

RESTRICTIVE COVENANT TERMINATION REVIEW SHEET

CASE: C14-86-120(RCT)
(Burnet Road RCT)

P.C. DATE: June 14, 2016

ADDRESS: 8315 Burnet Road

DISTRICT AREA: 7

OWNER/APPLICANT: 4222 S IH-35, Ltd.
(Jimbo Cotton)

AGENT: Alice Glasco Consulting
(Alice Glasco)

EXISTING ZONING: CS-1-NP

AREA: 0.0359 acres
(1,564 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff recommends the applicant's request to terminate the restrictive covenant to eliminate the restrictions placed upon the property in question.

PLANNING COMMISSION RECOMMENDATION:

6/14/16: Approved staff's recommendation to terminate the restrictive covenant by consent (11-0, J. Thompson and N. Zaragoza-absent); P. Seeger-1st, A. Pineyro De Hoyos-2nd.

DEPARTMENT COMMENTS:

The site under consideration is a vacant suite within an existing building that fronts onto Burnet Road. Burnet Road is defined as a major arterial roadway and an Activity Corridor as designated by the Growth Concept Map in the Imagine Austin Comprehensive Plan (IACP). In 1987, the City Council approved a rezoning of a 1,564 square foot portion of this structure from CS to CS-1. As part of the approval of Ordinance No. 870416-E, the Council signed a public restrictive covenant to 1) prohibit the sale of alcohol except when included within a gift basket and 2) prohibit the on-site consumption of alcohol. The applicant is requesting to terminate the public restrictive covenant for this property because they are seeking a conditional use permit at this location to develop a cocktail lounge use, a neighborhood bar called the Night Owl.

The staff recommends the applicant's request to terminate the restrictive covenant for this property because there is no longer a day care center that is located within this immediate area. The termination of this public restrictive covenant will allow for the sale of alcohol to be permitted on this site, which would be consistent with the current CS-1 zoning on the property and is compatible with the commercial land uses currently located to the north, south, and west of the site.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-1	Vacant Suite within Existing Building
<i>North</i>	CS-NP	Personal Services Use (Tip Top Cleaners), General Retail Sales-Convenience (Rock N Roll Rentals Sound & Lighting Equipment)
<i>South</i>	CS-NP	Retail Center (Vacant Suite, Shu Shu's Chinese and Asian Cuisine, Tattoo, Hot Lava Obstacle Course)
<i>East</i>	SF-3-NP	Duplex Residences
<i>West</i>	CS, CS-1-CO	Automotive Sales (Bill Munday North, Time Auto Sales)

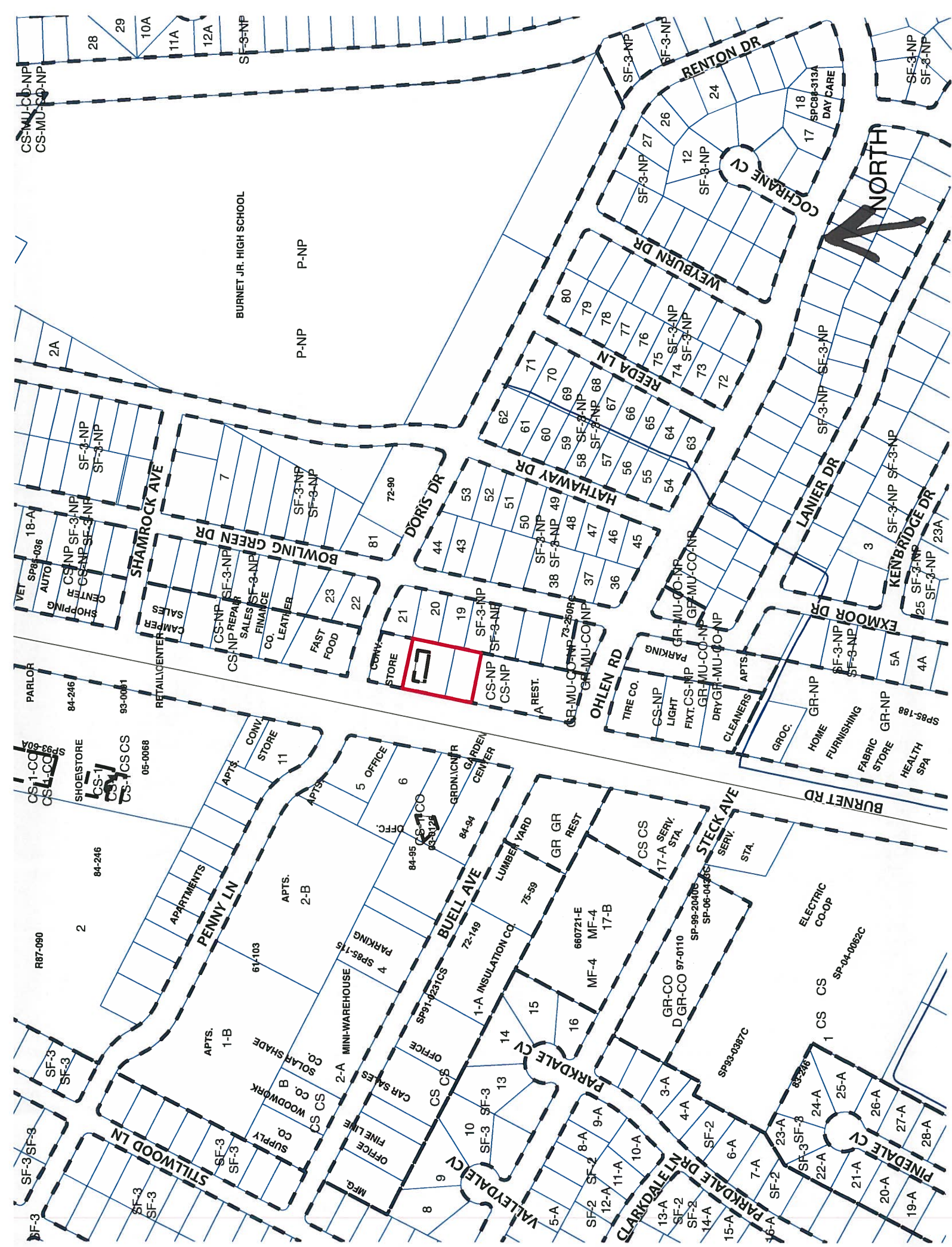
AREA STUDY: Crestview/Wooten Combined Neighborhood Planning Area**TIA:** N/A**WATERSHED:** Shoal Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

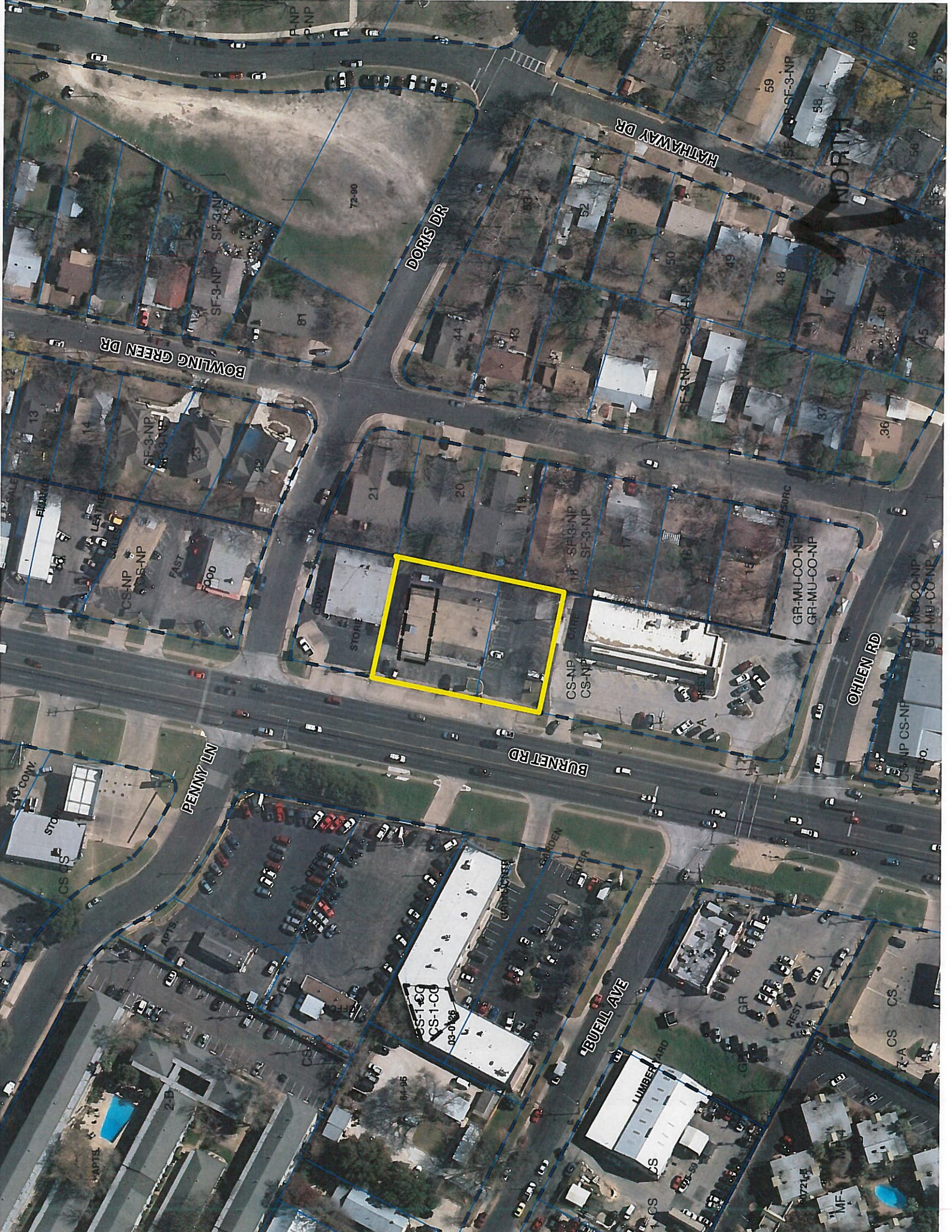
Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Friends of Austin Neighborhoods
 Friends of North Shoal Creek
 Homeless Neighborhood Association
 North Austin Neighborhood Alliance
 North Shoal Creek Neighborhood Association
 NW Austin Neighbors
 SELTEXAS
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group
 Sustainable Neighborhoods
 Wooten Neighborhood Association
 Wooten Neighborhood Plan Contact Team

CASE HISTORIES: Not Applicable within the Past Ten Years**RELATED CASES:** SPC-2016-0110A (Conditional Use Site Plan)**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	ADT
Burnet Road	Varies	MAD-4	Major Arterial	30,269

CITY COUNCIL DATE: June 23, 2016**ACTION:****CASE MANAGER:** Sherri Sirwaitis**PHONE:** 512-974-3057sherri.sirwaitis@austintexas.gov





ALICE GLASCO CONSULTING

May 16, 2016

Greg Guernsey, Director
Planning and Zoning Department
505 Barton Spring Road, Suite 500
Austin, Texas 78704

RE: Restrictive Covenant Termination Request for 8315 Burnet Road—C14-86-120(RCT)

Dear Greg:

I represent the property owner of the subject site in a request to terminate a restrictive covenant associated with zoning case number C14-86-120. The termination of the restrictive covenant (RC) would allow for the sale of alcohol for on-site and off-site consumption.

Background:

In 1987, under ordinance number 870416-E, the City Council rezoned approximately 1,564 square feet of an existing building from CS to CS-1. The purpose of CS-1 zoning was to allow the sale of alcohol as a part of a gift basket **ONLY**. In granting CS-1 zoning, the City Council in 1987, prohibited the sale of alcohol except when included within a basket and also prohibited on-site consumption of alcohol.

According to a 1986 staff report (on microfiche), the prohibition to sell alcohol for on-site and off-site consumption was due to the proximity of a commercial day care center to the area being rezoned (see attached zoning map).

Justification for RC Termination:

- A day care center no longer exists along this part of Burnet Road.
- The Wooten Neighborhood Association does not oppose the request to terminate the restrictive covenant after having met twice with the tenant who intends to open/operate a neighborhood cocktail lounge (see attached letter).
- A conditional use permit site plan is required for a cocktail lounge and is currently under review by the Development Services Department.

RE: Restrictive Covenant Termination Request for 8315 Burnet Road–C14-86-120(RCT

Recorded Restrictive Covenants:

According to Travis County records, two restrictive covenants were recorded as follows:

1. Volume 10587, pages 0381-0384 – executed on March 6, 1987, and filed on February 18, 1989.
2. Volume 10229, pages 0712-0714 – executed on April 13, 1987 and filed on May 4, 1987, but is missing Exhibit “A” - property description.

Note:

The difference between the two restrictive covenants is that the following sentence was added to the April 13th 1987 document: **No alcoholic beverage shall be sold for consumption on the premises.**

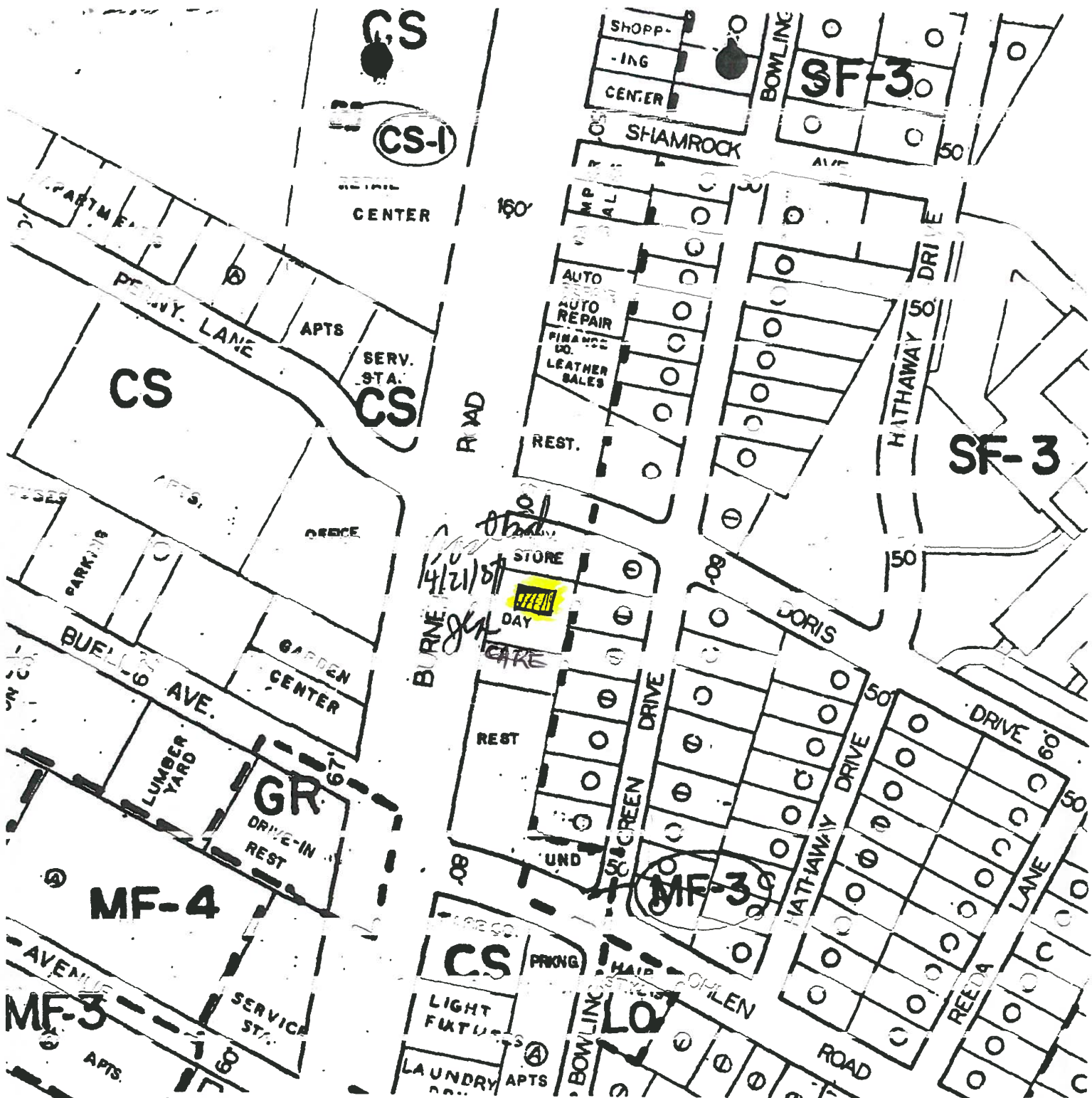
Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alice Glasco".

Alice Glasco, President
AG Consulting

Attachments



	NORTH	PENDING CASE	SUBJECT TRACT.....	GRID
		ZONING LINE.....	SUBJECT ACREAGE 0.3113	K-30
		CYCLE 7/86 INTLSGP	CASE NO: C14-86-120	



ORDINANCE NO. 870416-E

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2A OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS: 1564 SQUARE FEET OF LAND OR 0.0359 OF ONE ACRE OF LAND, BEING A PORTION OF LOT 7A, FRANK REEDERS RESUBDIVISION OF LOTS 7-9, DIXIE TERRACE, LOCALLY KNOWN AS 8315 BURNET ROAD, FROM "CS" COMMERCIAL SERVICES TO "CS-1" COMMERCIAL-LIQUOR SALES, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 13-2A of the Austin City Code of 1981 is hereby amended to change the base zoning district from "CS" Commercial Services to "CS-1" Commercial-Liquor Sales on the property described in File C14-86-120, as follows:

1564 square feet of land or 0.0359 of one acre of land, being a portion of Lot 7a, Frank Reeders Resubdivision of Lots 7-9, Dixie Terrace, a subdivision of a portion of the George W. Davis Survey No. 15, Abstract No. 217, in the City of Austin, Travis County, Texas, of record in Plat Book 14, Page 46, Travis County Plat Records, said Lot 7A having been conveyed in a deed from J. W. Savage to Charlie Christian in Volume 4533, Page 2241, Travis County Deed Records, said tract being more particularly described by metes and bounds in Exhibit "A," attached hereto and incorporated herein for all purposes; and,

locally known as 8315 Burnet Road in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the Zoning Map accompanying Chapter 13-2A of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

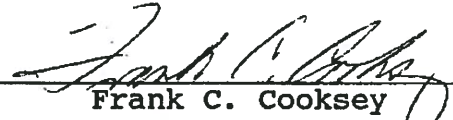
PART 3. The requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three (3) separate days shall be waived by the affirmative vote of five (5) members of the City Council to pass this ordinance through more than one reading on a single vote.

PART 4. This ordinance shall be effective ten (10) days following the date of its final passage.

PASSED AND APPROVED

April 16, 1987

§
§
§
§


Frank C. Cooksey
Mayor

APPROVED:



Barney L. Knight
City Attorney

ATTEST:


James E. Aldridge
City Clerk

16APR87
D-1-c-4
SJH/gv
Exhibit
086120

EXHIBIT "A"

Charlie Christian
Zoning Notes

FIELD NOTES

FIELD NOTES OF 1564 SQUARE FEET OF LAND OR 0.0359 OF ONE ACRE OF LAND, BEING A PORTION OF LOT 7A, FRANK REEDERS RESUB. OF LOTS 7-9, DIXIE TERRACE, A SUBDIVISION OF A PORTION OF THE GEORGE W. DAVIS SURVEY NO. 15, ABSTRACT NO. 217, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OF RECORD IN PLAT BOOK 14, PAGE 46, TRAVIS COUNTY PLAT RECORDS, SAID LOT 7A HAVING BEEN CONVEYED IN A DEED FROM J. W. SAVAGE TO CHARLIE CHRISTIAN IN VOLUME 4533, PAGE 2241, TRAVIS COUNTY DEED RECORDS, SAID 1564 SQUARE FEET OF LAND OR 0.0359 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing for reference at a point in the east line of Burnet Road at the southwest corner of Lot 9A and the northwest corner of Lot 7A, Frank Reeder's Resub. of Lots 7-9, Dixie Terrace, a subdivision of record in Plat Book 14, Page 46, Travis County Plat Records, said Lot 7A being conveyed in a deed from J. W. Savage to Charlie Christian in Volume 4533, Page 2241, Travis County Deed Records, and from which commencing corner, the northwest corner of said Lot 9A and the intersection of the east line of Burnet Road and the south line of Doris Drive bears N 14° 10' E 86.50 feet;

Thence S 75° 50' E 35.8 feet and S 14° 10' W 18.4 feet to the northwest corner of a brick and concrete block building for the BEGINNING and northwest corner of the herein described tract;

(1) THENCE with the north face of said building S 75° 50' E 68.5 feet to the northeast corner of said building for the northeast corner of the herein described tract;

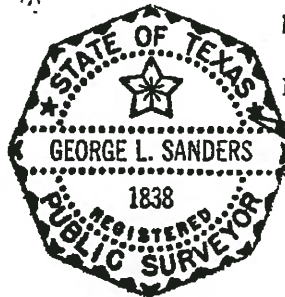
(2) THENCE with the east face of said building S 14° 10' W 22.83 feet to a point for the southeast corner of the herein described tract;

(3) THENCE with a line 22.83 feet distance from and parallel to the north face of said building N 75° 50' W 68.5 feet to a point in the west line of said building for the southwest corner of the herein described tract;

Charlie Christian
Zoning Notes - Page 2

(4) THENCE with the west face of said building, N 14° 10' E 22.83 feet to the BEGINNING corner of the herein described tract, containing 1564 square feet of land or 0.0359 of one acre of land.

Field Notes Prepared July 24, 1986 from public records and from a survey made January 16, 1974 by Clinton P. Rippey, Registered Public Surveyor No. 1453, and field verified by Metcalfe Engineering Company, Inc., on July 24, 1986.



METCALFE ENGINEERING COMPANY, INC.

By:

George L. Sanders
George L. Sanders
Registered Public Surveyor #1838
Austin, Texas

4FN86/86199.00

FILM CODE

00004332519

DOC. NO.

Zoning Case No. **C44-86-120**

00015286

RESTRICTIVE COVENANT

10:25 AM 1984

9.00 INOX
3 3 02/18/88

152.86-000+

THE STATE OF TEXAS))
))
COUNTY OF TRAVIS)) KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, CHARLES CHRISTIAN, of Bexar County, Texas, is
Owner of the following described property ("Property"):

All that certain tract, piece or parcel of land,
lying and being situated in the County of
Travis, State of Texas, described in Exhibit
"A" attached hereto and made a part hereof for all
purposes, to which reference is here made for a
more particular description of said property; (or
insert property description)

and,

WHEREAS, the City of Austin, Texas, and the Owner of
the Property have agreed that the Property should be
impressed with certain covenants and restrictions running
with the land, and desire to set forth such agreement in
writing;

NOW, THEREFORE, in consideration of One and No/100
Dollors (\$1.00) and other good and valuable consideration
paid by the City of Austin in hand to the Owner, the
receipt and sufficiency of which is acknowledged, the Owner
does hereby impress upon the Property, the following
covenants and conditions which shall be considered to be
covenants running with the land, and which shall be binding
on the Owner, his heirs, personal representatives, successors
and assigns, as follows:

1. No individual bottle or container of spirits,
liquor, beer, or wine shall be sold on the
premises except when included within a basket;
potpourri; medley; or gift assortment.

The foregoing notwithstanding, nothing herein
shall prohibit the delivery of cases or lots of
spirits, liquor, beer or wine stored upon the
premises to locations outside the premises.

2. If any person or entity shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law or in equity, against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this agreement or covenant shall be declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
4. If at any time the City of Austin, its successors or assigns, fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
5. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owner (s) of the Property at the time of such modification, amendment or termination.

EXECUTED this the 6th day of March, 1987

Charles Christian
(OWNER)
Charles Christian

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this day personally appeared CHARLES CHRISTIAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 6th day of March, 1987.

NOTARY SEAL

Carolyn G Ellis
Notary Public, State of
Texas

My Commission Expires:
6-13-89

CAROLYN G ELLIS
Typed or Printed Name of
Notary Public

EXHIBIT "A"

Charlie Christian
Zoning Notes

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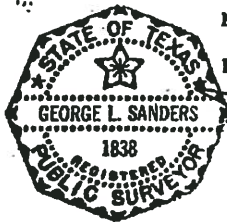
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METCALFE ENGINEERING COMPANY, INC.

By:

George L. Sanders
George L. Sanders
Registered Public Surveyor #1838
Austin, Texas

4FN86/86199.00

*After recording
please return to:*

CITY OF AUSTIN
DEPT. OF LAW
P. O. BOX 1088
AUSTIN, TEXAS 78767-8828

FILED

1988 FEB 18 AM 10:25

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me, and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

FEB 18 1988



Dana De Beauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

10587 0384

RESTRICTIVE COVENANT

4 22 3212

THE STATE OF TEXAS))
))
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insert property description)

and,

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impressed with certain covenants and restrictions running
with the land, and desire to set forth such agreement in
writing;

NOW, THEREFORE, in consideration of One and No/100
Dollors (\$1.00) and other good and valuable consideration
paid by the City of Austin in hand to the Owner, the
receipt and sufficiency of which is acknowledged, the Owner
does hereby impress upon the Property, the following
covenants and conditions which shall be considered to be
covenants running with the land, and which shall be binding
on the Owner, his heirs, personal representatives, successors
and assigns, as follows:

1. No individual bottle or container of spirits,
liquor, beer, or wine shall be sold on the
premises except when included within a basket;
potpourri; medley; or gift assortment. No alcoholic
beverage shall be sold for consumption on the
premises.

The foregoing notwithstanding, nothing herein
shall prohibit the delivery of cases or lots of
spirits, liquor, beer or wine stored upon the
premises to locations outside the premises.

2. If any person or entity shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law or in equity, against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this agreement or covenant shall be declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
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5. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owner (s) of the Property at the time of such modification, amendment or termination.

EXECUTED this the 13th day of April, 1987.

Charles Christian
(OWNER)

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this day personally appeared CHARLES CHRISTIAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this
13th day of April, 1987.

NOTARY SEAL

Carolyn G. Ellis
Notary Public, State of
Texas

My Commission Expires:
6-13-89

CAROLYN G. ELLIS
Typed or Printed Name of
Notary Public

After Recording, Please Return To,
CITY OF AUSTIN
DEPT. OF LAW
P. O. BOX 1088
AUSTIN, TEXAS 78767-8828

FILED

1987 MAY -4 PM 3:48

RECEIVED
MAY 4 1987

STATE OF TEXAS COUNTY OF TRAVIS

I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me, and
was duly RECORDED, in the Volume and Page of the
named RECORDS of TRAVIS County, Texas on

MAY 4 1987



COUNTY CLERK
TRAVIS COUNTY, TEXAS

Wooten Neighborhood Association
AUSTIN, TX

Dear Mayor Adler, Mayor Pro- Tem Tovo, City Council Members and Members of the Planning Commission

Date: May 10, 2016

Re: Termination of Restrictive Covenant for 8315 Burnet Road - C14-86-120

At its meeting of May 9, 2016, the Wooten Neighborhood Association voted not to oppose the termination of a restrictive covenant for 8315 Burnet Road that is associated with zoning case number C14-86-120.

It is our understanding that a portion (1,564 square feet) of the existing building was zoned from CS to CS-1 in 1986, but liquor sales for on- site or off- site consumption is prohibited via a city-enforced restrictive covenant. It is also our understanding that Danny's civil engineer has submitted a conditional use permit site plan (CUP) that is currently under review by the city.

Our neighborhood association has met twice now with the intended tenant of the space, Danny Parrott who would like to open a neighborhood bar – namely, Night Owl.

Please feel free to call me at (512) 522-4775 or email me at president@wootenna.com should you have any questions.

Sincerely,



Joel Simmons, President.
Wooten Neighborhood Association

Cc: Danny Parrott, Night Owl

Alice Glasco, AG Consulting Company

PUBLIC HEARING INFORMATION

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

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

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

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

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

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: C14-86-120(RCT)

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jun 14, 2016, Planning Commission

Jun 23, 2016, City Council

John Mign
Your Name (please print)

8312 Bowdoin Green
Your address(es) affected by this application

[Signature] 6/1/16
Signature Date

Daytime Telephone: 512-660-6616

Comments: Zoning is in place for a reason & there is no reason to change it so one person can gain at the expense of the neighborhood.

Please do not give in.

Thank you.

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

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: Jun 14, 2016, Planning Commission
 Jun 23, 2016, City Council**

Jane M. J.
 Your Name (please print)

☐ I am in favor
☒ I object

8310 Bowling Green
 Your address(es) affected by this application

[Signature]
 Signature

6/1/16
 Date

Daytime Telephone: 512-660-6616

Comments: No need to change zoning for one persons garage & destroy a long time neighborhood.

Please stand up for old Austin.

Thank you,

[Signature]

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

City of Austin
 Planning & Zoning Department
 Sherri Sirwaitis
 P. O. Box 1088
 Austin, TX 78767-8810

INFORMACIÓN DE AUDIENCIA PÚBLICA

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Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*: www.austintexas.gov/planning.

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Numero de caso: C14-86-120(RCT)
Persona designada: Sherri Sirwaitis, 512-974-3057
Audiencia Publica: Jun 14, 2016, Planning Commission
Jun 23, 2016, City Council

Su nombre (en letra de molde)

☐ I am in favor
☐ I object

Su domicilio(s) afectado(s) por esta solicitud

Firma

Fecha

Daytime Telephone: _____

Comments: _____

Si usted usa esta forma para proveer comentarios, puede retornarlos :

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Numero de caso: C14-86-120(RCT)

Persona designada: Sherri Sirwaitis, 512-974-3057

**Audiencia Publica: Jun 14, 2016, Planning Commission
Jun 23, 2016, City Council**

Su nombre (en letra de molde)

☐ I am in favor
☒ I object

Su domicilio(s) afectado(s) por esta solicitud

Don J. Jackson 6-6-16

Firma

Fecha

Daytime Telephone: 512 454 0976

Comments:

*I own 8231 Burnet which
I might want back to a church
as it was for 11 years 2000
to 2011. I won sales are
not appropriate for this
neighborhood and should be
restructured to light commercial
schools churches and residential
and not sales with no liquor
and sales.*

Si usted usa esta forma para proveer comentarios, puede retornarlos :

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Numero de caso: C14-86-120(RCT)

Persona designada: Sherri Sirwaitis, 512-974-3057

Audiencia Publica: Jun 14, 2016, Planning Commission

Jun 23, 2016, City Council

Don J. Jackson
Su nombre (en letra de molde)

☐ I am in favor
☒ I object

X 8425 Burnet Rd

Su domicilio(s) afectado(s) por esta solicitud

Don J. Jackson

Firma

Fecha

512-454 0476

Daytime Telephone:

512-7512386

Comments: *I own 2 properties on Burnet close to 8315 Burnet. 8425 Burnet Rd at one time was a after school location before it was a garage for mechanics work. When sales are not appropriate for this neighborhood it should be limited to light commercial, service locations schools churches and residential and restaurants with no liquor and*

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

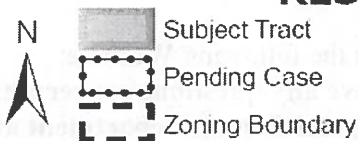
P. O. Box 1088

Austin, TX 78767-8810



RESTRICTIVE COVENANT TERMINATION

Case#: C14-86-120(RCT)



0 200 Feet

1" = 200'

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 the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 5/27/2016

PUBLIC HEARING INFORMATION

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

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

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

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

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

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: C14-86-120(RCT)
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: Jun 14, 2016, Planning Commission
Jun 23, 2016, City Council

Renee Martinez
Your Name (please print)

8404 Bowling Green Dr
Your address(es) affected by this application

Renee Martinez
Signature

6/8/16
Date

Daytime Telephone: 512-743-8993

Comments: Not enough parking on site, which
overflows to street parking on Bowling Green.
Already have parking issues due to
town homes located at Davis + Bowling Green.

Liquor sales affect parking and if there is only 32 parking spaces on site, which Unit D as a maximum capacity of 50 people, where are the other customers will park since the site will not be able to accommodate more vehicles?

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Case Number: C14-86-120(RCT)

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jun 14, 2016, Planning Commission

Jun 23, 2016, City Council

MARILYN ROGERS

Your Name (please print)

8309 BOWLING GREEN DR,

Your address(es) affected by this application

Marilyn Rogers

Signature

6/20/16

Date

Daytime Telephone: 512-451-9335

Comments: _____

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

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-86-120(RCT)

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: Jun 14, 2016, Planning Commission
Jun 23, 2016, City Council**

Steve Rogers
Your Name (please print)

8309 Bowling Green Dr.

Your address(es) affected by this application

Steven W. Rogers

Signature

6/10/2016
Date

Daytime Telephone: 512-451-9335

Comments: We will welcome a well
run pub on our street. The
restrictive covenant was
ill conceived and is quite
dated. Prohibition was
repealed.

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