### ZONING CHANGE REVIEW SHEET

**CASE:** C14-2015-0039 – 4100 Banister

**P.C. DATE:** May 12, 2015 May 26, 2015

ADDRESS: 4006 & 4100 Banister Lane

**DISTRICT AREA:** 5

**OWNER/APPLICANT:** Gossett Jones Homes (Matt Jones)

**AGENT:** Gossett Jones Homes (Peter Pevoto)

**ZONING FROM:** SF-3

TO: MF-3-CO\*

**AREA:** 1.873 acres (81,582 sq. ft.)

\*The Applicant amended the application to request a zoning change to MF-2-CO combined district zoning on May 26, 2015.

## **SUMMARY STAFF RECOMMENDATION:**

Staff recommends multifamily residence medium density – conditional overlay (MF-3-CO) combined district zoning. The conditional overlay will limit vehicle trips to 2,000 per day.

### **ISSUES**:

The Applicant and the South Lamar Neighborhood Association met on several occasions about this zoning change. As a result of the agreements with the Neighborhood, the Applicant amended the zoning application to request MF-2-CO combined district zoning with the conditional overlay including the following:

- 1. The setback from the south property line is 50ft. for habitable structures.
- 2. The impervious cover within the 50ft. setback from the south property line is limited to 45%.
- 3. A 10ft. vegetative buffer shall be maintained along the south property line.
- 4. The minimum parking requirement on the Property shall be 0.5 spaces per unit above the minimum code requirement. Tandem parking spaces may only be counted as a half parking space to meet the minimum parking requirement on the Property.
- 5. Existing peak flow rate on the Property shall be reduced by at least 10.01 percent for proposed development or redevelopment that would exceed 45 percent impervious cover, as calculated on gross site area.
- 6. Vehicle trips are limited to 300 per day.

Staff is not opposed to the amended request.

### **COMMISSION RECOMMENDATION:**

May 12, 2015; Approved the Applicant's request for postponement to May 26, 2015 [R.

Hatfield / J. Nortey (8-0).

May 26, 2015; Approved MF-2-CO district zoning with conditions read into the record on

consent [S. OLIVER; J. NORTEY –  $2^{ND}$ ] (5-0) J. STEVENS, R. HATFIELD,

A. HERNANDEZ - ABSENT; J. SHIEH - NOT YET ARRIVED.

The subject property is mostly surrounded by multi-family and office developments with the exception of the single-family residential lots to the south, on Morgan Lane. The single family developments front Morgan Lane and back up to the subject property. The applicant is aware of compatibility requirements to the single-family properties. In reviewing the zoning request, Staff considered the density of existing multifamily developments in close proximity to the subject property. The section of Oak Run Apartments that is adjacent to the subject property has an approved density of 20 units per acre. The Four Park Place Apartment Homes, located on the opposite (east side) of Banister Lane and along the railroad track, has an approved density of 28 units per acre. Since the subject properties are surrounded by densities similar to what the applicant is proposing for this site, Staff is recommending MF-3 district zoning.

**ISSUES:** None at this time.

### **EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
Site	SF-3	2 residential homes
North	PUD	Oak Run Apartments
South	SF-3	single family homes
East	GR and GR-MU-CO	office building and transitional housing
West	PUD	Oak Run Apartments

<u>NEIGHBORHOOD PLANNING AREA</u>: South Lamar of the South Lamar Combined Neighborhood Planning Area

TIA or NTA: Not required

<u>WATERSHED</u>: West Bouldin Creek <u>DESIRED DEVELOPMENT ZONE</u>: Yes

CAPITOL VIEW CORRIDOR: No HILL COUNTRY ROADWAY: No

### **NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District	742
Austin Heritage Tree Foundation	1340
Perry Grid 614	1107
Friends of Emma Barrientos MACC	1447
Sierra Club, Austin Regional Group	1228
Austin Neighborhoods Council	511
South Central Coalition	498
The Real Estate Council of Austin, Inc.	1236
SEL Texas	1363
Preservation Austin	1424
South Lamar Neighborhood Assn.	926
Austin Parks Foundation	1113

# **SCHOOLS:** Galindo Elementary, Fulmore Middle, Travis High

# **CASE HISTORIES**:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-72-319 –	SF-3 (A) and		12/20/1973 – Apvd LO (O)
Charles Wolf	MF-3 (B) to LO		district zoning.
Estate &	(O)	2	
K.R.T., Inc.,			
4003-4017			
Banister Lane C814-75-006	SF-3 and MF-3		4/1/1076 A DITO 1:
- Oak Run	to PUD		4/1/1976 – Apvd PUD district zoning.
Rezoning,	10100		Zoning.
3706 – 3804	8		7
Southridge	<u>a</u>		
Drive		7	
C14-86-128 -	LO to GR	7/1/1986 – Remdd GR for bldg.	12/18/1986 – Apvd GR district
Two Park		footprint and LO for the	zoning.
Place, 4009		remainder of property.	
Banister Lane			
C14-05-	LO, GO, GR to	3/28/2006 – Remdd GR-MU.	4/27/2006 – Apvd GR-MU-CO
0197.SH –	GR-MU		combined district zoning; CO:
Ramada Inn		9	limit trips to 2,000 per day.
South, 1212			Prohibits Automotive rentals,
W Ben White			automotive sales, pawn shop
Boulevard			services, automotive repair
			services, automotive washing (of
C14-2008-	Tract 1: SF-3 to	5/27/2015 – Remdd NO-MU-CO	any type), and service station. 8/21/2008 – Apvd Tract 1: NO-
0082 – 1403	GO & Tract 2:	for Tract 1 and GO-CO for Tract	MU-CO and Tract 2: GO-CO.
Morgan,	LO to GO	2.	Tract 1: prohibit bed and
1403 and		TRACT 1 CO: prohibit bed and	breakfast (groups 1 &2), RC to
1503 Morgan		breakfast (groups 1 &2), RC to	rollback zoning to SF-3.
Lane		rollback zoning to SF-3 if	Tract 2: prohibits vehicular access
		current use ceases for 90 days.	to Morgan Lane and the following
		TRACT 2 CO: prohibits	uses: Bed & Breakfast (group 1 &
	0	vehicular access to Morgan Lane	2), administrative and business
		and the following uses: Bed &	office, art gallery, art workshop,
		Breakfast (group 1 & 2),	business or trade school, business
		administrative and business	support services, commercial off-
		office, art gallery, art workshop,	street parking, medical offices
		business or trade school,	(exceeding and not exceeding
	12	business support services,	5000 sq. ft.), personal services,
		commercial off-street parking, medical offices, personal	printing and publishing, professional office, restaurant
		services, printing and publishing,	(limited), software development,
		professional office, restaurant	special use historic, urban farm,
= =		(limited), software development,	club or lodge, college university
·	0	special use historic, urban farm,	services, communication service

		club or lodge, college university services, communication service facilities, community recreation (private & public), congregate living, convalescent services, counseling services, cultural services, guidance services, hospital services, private primary and secondary educational facilities, public primary and secondary educational facilities, residential treatment, and safety services.	facilities, community recreation (private & public), congregate living, convalescent services, counseling services, cultural services, guidance services, hospital services, private primary and secondary educational facilities, public primary educational facilities, residential treatment, and safety services.
C14-2010- 0005 – Athena School Haussmann, 1405 & 1409 Morgan Lane	SF-3 to GO-CO	2/9/2010 – Remdd NO-CO for Tract 1 and GO-CO for Tract 2. Tract 1 & 2 CO: vehicle trips limited to 2,000 per day.	3/11/2010 – Apvd NO-CO for Tract 1 and GO-CO for Tract 2. TRACT 1 CO: vehicular access to Morgan Lane is prohibited; a visual and sound buffer is required along Morgan Lane; bldg. height is restricted to 25 feet or one story; prohibited uses include bed and breakfast (group 1 & 2), administrative & business offices, art workshop, software development, counseling services, public primary educational facilities, art gallery, professional office, urban farm, family home, group home (class I, limited), safety services, public secondary educational facilities.  TRACT 2 CO: vehicular access to Morgan Lane is prohibited; a visual and sound buffer is required along Morgan Lane; prohibits uses: bed and breakfast (group 1 & 2), administrative & business offices, art workshop, software development, counseling services, public primary educational facilities, art gallery, professional office, urban farm, family home, group home (class I & class II), safety services, public secondary educational facilities, business support services, medical offices (exceeding & not exceeding 5,000 sq. ft.), business or trade school, communication services, personal services, convalescent services, cultural

	services, hospital services (limited), private secondary educational facilities, printing & publishing, congregate living, guidance services, local utility services.
4	

### **RELATED CASES:**

The southern tract of land in this zoning case is platted as the North One-half (163.88 FT) of Lots 17 & 18, Less the East 10.6 FT AV of the Resubdivision of a portion of Lots 17 & 18 of the Banister Heights Subdivision, recorded on September 22, 1952 (C8-1952-2075). Please refer to "Exhibit A".

The northern tract of land in this zoning case consists of 0.96 acres of un-platted property.

### **ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Banister Lane	70'	41'	Collector	5,510

**CITY COUNCIL DATE:** 

**ACTION**:

June 11, 2015:

**ORDINANCE READINGS: 1st** 

2<sup>nd</sup>

3<sup>rd</sup>

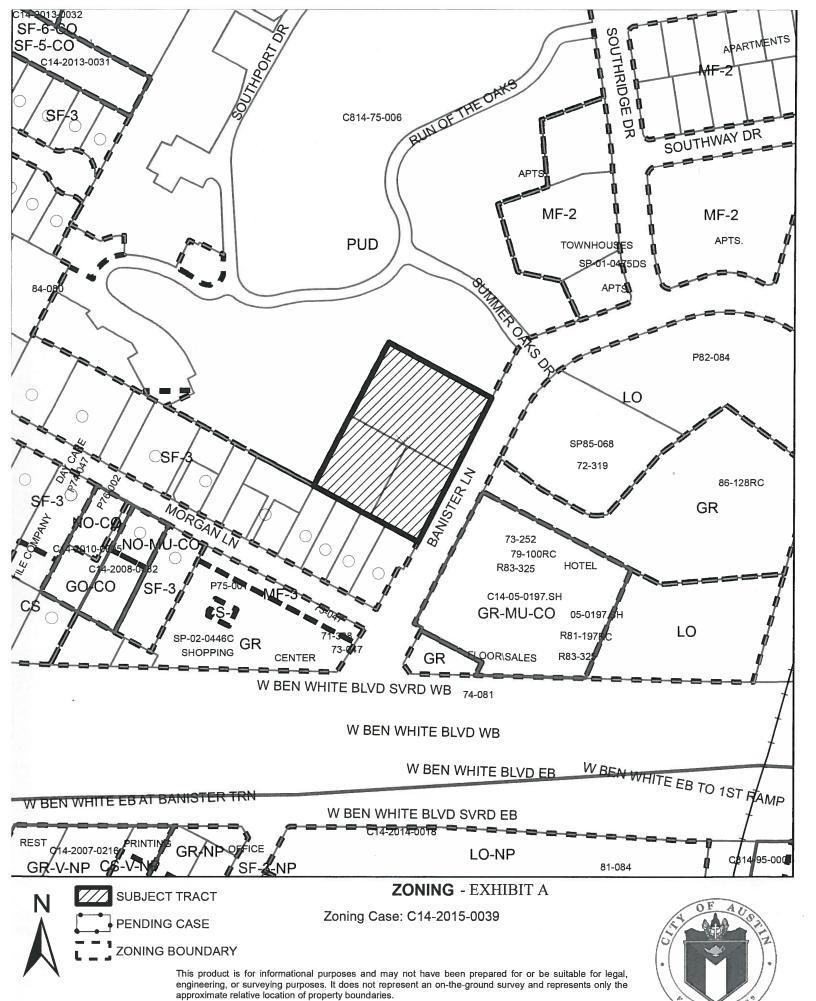
**ORDINANCE NUMBER:** 

**CASE MANAGER:** 

Tori Haase

**PHONE**: 512-974-7691

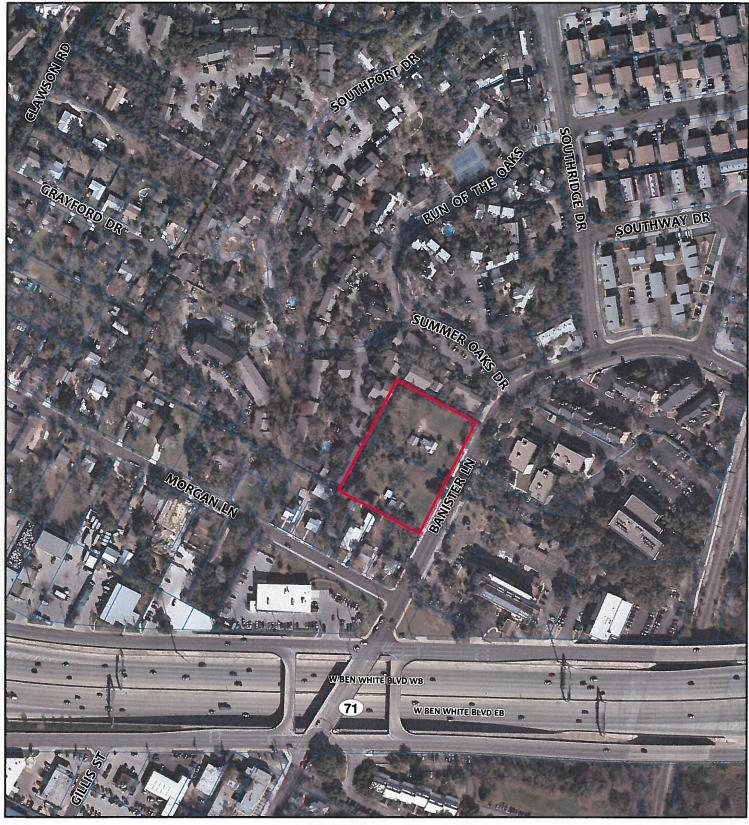
EMAIL: tori.haase@austintexas.gov



1 " = 200 '

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.

GNDED





1' = 400'

# **AERIAL MAP - EXHIBIT B**

ZONING CASE#: C14-2014-0039 ZONING CHANGE: SF-3 to MF-3

LOCATION: 4006 & 4100 Banister Lane

SUBJECT AREA: 1.873 ACRES MANAGER: TORI HAASE

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



### STAFF RECOMMENDATION

Staff recommends multifamily residence medium density – conditional overlay (MF-3-CO) combined district zoning. The conditional overlay will limit vehicle trips to 2,000 per day.

### BASIS FOR RECOMMENDATION

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

The MF-3 zoning district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multifamily use is desirable.

The subject properties are located on Banister Lane which is classified as a collector road that has a fair amount of travel by personal vehicles, bus transit, pedestrians and cyclists. There is a Capital Metro Bus Stop located directly across the street from the subject properties. The proposed development for this collective site includes up to 36 residential units per acre.

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

The subject properties are surrounded by a mixture of residential uses. The zoning change of MF-3 will promote compatibility by allowing additional residential development in close proximity to existing residential development.

3. Zoning should be consistent with approved and existing residential densities.

The maximum density of the MF-3 zoning is very similar to the existing densities of multifamily development in this area. The Oak Run Apartments to the north and west of the subject properties have a density of 20 units per acre. The Four Park Place Apartment Homes across the street and just north of the subject properties have a density of 28 units per acre. MF-3 district zoning allows for up to 36 units per acre. These densities are within close range of each other and are appropriate for this area on Banister Lane and closely located to Ben White Boulevard.

### **EXISTING CONDITIONS**

### Site Characteristics

The subject properties consist of two lots that total 1.87 acres. Each lot is developed with a small single-family residential structure and a detached garage/shed structure for a total of 4 structures. Both of the residential structures were built in the 1940's and are situated to face Banister Lane and have a very large setback from the road. The properties each have driveway access from Banister Lane. The remainder of the property is undeveloped and has numerous trees, shrubs and foliage towards the rear of the properties and at the dividing line between the two subject properties. According to topographical maps there is a 10 foot difference between the highest elevation and the lowest elevation on the site.

### Impervious Cover

The maximum impervious cover allowed by the MF-3 district zoning would be 65%.

### Comprehensive Planning

This property is located within the boundaries of the South Lamar Neighborhood Planning area, which does not have an adopted neighborhood plan.

### **Imagine Austin**

The property is located just outside the boundaries of an 'Activity Centers for Redevelopment in Sensitive Environmental Areas' as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan (IACP) but is not located within the Edwards Aquifer Recharge Zone.

Analyzing the comparative scale of the site relative to other nearby office and residential uses, and the project area not being located along an existing Activity Corridor or within an Activity Center as identified on the Imagine Austin Growth Concept Map, this case falls below the scope of Imagine Austin, which is broad in scope and consequently the plan is neutral on the proposed rezoning.

### Environmental – Mike McDougal, 512-974-6380

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

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

Numerous 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.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

### Transportation – Ivan Naranjo, 512-974-7649

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

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

There are existing sidewalks along Banister Lane.

Capital Metro bus service (Route No. 5) is available along Banister Lane.

Banister Lane is classified in the Bicycle Plan as Bike Route No. 31.

The Public Works Dept. may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

### Water and Wastewater – Bradley Barron, 512-972-0078

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

### Storm Water Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

### Site Plan and Compatibility Standards – Scott Grantham, 512-974-2942

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

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

The site is subject to compatibility standards. Along the south property line, the following standards apply:

No structure may be built within 25 feet of the property line.

No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

No parking or driveways are allowed within 25 feet of the property line.

A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.

An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property. Additional design regulations will be enforced at the time a site plan is submitted.

### C14-2015-0039 - 4100 & 4106 Banister Lane

Agreement of Conditions between Applicant and South Lamar Neighborhood Association

- (1) Rezone property from SF-3 to MF-2.
- (2)(a) Within a 50 foot buffer zone at the South edge of the Property, no habitable structures shall be built.
  - (b) Within a 50 foot buffer zone at the South edge of the Property, impervious cover shall not exceed 45 percent.
  - (c) Within a 10 foot buffer zone at the South edge of the Property, vegetative cover of trees or shrubs shall be maintained, even amidst droughty conditions.
- (3) The minimum parking requirement on the Property shall be 0.5 spaces per unit above the minimum code requirement. Tandem parking spaces may only be counted as a half parking space to meet the minimum parking requirement on the Property.
- (4) Existing peak flow rate on the Property shall be reduced by at least 10.01 percent for proposed development or redevelopment that would exceed 45 percent impervious cover, as calculated on gross site area.
- (5) Vehicle trips shall be limited to 300 per day.

[Note: Original Agreement signed by Peter Pevoto and Bruce Evans at 4 pm, 5-26-15]

### Haase, Victoria [Tori]

Subject:

FW: 4100 Banister

From: Peter Pevoto []

**Sent:** Tuesday, May 26, 2015 9:28 AM

**To:** Haase, Victoria [Tori] **Subject:** Fwd: 4100 Banister

Hi Tori, here is the email from the SLNA. We are agreeable to the change to MF-2 zoning for the sake of the neighborhood's compatibility concerns.

Sent from my iPhone

Begin forwarded message:

From: Bruce J Evans <

Date: May 24, 2015 at 6:09:36 PM CDT

To: Peter Pevoto <>

Subject: Re: 4100 Banister

### Peter:

After consideration by the SLNA zoning committee, we are glad to report that your proposal for MF-2 Zoning with a 50 ft. setback buffer against the SF3 lots is an acceptable basis for an agreed zoning, subject only to our further agreement on ancillary items to also be contained within a Conditional Overlay.

Although the N-S width of the buffer has shrunk during negotiations from about 167 ft. to 100 ft. to 70 ft. to 50 ft., this smaller width still seems acceptable if the buffer zone has sufficient "quality" from the viewpoint of the near neighbors, and as a precedent for future zoning cases. Therefore, we would ask that within the 50 ft. buffer width, the nearest 10 ft. to the SF3 neighbors be maintained as a "vegetative buffer", with retention of trees to provide a visual buffer for the neighbors. We would also ask that all Class 1 Protected or Heritage trees be preserved throughout these tracts. (Hopefully, these provisions will incorporate the trees that the neighbor Julie is concerned about.) We would also ask that the Impervious Cover within the 50 ft. buffer strip be held to the 45% threshold allowable for SF3 properties. (Ron Thrower can confirm that the detention pond should qualify as pervious cover, which should help.) These buffer quality provisions should assure the support of the nearest neighbors for this MF-2 zoning.

Finally, we would seek agreement on some minimum interior parking requirements, which should be in everyone's interest.

Our goal is to bring this agreed zoning to a final adoption by Council as soon as possible, and hopefully by the end of June, but with minimum confusion

attendant to revisions from the initial MF-3 zoning application. We do not wish the existing MF3 application to be the basis of PC action on May 26th, but we are uncertain whether they can instead recommend our MF-2 agreement, including the CO elements, in the absence of finalized paperwork documenting this. Therefore, one more PC postponement seems like the cleanest approach, if it is consistent with reaching the desired deadline for final action by Council.

Thank you for your engagement to seek a mutually acceptable zoning with our neighborhood. We also desire this sort of amicable outcome, and it is certainly welcomed by Council. As soon as you are back, let's get together to flesh out these final details.

**Bruce Evans and Bob Thompson SLNA Zoning Committee** 

Sent from my iPhone Bruce Evans

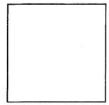
On May 22, 2015, at 5:55 PM, Peter Pevoto > wrote:

Hey Bruce,

We have decided to move forward with MF-2 Zoning with a 50ft setback from the SF-3 lots where no habitable structure can be built. MF-2 takes apartment rentals out of the equation unfortunately, so we will be going forward with for-sale condos. Our thought process on the 50ft is that it is the width of a standard infill lot in the City of Austin, and is actually double the required compatibility setback in the city code. It is also 242 ft deep, so it's over 12,000sf of an open space buffer from the SF-3 lots.

We hope you, Bob, Nancy and the rest of the neighborhood will find the proposal more than fair moving forward and this can be a good example of developers and neighborhoods working together to create developments that make sense with their surroundings and are a positive addition.

I'll be out of town this weekend, but available by phone and email, and will be in the office bright and early Tuesday. Would love to speak with you at some point to discuss how to handle the meeting Tuesday night...my thoughts are that I will speak first proposing our new compromise and either of you can follow if you choose to. Please let me know when you and Bob can talk more. Thanks and have a great holiday weekend!



# 2014 Inc. 500 Fastest Growing Companies in America

## **PETER PEVOTO**

Gossett Jones Homes, Inc. 1702-B West 6th Street | Austin, TX 78703 Office 512.308.3366 | Cell 512.771.2415 www.GJHLIFE.com

	¥	
i		
		like U

# PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

http://www.austintexas.gov/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.	Case Number: C14-2015-0039 Contact: Tori Haase, 512-974-7691 Public Hearing: May 12, 2015, Planning Commission June 11, 2015, City Council	Your Name (please print)  Your Name (please print)  On Morally Mark Mark Mark Mark Mark Mark Mark Mark	Your address(es) affected by this application  Your address(es) affected by this application  Signature  Signature  ON 6083	density hasing rued be happy to hove it		If you use this form to comment, it may be returned to:  City of Austin  Planning & Zoning Department-5 <sup>th</sup> Floor  Tori Haase  P. O. Box 1088
---	--	--	---	---	--	---

# PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

http://www.austintexas.gov/development.

I am in favor comments should include the board or commission's name, the scheduled Written comments must be submitted to the board or commission (or the date of the public hearing, and the Case Number and the contact person contact person listed on the notice) before or at a public hearing. Your 4-27-15 Date Public Hearing: May 12, 2015, Planning Commission If you use this form to comment, it may be returned to: June 11, 2015, City Council Your address(es) affected by this application Planning & Zoning Department-5th Floor Contact: Tori Haase, 512-974-7691 4006 BANISTER Case Number: C14-2015-0039 Signature Your Name (please print) Austin, TX 78767-8810 listed on the notice. Daytime Telephone: ARDL P. O. Box 1088 City of Austin Comments: Tori Haase

# Haase, Victoria [Tori]

Subject:

FW: C14-2015-0039

----Original Message-----

From: cwilson

Sent: Thursday, May 07, 2015 4:54 PM

To: Haase, Victoria [Tori] Subject: C14-2015-0039

Dear Tori:

I misplaced the official form you sent asking for input into C14-2015-0039, so I hope these comments in favor of rezoning 4100 and 4006 Banister Lane from MF-2 to MF-3 will suffice. Also, when I looked up the case number online, the only address listed was 4100 Banister. The application for rezoning to MF-3 pertains to both properties as reflected on the map.

4100 and 4006, located 3.9 miles from downtown Austin, meet the requirements for MF-3 zoning. Several features, such as: bus stops, bike lanes, and sidewalks, provide easy accessibility to many areas of Austin. A bus stop is located on one corner of each property. Residents will be able to bike, walk, or bus to downtown Austin, the nearby hospital, medical clinics, West Gate Mall, Central Market, Randall's, Target, Walmart, and other nearby commercial facilities. Traffic congestion and pollution will probably decrease because residents will be able to live in the area without depending on cars for transportation. Proximity to downtown Austin, transportation facilities, and employment opportunities make 4100 and 4006 ideal properties for MF-3 zoning.

Thank you for considering rezoning input and informing me of the important meetings on May 12 and June 11. If you have any questions, please contact me at 210-842-1914.

Respectfully,

Carol Wilson 4006 Banister Lane C14-2015-0039

Mailing address: 6806 N. Vandiver Rd. San Antonio, Texas 78209