IT CONSTITUTES A PUBLIC NUISANCE. 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

09/27

## 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 McConico, Esq. for Petitioner*  
Your Name (please print)

☐ I am in favor  
☒ I object

*2208 Greenwood*

Your address(es) affected by this application

*Evan McConico Esq. for Petitioner McConico 2-12-13*

Signature

Date

Daytime Telephone: *281-933-3953*

Comments: *Heavy equipment is moving during the day. Noise and dust are greater at these times. There has been a collection of pet products and hoses. These products were not present in the past. Leaving access from the facility on Meow Road has brought more dust, noise, as well as a welcome pest. I strongly oppose the rezoning of this property to high care 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

*02/28*

## 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

Even D. McConico  
Your Name (please print)

2206 GREENWOOD 78723  
Your address(es) affected by this application

Don D. McConico  
Signature

2-12-13  
Date

Daytime Telephone: 281-933-3953

Comments: Since the city has been using this property at 3511 Morse Road as a maintenance facility, there have been apparent changes in my property. The noise and dust during the day is constant and unbearable. Nighttime problems are increasing. There has been an influx of patrol vehicles. Not sure of what is being stored here, that could cause serious problems in the future. Road appeal to the rezoning of this 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

9/15

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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)

☐ I am in favor  
☒ I object

3607 Manor Road  
Your address(es) affected by this application

2/5/2013  
Date

[Signature]  
Signature

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

9/8



## 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

Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

Comments:

DAVID RAINES  
2002 Palo Pinto

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 J. McPhaul*  
Your Name (please print)

*2203 Palo Pinto Dr. Austin, TX 78723*  
Your address(es) affected by this application

☐ I am in favor  
☒ I object

*01-31-2013*  
Date

Signature

*477-8509*  
Daytime Telephone

*I'm opposed to this. It's not compatible with family dwelling business.*  
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

02/04

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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)

☐ I am in favor  
☒ I object

2208 Greenwood Ave, Austin, TX 78723

Your address(es) affected by this application

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 (5606 DO). (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

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

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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

WALKER - Southwest Properties, LLC

Your Name (please print)

3515 MANOR ROAD

Your address(es) affected by this application

John P. Walker Signature 1/30/2013 Date

Daytime Telephone: 210 581 9999

Comments:

WE ARE STRONGLY OPPOSED  
TO THE CURRENT USE OF  
THE SUBJECT PROPERTY  
BY THE CITY OF AUSTIN  
PUBLIC WORKS DEPT. IT  
CONSTITUTES A PUBLIC  
NUISANCE. 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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Case Number: C14-2012-0140  
Contact: Heather Chaffin, 512-974-2122  
Public Hearing: Jan 22, 2013, Planning Commission  
Feb 28, 2013, City Council

I.T. Gonzalez  
Your Name (please print)

3501 MANANA RD, AUSTIN TX 78723

Your address(es) affected by this application

J.T. Gonzalez

Signature

1-15-13

Date

Daytime Telephone: 512-447-7400, ext 11

Comments:

SEE ATTACHED LETTER, DATED 1-15-13,  
TO HEATHER CHAFFIN, CASE MANANA RD

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

9/55

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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

SAM GRISWOLD, PRESIDENT CRAFT CORP INC.  
Your Name (please print)

☐ I am in favor  
☒ I object

3401 MANOR RD 78723

Your address(es) affected by this application

Sam Griswold

Signature

Date

Daytime Telephone: 512 476 9886

Comments: NOT SUITABLE FOR CS-MU-CO-NP

INCOMPATIBLE WITH RESIDENTIAL AREAS,

LO-NP, STREETS IN AREA, NOISE

HAS BEEN A PROBLEM FOR YEARS.

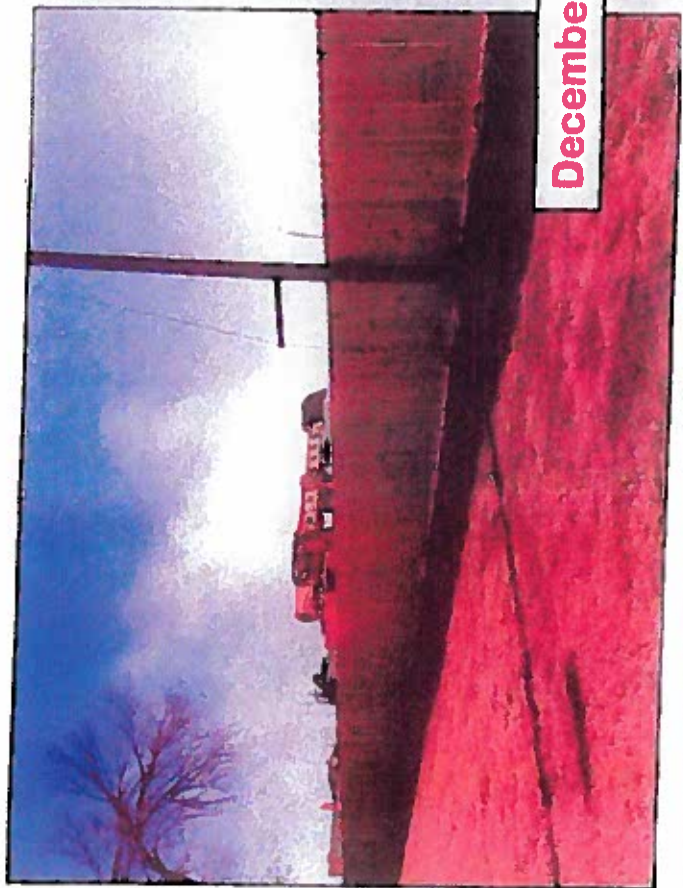
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City of Austin  
Planning & Development Review Department  
Heather Chaffin  
P. O. Box 1088  
Austin, TX 78767-8810

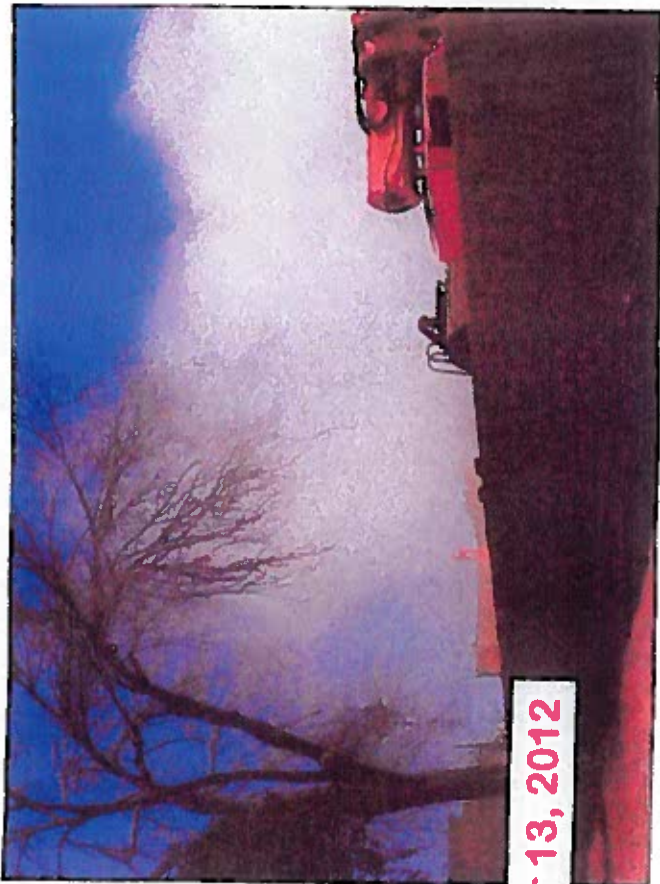
09/96



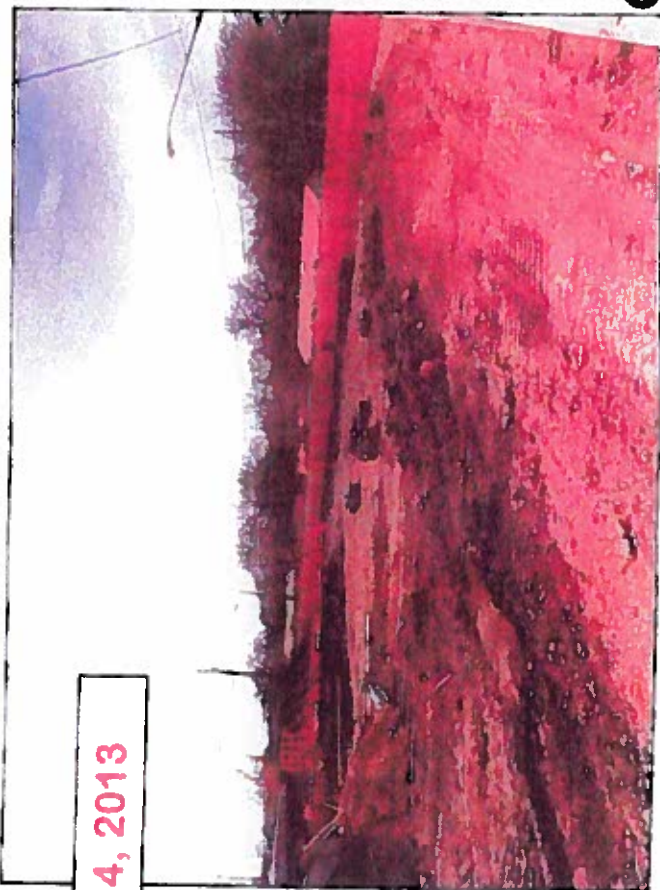
09/57



December 13, 2012

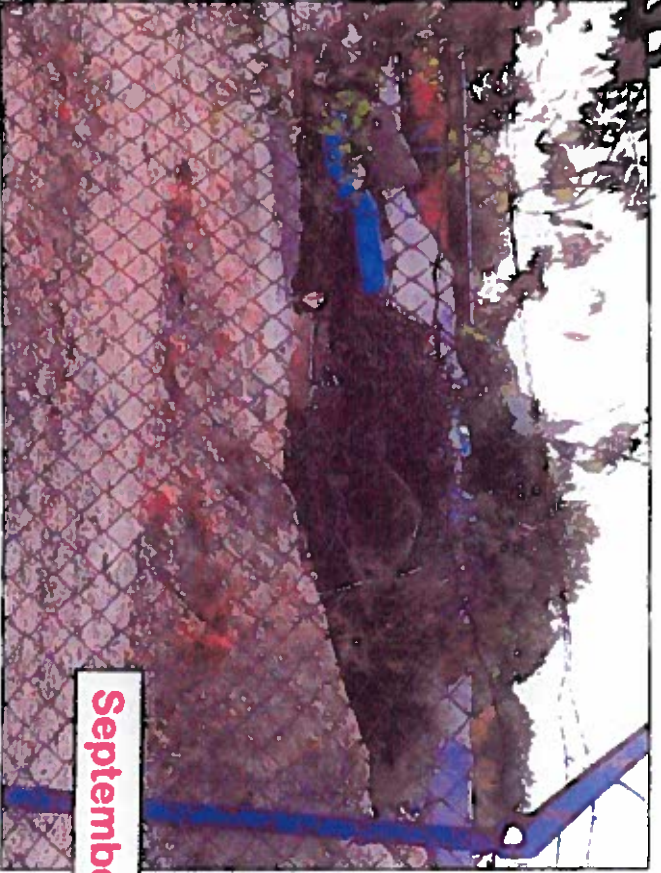


January 14, 2013

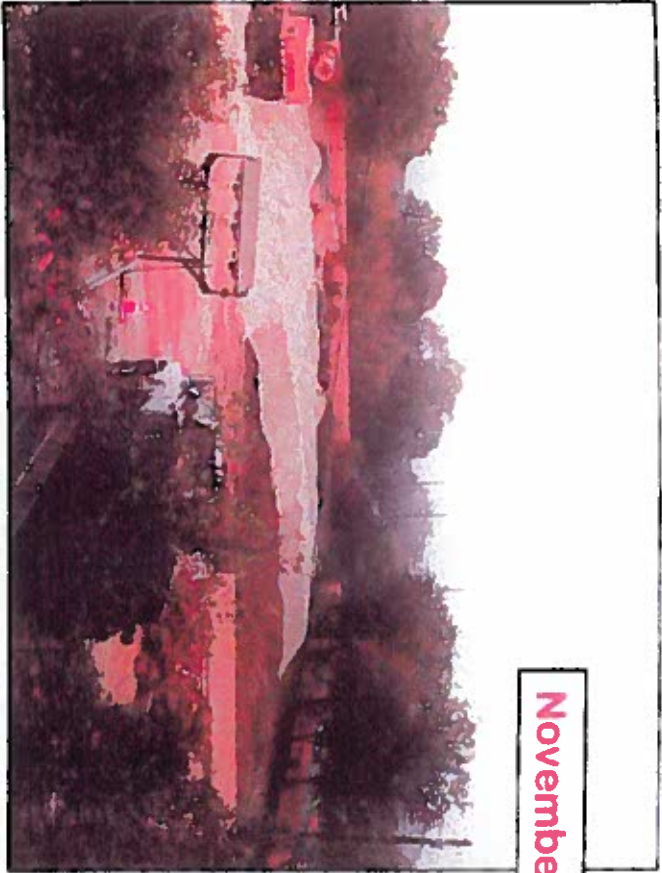
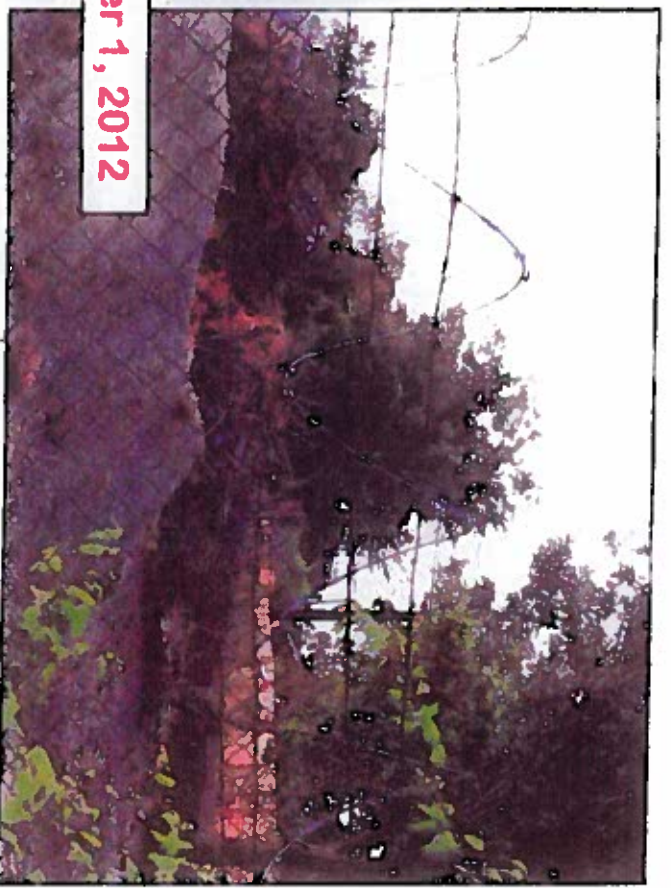




09/08



September 1, 2012



November 22, 2012



C9/59



## MEMORANDUM

\*\*\*\*\*

TO: Mr. Dave Anderson, Chair  
Planning Commission Members

FROM: Heather Chaffin  
Planning and Development Review Department

DATE: May 28, 2013

RE: **Street and Bridge District Office Rezoning – C14-2012-0140**  
Postponement Request by Neighborhood Association

\*\*\*\*\*

J.J. Seabrook Neighborhood Association is requesting a postponement of the above-referenced rezoning case from May 28, 2013 to June 25, 2013. The Applicant and Neighborhood Association have held meetings on the rezoning request, and JSNA requests more time to work together on a mutually agreeable resolution to the rezoning request. There have been three previous postponements of the rezoning hearing, two at the request of City staff and one at the Applicant's request.

### Previous Planning Commission Actions:

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

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

4/23/13: Staff requested postponement to June 25, 2013; R. Hatfield made motion to approve staff recommendation- no further action on the motion. Commission approved postponement to May 28, 2013 (5-4); Hernandez- 1<sup>st</sup>, J. Stevens- 2<sup>nd</sup>. Commissioners R. Hatfield, J. Nortey, D. Anderson and M. Smith voted against the motion (nay).

C9  
60

# J.J. Seabrook Neighborhood Association

May 15, 2013

TO: City Planning Staff and Planning Commissioners

FROM: Dan Daniels, President,  
P.O. Box 6219, Austin, TX 78762

(512)708-8926  
[jjsnapresident@zoho.com](mailto:jjsnapresident@zoho.com)

RE: 3511 Manor Road;  
Case No. C14-2012-0140;  
Request for rezoning

On behalf of the JJ Seabrook Neighborhood Association I write to request a postponement of the May 28, 2013, consideration of all matters related to the above-referenced matter.

Dan Daniels,  
JJSNA President

\*\*\*

C9  
61

# PUBLIC WORKS DEPARTMENT STREET AND BRIDGE

Action taken on Neighborhood Concerns

Revised 05/14/13

| CONCERN   | ACTION<br>(*indicates item included in proposed conditions of use)  |
|---|---|
| 1. Noise  | Normal hours of operation have been revised to 7am to 7pm.<br>Vehicles are backed-in to park over night to avoid back-out signal noise. Vehicles are off site during the day.*<br>Tree limb mulching at the property has been eliminated.   |
| 2. Trucks routing through neighborhood                                    | Central District staff have been instructed that city trucks are not allowed to use side streets and only use Manor Road to Airport Blvd to go North/South . *  |
| 3. Major materials stockpiles   | PWD has purchased another property for general materials storage, so major stockpiles seen previously are now gone.<br>Dolomite (crushed stone) was temporarily stockpiled here in preparation for winter ice conditions and has been removed. A minimal amount (12cu.yds) remains for a Right of Way emergency such as spill containment. Storage of asphalt for repairs is contained in 60lb bags inside a storage building.<br>A wood fence has been erected to screen the entire property boundary. |
| 4. Dust nuisance  | The source of dust (dolomite) has been reduced to a minimal amount (12 cu.yds) and is contained away from neighboring property. Dolomite is normally wetted down every day and is the small pile is covered with tarp.  |
| 5. Pollutants from site running off into neighborhood storm-water system. | Best Management practices as agreed with TCEQ are implemented and include silt fences around materials stored. Materials are now limited to a small amount of Dolomite , a natural crushed stone.<br>An overflow of muddy water from the detention pond last year was due to the pipes being blocked and a small part of the earthen bank being washed out.<br>Environmental inspection has agreed this is now remedied   |
| 6. Property is being used as a landfill                                   | Street and Bridge Central responds to public safety requests (from 311 calls) to remove obstructions in the Right of Way. Items are sometimes brought to the  |



## PUBLIC WORKS DEPARTMENT STREET AND BRIDGE

Action taken on Neighborhood Concerns

Revised 05/14/13

C9  
62

|   |  |
|---|--|
|   | location and laid on the ground before disposed of appropriately. Street and Bridge now puts all items in a dumpster ready for removal.  |
| 7. The facility is a source of rodent activity                        | No evidence of rodent activity has been found. Public Works, through the Building Services Department has an on-going contract for pest control. An inspection will be made in response to this claim.   |
| 8. Trees should be planted to shade the proposed Hike and Bike Trail. | Public Works will coordinate with the Trail's development group to best locate trees for shading and trees will also be planted to screen the Manor Road property from the surrounding area. Walls and fences are included in the long term proposal.* |



CONCEPT FOR CONSOLIDATED STREET AND BRIDGE CENTRAL DISTRICT MAINTENANCE AND EMERGENCY OPERATIONS CENTER

C9  
63



Chestnut Neighborhood Revitalization Corporation  
2211 East Martin Luther King, Jr. Blvd.  
Austin, TX 78702

C9  
64

May 14, 2013

Kit Johnson  
City Architect  
City of Austin Public Works Department  
105 Riverside, Suite 100  
Austin, TX 78702

Dear Mr. Johnson:

We spoke recently about repurposing an underutilized portion of land at your 3511 Manor Road street maintenance facility and I can assure you that the Chestnut Neighborhood Revitalization Corporation would be interested in partnering with you to create more long-term, affordable housing in Central Austin. Since affordable housing in Central Austin is hindered by high land costs and complicated by gentrification, putting land into a community land trust is a sound solution. Thanks to the City's continued ownership of the land underneath, a developer like CNRC could maintain affordability and serve the neighborhood for much longer than a development unaided by a land trust.

Chestnut Neighborhood Revitalization Corporation would love the chance to continue our success of our similar Franklin Gardens project with other affordable housing developments that seek to create affordability while responsibly managing change in a historic Austin neighborhood.

Please keep us posted on your progress in this endeavor and let us know how we can help you to help Austin stay affordable.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Andre".

Sarah Andre  
Project Manager  
Chestnut Neighborhood Revitalization Corporation



**Guadalupe Neighborhood Development Corporation**  
**813 East 8<sup>th</sup> Street - Austin, Texas 78702**

(512) 479-6275 (512) 478-9949 fax  
[gndc@sbcglobal.net](mailto:gndc@sbcglobal.net)

C9  
65

May 13, 2002

Kit Johnson  
City Architect  
City of Austin Public Works Department  
105 Riverside Suite 100  
Austin, TX 78702

Dear Kit:

I'm glad you came by our office to share your community land trust idea. GNDC is very familiar with the concept and, as I pointed out, we just completed the first "true" community land trust (CLT) home sale in Austin last year. That homebuyer was able to buy a new, two-bedroom, two-bath, 5-Star Green Builder rated home with a total mortgage payment of \$815, taxes and insurance included.

I, along with the staff and board of directors of GNDC, have come to view CLTs as among the best means available to assure long-term affordable housing. While a CLT can work well with rental housing, it is especially useful when developing home ownership opportunities for households with low-to-moderate incomes. The dramatic increase in land prices here in Austin is perhaps the main factor hindering the development of affordable housing. I think your suggestion that the city could provide sites that are ready to develop to affordable housing developers at little or no cost would be highly attractive. This should enable a nonprofit to build quality housing well below market prices with little, or even without any, addition public assistance.

I understand that you are in the concept phase, but if and when the opportunity arises that the project moves closer to becoming a reality, let me know. It is likely that GNDC and other nonprofit developers that I know would want to get involved with such a project. In the meantime keep me posted and let me know if there is anything we can do to help you develop the concept.

Sincerely,

Mark C. Rogers, Executive Director  
Guadalupe Neighborhood Development Corporation



June 19, 2013

City of Austin  
Attn: Kit Johnson  
Via e-mail @ [Kit.Johnson@austintexas.gov](mailto:Kit.Johnson@austintexas.gov)

**Re: Letter of Support for 3511 Manor Road – Affordable Homeownership (CLT) and Community Development/Office Space**

Dear City of Austin:

Austin Habitat fully supports the concept of creating land trust townhomes for low income homebuyers and a community development space at 3511 Manor Road. Austin Habitat is very interested in utilizing this site to build Habitat CLT townhomes on City of Austin land, or to explore other homebuilding opportunities. In addition, Austin Habitat would like to explore a potential lease agreement to relocate our program offices. Austin Habitat does not just serve Habitat families, we are a HUD-certified housing counselor, and we offer our services to the public. We provide financial literacy, budgeting, homebuyer, and foreclosure prevention education classes. We also provide 1-1 housing counseling to the public, and we offer post-ownership education, including home maintenance/repair and property tax advocacy. In addition, Austin Habitat's subsidiary provides affordable housing program services for the Mueller Redevelopment through contracts with Catellus and the Mueller Foundation. This location is ideal for affordable housing development, and our programs and services would be a great fit for the potential tenant space for neighborhood services.

Sincerely,

Kelly Weiss  
Executive Director

Board Members:

George Gau, Chair

Everett Plante, Vice Chair

Robbi Millett, Secretary

Sarah Stasney-Chun, Treasurer

Ross Buhrdorf

Bruce Coleman

Mildred Davis

Chip Dart

Chris Elliott

Sr. Teresa George

Mark Hutcheson

Mark Masten

Nikelle Meade

Lana Morris

Representative  
Eddie Rodriguez

Jeff Serra

Judge  
Eric Shepperd

Eric Smith

Sherine Thomas

Suzanne Weinert

Meredith Young

310 Comal, Suite 100  
Austin, Texas 78702

[austinhabitat.org](http://austinhabitat.org)

C9  
66



## VEHICLES AND EQUIPMENT S&B CENTRAL DISTRICT

3511 Manor Road, Austin TX 78723

|        |                                     |                           |                          |
|--------|-------------------------------------|---------------------------|--------------------------|
| 02J083 | ARROW BOARD                         | SUNRAY                    | Used for Traffic Control |
| 01J514 | ARROW BOARD, SOLAR PWR              | SUNRAY                    | Used for Traffic Control |
| 08K933 | ATTENUATOR TRAILER WITH ARROW BOARD | ENERGY ABSORTIONS SYSTEMS | Used for Traffic Control |
| 07J905 | SOLAR POWERED LED MESSAGE BOARD     | WANCO                     | Used for Traffic Control |
| 12K430 | TRAFFIC CONTROL                     | TRAILOR                   | Used for Traffic Control |
| 07J235 | SAND SPREADER BOX                   | EPOKE                     | Used for Emergency Only  |
| 98J949 | SAND SPREADER BOX                   | EPOKE                     | Used for Emergency Only  |
| 85J798 | SAND SPREADER BOX, EPOKE #11        | EPOKE                     | Used for Emergency Only  |
| 04B651 | TRUCK, PICKUP                       | FORD                      | Used Daily               |
| 01Q816 | TRUCK, PLATFORM                     | FORD                      | Used Daily               |
| 09Q884 | TRUCK, PLATFORM 4 DR                | INTERNATIONAL             | Used Daily               |
| 02Q976 | Truck, Platform w/Crane             | INTERNATIONAL             | Used Daily               |
| 00F281 | WHEEL LOADER, 2.25 CY               | JOHN DEERE                | Used Daily               |
| 12A645 | Ford SUV Hybrid                     | Ford                      | Used Daily               |
| 09J753 | ASPHALT PAVER                       | VOGELE                    | Used Weekly              |
| 08F857 | DBL DRUM ROLLER - 42"               | HAMM                      | Used Weekly              |
| 06F031 | DBL DRUM ROLLER, 59"                | HAMM/WIRGTEN              | Used Weekly              |
| 93F990 | MOTOR GRADER                        | Being                     | Used Weekly              |
| 06F033 | MOTOR GRADER                        | JOHN DEERE                | Used Weekly              |
| 09F788 | MOTOR GRADER                        | CHAMPION                  | Used Weekly              |
| 04J705 | SAW, CONCRETE WALK BEHIND           | TARGET                    | Used Weekly              |
| 93K634 | TRAILER, 16' UTILITY                | BELSHI                    | Used Weekly              |
| 97K745 | TRAILER, TILT DECK                  | DYNAWELD                  | Used Weekly              |
| 98K955 | TRAILER, UTILITY                    | BELSHE                    | Used Weekly              |
| 05J708 | TRAILER, UTILITY CONCRETE SAW       | SAFEWAY                   | Used Weekly              |
| 06G034 | TRUCK, DUMP 12 CY                   | INTERNATIONAL             | Used Weekly              |
| 06G035 | TRUCK, DUMP 12 CY                   | INTERNATIONAL             | Used Weekly              |
| 06G040 | TRUCK, DUMP 12 CY                   | INTERNATIONAL             | Used Weekly              |
| 00G897 | TRUCK, DUMP 12 CY W/LOADER          | INTERNATIONAL             | Used Weekly              |
| 08G233 | TRUCK, DUMP 12 CY W/LOADER          | GMC                       | Used Weekly              |
| 13U302 | TRUCK, SMALL HOT-MIX ASPHALT        | FREIGHTLINER              | Used Weekly              |
| 99U466 | TRUCK, HOT MIX PATCH                | INTERNATIONAL             | Used Weekly              |
| 00U902 | TRUCK, LARGE HOT PATCH              | INTERNATIONAL             | Used Weekly              |
| 00U903 | TRUCK, HOT PATCH                    | INTERNATIONAL             | Used Weekly              |
| 00U904 | TRUCK, HOT PATCH                    | INTERNATIONAL             | Used Weekly              |
| 03U153 | TRUCK, WATER                        | FREIGHTLINER              | Used Weekly              |
| 03F402 | VIBRATORY ROLLER, WALK BEHIND       | MULTIQUIP                 | Used Weekly              |
| 06F026 | VIBRATORY ROLLER, WALK BEHIND       | WACKER                    | Used Weekly              |
| 06F029 | VIBRATORY ROLLER, WALK BEHIND       | WACKER                    | Used Weekly              |
| 06F030 | VIBRATORY ROLLER, WALK BEHIND       | WACKER                    | Used Weekly              |
| 07F855 | VIBRATORY ROLLER, WALKBEHIND        | WACKER                    | Used Weekly              |
| 12F349 | skid steer                          | JOHN DEERE                | Used Weekly              |
| 13K451 | 16' trailer                         |                           | Used Weekly              |
| 11F819 | GRADALL                             | GRADALL                   | Used Weekly              |
| 03U153 | WATER TRUCK                         | FREIGHTLINER              | Used Weekly              |

The Street and Bridge Central District Facility, 3511 Manor Road.

The Manor Road facility provides support for the area between Hwy 290, 2222 and the Colorado River East and West to the city limits.

The daily non-emergency operating duties, of the Manor Road facility is to work all of the Customer Service Request (311 calls) for the designated area. The crews are maintaining a 100% completion rate for CSRs within 72 hours, 100% completion rate for non-critical potholes within 48 hours and 100% completion rate for critical potholes in 24 hours. These success rates are partially due to the location of the facility.

The Manor Road location repairs alleys. Approximately 90% of alleys are located in the Central District

Materials at Manor Road

- Five each 55 gallon barrels of BioProHF. It is a citrus peel product that is non-toxic, non-petroleum based, all natural and 100% biodegradable. The barrels are kept in a covered fenced area.
- Cold Mix Asphalt Cement – CMAC is kept in 60 lbs or 80 lbs heavy duty bags. Approximately 200 bags are kept on-site. It is kept in a locked shed. In its stored condition, there is no impact to the environment.
- Galvanized guard rails, nuts, bolts and posts are kept at the facility. This has no impact to the environment.
- Ten cubic yards of dolomite will be kept at the facility. Dolomite is a natural material in the granite family. It is used for spreading on ice, filling “sand” bags and street spills. The dolomite will be kept in a designated area and will be covered. The cover is to prevent dust from adversely impacting neighbors.
- Fence slats are kept at the yard. These are used on MOPAC.  
The vast majority of materials will be kept at remote locations such as Dalton Lane and Kramer Lane.  
FYI
- Hot Mix Concrete Asphalt (HMAC) and Tack are picked up from the asphalt plant daily or as required. It is not kept on-site.
- Rock or sub-base is picked-up from the vendor as required. It is not stored at Manor Road
- Trash, items picked up in the Rights of Way, tree limbs and etc. are placed in large dumpsters that are located at Manor Road. This prevents any “Dumping” of materials on site
- Numerous barricades and signs for traffic control are kept in storage

Equipment kept at Manor Road, enables the staff to handle most situations. The equipment, including operating and traffic control equipment and vehicles kept at Manor Road, is used either daily or weekly. Some equipment, such as spreaders, is only used in emergencies such as ice on the streets or spills in the Rights of Way.



C9  
68

**Texas Commission on Environmental Quality**  
**Investigation Report**  
 City of Austin  
 CN600135198

**MANOR ROAD STREET REPAIR**

**RN106656804**

Investigation # 1088963

Incident # 177827

Investigator: RONNIE KRAMER

Site Classification

OTHER THAN RECYCLER

Conducted: 02/08/2013 -- 02/08/2013

SIC Code: 1611

Program(s): AIR QUALITY NON  
 PERMITTED  
 MUNICIPAL SOLID WASTE  
 NON PERMITTED  
 STORMWATER

Investigation Type : Compliance Investigation

Location : 3511 MANOR RD

Additional ID(s) :

Address: 3511 MANOR RD; AUSTIN,  
TX 78723

Activity Type : REGION 11 - AUSTIN  
 SWCMPL - SW Complaint  
 MSWCMPL - Investigation of MSW complaint  
 AIRCOMPL - AIR CMPL - AIR COMPLAINT  
 INV

Principal(s) :

| Role       | Name                       |
|------------|----------------------------|
| RESPONDENT | GENERIC INCIDENT PRINCIPAL |
| RESPONDENT | CITY OF AUSTIN             |

Contact(s) :

| Role                     | Title            | Name                | Phone               |
|--------------------------|------------------|---------------------|---------------------|
| Regulated Entity Contact | DIVISION MANAGER | MR GERALD<br>NATION | Work (512) 974-5635 |

Other Staff Member(s) :

| Role         | Name           |
|--------------|----------------|
| QA Reviewer  | GENE MULLER    |
| Supervisor   | CAROLYN RUNYON |
| Investigator | WALLACE MYERS  |

**Associated Check List**

| <u>Checklist Name</u>                  | <u>Unit Name</u> |
|--|------------------|
| MSW GENERIC OTHER ISSUES OR VIOLATIONS | Transfer Station |

Investigation Comments :

## INTRODUCTION

I am Ronnie Kramer, Environmental Investigator with the Texas Commission on Environmental Quality (TCEQ), Austin Regional Office. On February 8, 2013, I conducted an on-site compliance investigation related to a complaint (Incident No. 177827) received in the Austin Regional Office on January 7, 2013. I was assisted by Mr. Wallace Myers, Environmental Investigator. The

## MANOR ROAD STREET REPAIR - AUSTIN

2/8/2013 Inv. # - 1088963

Page 2 of 4

C9  
69

complainant alleged that dust leaving the property at 3511 Manor Road, Austin, Texas, was causing a nuisance for nearby properties. Additionally, the complainant indicated the site was operated by the City of Austin and had no known authorizations for air, waste, or storm water.

While the complainant alleged nuisance conditions for nearby properties, the complainant himself owns no property in the area. Therefore the focus of the investigation was to determine if the regulated entity required authorizations for regulated activity, and if so did the entity have all required authorizations.

### Daily Narrative

During the course of the investigation, I reviewed and referred to the Incident notification form, § 101.4, and to TCEQ investigation and complaint guidance. I performed a search for files related to the site in the Austin Regional files, Central Registry, and the Comprehensive Compliance and Enforcement Data System (CCEDS). Additionally I reviewed waste and stormwater permitting requirements and conferred with Austin Regional waste and water investigators to determine authorization requirements for the entity.

The search for files resulted in the determination that the site had no authorizations from the TCEQ and was not registered as a Regulated Entity (RE) through the use of a Core Data Form, i.e. the site had no RN number.

Mr. Myers and I arrived at the site at 10:40 hours on February 8, 2013. We spoke with Mr. Gerald Nation, Division Manager, Austin Public Works Street & Bridge Department.

The site serves as the maintenance yard for the Central District Maintenance Crew. The crew is responsible for maintaining streets and bridges in the city. Part of this function includes picking up debris in more than 40 miles of alleys, as well as along streets. This debris is brought back to the yard daily. It is then transferred to a local permitted facility on at least a monthly basis. Prior to the complaints, the debris was piled on the ground prior to transfer. Mr. Nation indicated they currently had 3 roll-off containers which were used for storing the debris prior to transfer.

The site serves as storage for dolomite which is piled on the ground. This aggregate is used to spread on ice in severe weather. Prior to the complaints, there were several scattered piles, which were left uncovered. Mr. Nation indicated they had cleaned up the scattered piles and had only one remaining pile which was covered with a tarp.

Mr. Nation gave us permission to access the property and conduct our investigation.

While on-site we observed debris contained in 3 roll-off containers. Debris consisted of old furniture, cut logs and brush, and other non-putrescible rubbish. We observed a very small retention pond at the back of the property with several drains. The drains appeared to enter the city storm water system. While on property we noticed some dust rising from the ground and the aggregate pile. However it was not leaving the property.

See photos taken at the time of the investigation in attachments.

### Exit Interview

After the walk-around we spoke with Mr. Nation again. We indicated that the current condition of the yard appeared to be acceptable. However we indicated there were concerns that required authorizations for municipal waste or storm water were not obtained. Mr. Nation indicated he was not aware of any permitting requirements for the site. We informed Mr. Nation that we would review authorization requirements in the office and, if appropriate, a violation would be issued. On February 15, I called Mr. Nation and discussed the potential violations with him. At this time I indicated that there did not appear to be a requirement for a stormwater permit. I informed Mr. Nation that he did appear to be operating as a Type V Transfer station without proper authorization. An exit interview form was emailed to Mr. Nation.

### GENERAL FACILITY AND PROCESS INFORMATION

MANOR ROAD STREET REPAIR - AUSTIN

2/8/2013 Inv. # - 1088963

Page 3 of 4

C9  
70

Process Description

According to Mr. Nation, the site serves as storage for dolomite which is piled on the ground. This aggregate is used to spread on ice in severe weather. Prior to the complaints, there were several scattered piles, which were left uncovered. Mr. Nation indicated they had cleaned up the scattered piles and had only one remaining pile which was covered with a tarp.

The site also serves as the maintenance yard for the Central District Maintenance Crew. The crew is responsible for maintaining streets and bridges in the city. Part of this function includes picking up debris in more than 40 miles of alleys, as well as along streets. This debris is brought back to the yard daily. It is then transferred to a local permitted facility on at least a monthly basis. Prior to the complaints, the debris was piled on the ground prior to transfer. Currently there are 3 roll-off containers used for storing the debris prior to transfer.

BACKGROUND

There is no previous compliance history for the site. The customer, City of Austin, has a compliance rating of 1.69 and a compliance classification of satisfactory.

Current Enforcement Actions

See violation details below.

Agreed Orders, Court Orders, and Other Compliance Agreements

There are no agreed orders, court orders, or other compliance agreements for the site.

Prior Enforcement Issues

There are no prior enforcement issues for the site.

Complaints

There are no complaints for the site, except for the current complaint investigation.

ADDITIONAL INFORMATION

Conclusions and Recommendations

At the time of the investigation nuisance conditions could not be documented. After returning to the office, I could find no basis to require a storm water permit. The site is not involved in any activity requiring such a permit.

However activities conducted at the site do require a solid waste permit. Waste is brought to the site and stored until it can be transferred to another location. The site is operating as a Class V MSW transfer station. This activity requires a permit per 30 Tex. Admin. Code § 330.7. The site has failed to obtain such permit. The regulated entity must cease such activities or obtain proper authorization. As the City of Austin has other MSW permits, this is a category A violation and warrants formal enforcement and the issuance of an NOE.

Additional Issues

There are no additional issues associated with this investigation.

NOE Date: 6/14/2013

OUTSTANDING ALLEGED VIOLATION(S)  
ASSOCIATED TO A NOTICE OF ENFORCEMENT

MANOR ROAD STREET REPAIR - AUSTIN

2/8/2013 Inv. # - 1088963

Page 4 of 4

09  
7/1

Track No: 504832

Compliance Due Date: To Be Determined

Violation Start Date: Unknown

30 TAC Chapter 330.7(a)


Alleged Violation:  
Investigation: 1088963

Comment Date: 06/12/2013

Failed to obtain authorization prior to conducting activities which classify the facility as a Type V Transfer Station. Specifically, waste, including waste furniture, cut logs, brush, and other non-putrescible rubbish, is collected and brought to the facility until it can be transferred to a landfill. These activities classify the facility as a Type V Transfer Station (per § 330.5(a)(3)) and require authorization. Failing to obtain said authorization is a violation of § 330.7(a).

Recommended Corrective Action: The facility must cease non-authorized activities, or obtain authorization for said activities.

Signed



Environmental Investigator

Date

6/12/13

Signed



Supervisor

Date

6/13/13

Attachments: (in order of final report submittal)

☒ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type): NDE

Investigation Report

☐ Sample Analysis Results

☐ Manifests

☐ NOR

☐ Maps, Plans, Sketches

☒ Photographs

☐ Correspondence from the facility

☒ Other (specify):

Complaint Report

- Exit Form

Core Data Form