

## ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0048 – The Avalon N Holdings, LLC

DISTRICT: 5

ZONING FROM: SF-2

TO: CS-CO, as amended

ADDRESS: 9606 Swansons Ranch Road

SITE AREA: 0.4949 acres (21,557 square feet)

PROPERTY OWNER: The Avalon  
N Holdings, LLC (John Luke Sanchez)

AGENT: Moncada Enterprises, LLC  
(Phil Moncada)

CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))

### STAFF RECOMMENDATION:

**The Staff recommendation is to grant limited office – mixed use (LO-MU) district zoning.** *For a summary of the basis of Staff's recommendation, see case manager comments.*

### ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**May 21, 2019: APPROVED CS-CO DISTRICT ZONING WITH –CO FOR EXTENSIVE LIST OF PROHIBITED USES, AS OFFERED BY THE APPLICANT, AND ADDING ADULT-ORIENTED BUSINESSES AS A PROHIBITED USE**

**[B. EVANS; A. TATKOW – 2<sup>ND</sup>] (7-1) A. DENKLER – NAY; D. KING – ABSTAINED; N. BARRERA-RAMIREZ – ABSENT; 1 VACANCY ON THE COMMISSION**

### CITY COUNCIL ACTION:

**June 20, 2019:**

### ORDINANCE NUMBER:

### ISSUES:

The Applicant would like to discuss the Staff's recommendation with the Zoning and Platting Commission. Correspondence in support of the Applicant's rezoning request is attached.

On May 6, 2019, the Applicant amended the rezoning request from the LI, limited industrial services district to CS, general commercial services.

On November 2, 2016, a Code Department investigation resulted in a citation to the owner regarding improper zoning and commercial construction performed without required permits, including the addition of a canopy, windows and door, and lighting canisters (CV-2016-135412). After the Notice of Violation was issued, the Owner contracted with a firm to prepare an operational history of the property in order to determine if commercial use could

be established prior to annexation. Please refer to Exhibit E. The rezoning case was filed on February 27, 2019.

#### CASE MANAGER COMMENTS:

The subject rezoning area consists of one platted lot that has frontage on both Swansons Ranch Road and Bilbrook Place, and is zoned single family residence – standard lot (SF-2) district. The property has driveway access to Swansons Ranch Road and contains the Owner’s construction sales and service business and an automotive repair business run by an unrelated individual. Swansons Ranch Road is a local street that is developed with a mixture of single family residences, office and commercial uses, including a day spa (SF-2) and office (LO-CO) at the intersection with West Slaughter Lane, a roofing / general contractor company (GO-CO), a former automotive repair business (SF-2, grandfathered), and a warehouse for solid waste services company (RR). The property has a driveway apron to Bilbrook Place, although it is seldom used. There are also several single family residences on Swansons Ranch Road (SF-2). On Bilbrook Place to the west, there is undeveloped land and a church (LR; SF-6-CO).

The property was annexed into the City in November 1984 and zoning maps from the mid- and late 1980s suggest that some of the commercial uses on Swansons Ranch Road were in operation prior to annexation, and therefore, are considered legal uses. According to telephone directories, the subject property was occupied by a gunsmithing business in the mid-to-late 1970s, and a seafood handling operation in 1985. The City issued commercial building permits for installation of walk-in coolers, a grease trap and mop sink, and related electrical work for the seafood business in 1985, although it is unknown if rezoning to a commercial district was identified as a necessary process at that time. The auto repair business has occupied the property since 1990. Sale of the property to the current Owner occurred in July 2015 and purchase records indicated it was a commercial property.

Given the existing construction sales and services and auto repair businesses on the property, the Applicant proposes to rezone the lot to the general commercial services – conditional overlay (CS-CO) district, in order to bring the existing uses into conformance with the zoning district that allows these uses. The Applicant’s proposed –CO is for an extensive list of prohibited residential, commercial, industrial and civic uses, as shown at the very back of this packet.

#### BASIS FOR RECOMMENDATION

The CS zoning district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities. The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

Although Swansons Ranch Road contains both residential and commercial uses, a request for CS zoning is not recommended by Staff on the basis that it would introduce intensive

commercial zoning on a local street. To this end, Staff is unable to recommend the Applicant's request for CS-CO, because the zoning and type of development, associated activities, including truck traffic and vehicle trip generation for auto repair and construction sales and services uses are incompatible with the surrounding residences on Swansons Ranch Road.

Another basis for Staff recommendation is that any commercial uses which can be proven to have existed prior to annexation would be considered a non-conforming use. A commercial use (the seafood handling operation) was located on the property shortly after annexation and would have needed commercial zoning at that time.

Moreover, the Swansons Ranchettes subdivision that contains the lot proposed for rezoning was originally platted for residential development, and proposes some challenges in order to redevelop with commercial uses. If CS zoning is granted, this site will have to comply with CS site development standards, which includes a 25 feet setback from SF-6 or more restrictive district and any single family residence.

As an alternative, the Staff recommends LO-MU, limited office – mixed use zoning which is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods. The subject lot is adjacent to a neighborhood that still has a number of single family residences. An office use would potentially serve the surrounding neighborhoods and the mixed use component would allow for residential use on the property. The mixed use (MU) district is intended to allow for residential uses to be combined with office uses in a single development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Construction sales and services; Auto repair
<i>North</i>	SF-2	Undeveloped; Day spa; Professional office
<i>South</i>	SF-2; NO-MU; SF-1	A few single family residences; Wood flooring company; Undeveloped
<i>East</i>	LO-CO; SF-2; GO-CO; RR	Office; Manufactured home; Roofing / Contractor's office; Four single family residences; Plumbing company (vacant); Warehouse
<i>West</i>	LR; CS-1; SF-6-CO	Undeveloped; Service station; Church

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Is not required

WATERSHED: Slaughter Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Casey Elementary School   Paredes Middle School   Akins High School

NEIGHBORHOOD ORGANIZATIONS:

242 – Slaughter Lane Neighborhood Association  
 360 – Texas Oaks South Neighborhood Association  
 511 – Austin Neighborhoods Council      627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District      1228 – Sierra Club, Austin Regional Group  
 1363 – SEL Texas      1424 – Preservation Austin  
 1528 – Bike Austin      1530 – Friends of Austin Neighborhoods  
 1531 – South Austin Neighborhood Alliance      1550 – Homeless Neighborhood Organization  
 1578 – South Park Neighbors      1616 – Neighborhood Empowerment Foundation

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0098 – Apogee Workshop – 9704 Swansons Ranch Rd	SF-1 to NO-MU	To Grant	Apvd (12-17-2009).
C14-2008-0052 – TJG – Swansons Ranch Road – 9609 Swansons Ranch Rd	SF-2 to CS	To Grant GO-CO w/CO for personal services use and all NO uses and dev't regs, parking to be located offsite, 150 trips per day and conditions of NTA. Encourage Applicant to petition City for no parking signs on David Moore Rd	Apvd GO-CO w/ Restrictive Covenant for the NTA, as Commission recommended (1-15-2009).
C14-95-0121 – City of Austin-City Initiated – 9702 – 9800 Block of Swansons Ranch Rd	DR; SF-2 to RR; SF-1	To Grant RR; SF-1; SF-2	Apvd RR; SF-1 (11-16-1995).
C14-95-0122 – City of Austin-City Initiated – 9600 – 9899 Block of Swansons Ranch Rd	DR; SF-2 to RR; SF-1	To Grant RR; SF-1; SF-2	Apvd RR; SF-1; and Tract 1 stays SF-2 (11-16-1995).
C14-99-0063 – Shirell and Lois Hipp Zoning Change – 1303	SF-2 to LO	To Grant LO-CO, w/conditions	Apvd LO-CO w/CO prohibiting access to Slaughter Lane (8-19-1999).

West Slaughter Ln			
C14-00-2098 – Blackhawk Apartments – 1200 West Slaughter Ln	SF-1 to MF-1- CO and LR-CO	To Grant MF-1-CO and LR-CO, w/conditions	Apvd MF-1-CO and LR-CO, with CO for Traffic Impact Analysis; 13.24 u.p.a. (300 units); 15’ vegetative buffer along David Moore Rd; list of prohibited uses (1-25-2001).
C14-00-2111 – Solera 1200 Block of West Slaughter Ln	DR to MF-3	To Grant MF-2-CO w/conditions	Approved MF-2-CO with CO for 12.18 u.p.a. and conditions of Traffic Impact Analysis (10-26-2000).
C14-00-2189 – Wattinger Acres – 1218 West Slaughter Lane	DR to W/LO	To Grant W/LO-CO w/conditions	Approved W/LO-CO with CO for 2,000 trips (1-18-2001).
C14-00-2242 – Swanson’s Crossing Retail – 1216-1400 West Slaughter Ln	DR to LR	To Grant LR-CO w/conditions	Apvd LR-CO w/CO for 2,000 trips (2-15-2001).

RELATED CASES:

The property is platted as Lot B of the Resubdivision of Lot 1 and the South 100’ of Lot 2, Swanson’s Ranchettes No. 2, recorded in September 1975 (C8s-75-114). Please refer to Exhibit B.

The property was annexed into the City limits on November 15, 1984.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Swansons Ranch Road	60 feet	20 feet	Local	No	None exist / recommended	Rt. 10 – South 1st Street
Bilbrook Place	70 feet	40 feet	Collector	No	Wide curbs exist / recommended	No

Capital Metro bus service (Routes No. 3, 318) is available along West Slaughter Lane.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in 2014, a Bike Lane has been recommended for Bilbrook Place.

### OTHER STAFF COMMENTS:

#### Comprehensive Planning

This rezoning case is located on the west side of Swansons Ranch Road, on a 0.495 acre parcel, which contains an auto body shop and a warehouse. The subject property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include a day spa with an outdoor pool, a food trailer, retail uses, a large single family subdivision and undeveloped land to the north; to the south is an office, single family housing, and an outdoor auto wrecking yard; to the east is single family housing; undeveloped land, and a large apartment complex; and to the west is undeveloped land, an oil change center, single family housing, and a convenience storage facility. The request is to rezone the property to an industrial zoning classification and acknowledge the existing warehouse and auto body shop on the site.

#### **Connectivity**

There are no public sidewalks on Swansons Ranch Road. However, the property is located less than 250 ft. south of Slaughter Lane, which has public sidewalks and bike lanes on both sides of the street. A CapMetro transit stop is located less than 300 ft. away from the subject property. The property is located 2,300 ft. from a shopping center with a grocery store. The Walkscore for this site is 39/100, Car Dependent Walkable, meaning most errands require a car.

#### **Imagine Austin**

The property is located within the boundaries of ‘**Slaughter Lane Station Neighborhood Center**’ and 250 ft. feet off an ‘**Activity Corridor**’, on Slaughter Lane as identified on the Imagine Austin’s Growth Concept Map. A Neighborhood Center is intended to have a more local focus, businesses and services (doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses) will generally serve the center and surrounding neighborhoods. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following IACP policies are also relevant to this case:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

By its very definition, a Neighborhood Center is intended to support residential, commercial, mixed use and civic uses, and have a local focus. Conversely, industrial uses and industrially zoned properties are reserved for manufacturing and related uses but are generally not compatible with other areas with a lower intensity use, including residential uses. The Imagine Austin Comprehensive Plan supports locating office/warehouse uses and other light industrial uses in Job Centers, but not within Neighborhood Centers, therefore this rezoning request does not appear to support the Comprehensive Plan.

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

The maximum impervious cover allowed by the CS zoning district would be 80%, which is based on the more restrictive zoning regulations.

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.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

### Site Plan and Compatibility Standards

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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

The site is subject to compatibility standards due to adjacency to SF-1 zoned properties to the north and south. 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, height limitation is 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 property in an SF-5 or more restrictive zoning district.

#### Scenic Roadways

This site is within the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations. Contact Cierra Flores at 512-974-2612 for more information.

#### Transportation

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

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

A neighborhood traffic analysis may be required in the future if the site is redeveloped such that the projected number of vehicle trips generated exceeds the vehicle trips per day generated by the current existing land uses by at least 300 vehicle trips per day.



Austin Water Utility

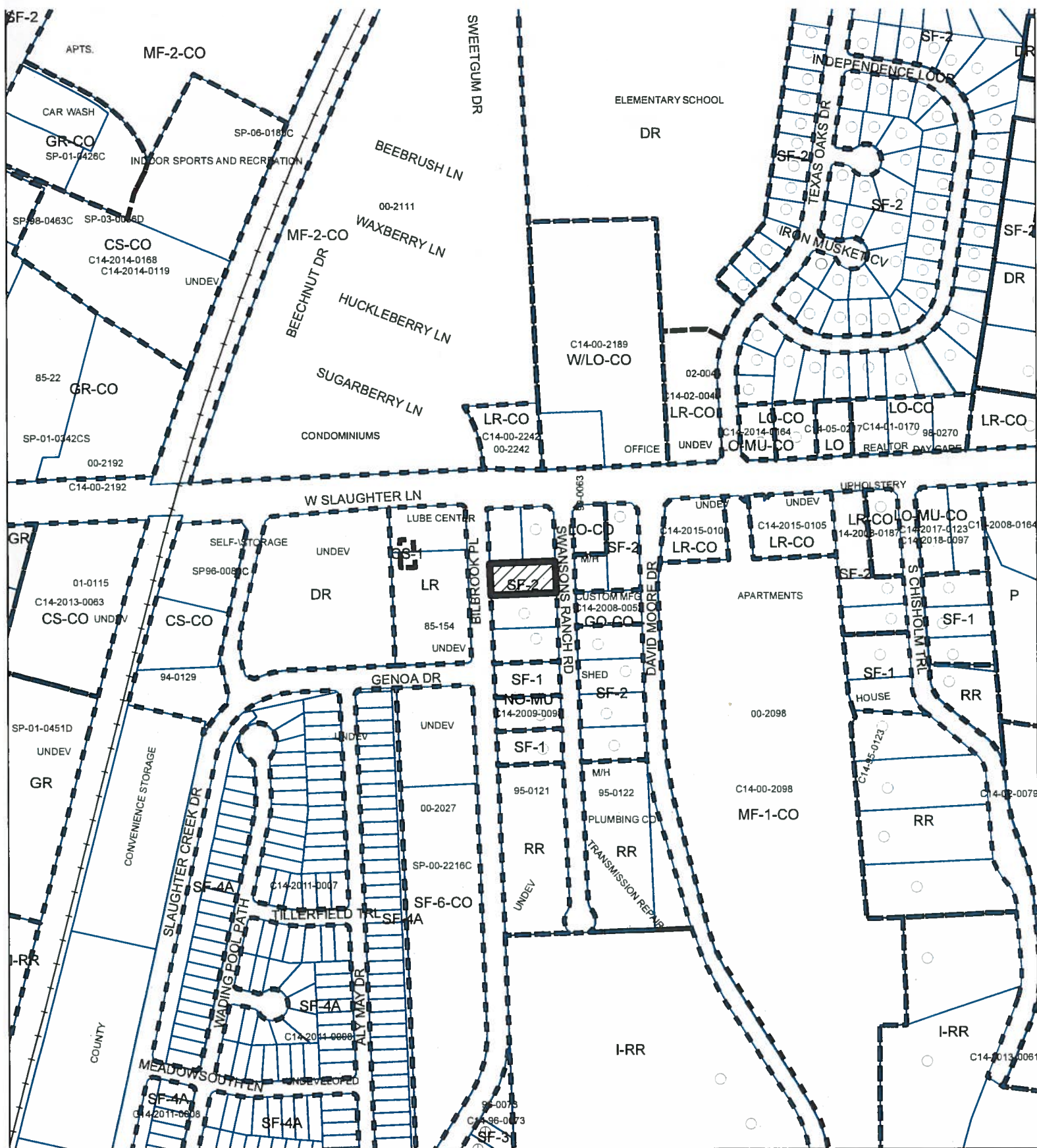
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water 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.

**INDEX OF EXHIBITS TO FOLLOW**

- A: Zoning Map
- A-1: Aerial Map
- B: Recorded Plat
- C: Survey of Property
- D: Code Violation Correspondence
- E: Site Background / Operating History
- F: Correspondence from Nearby Property Owners



# ZONING

ZONING CASE#: C14-2019-0048

EXHIBIT A



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

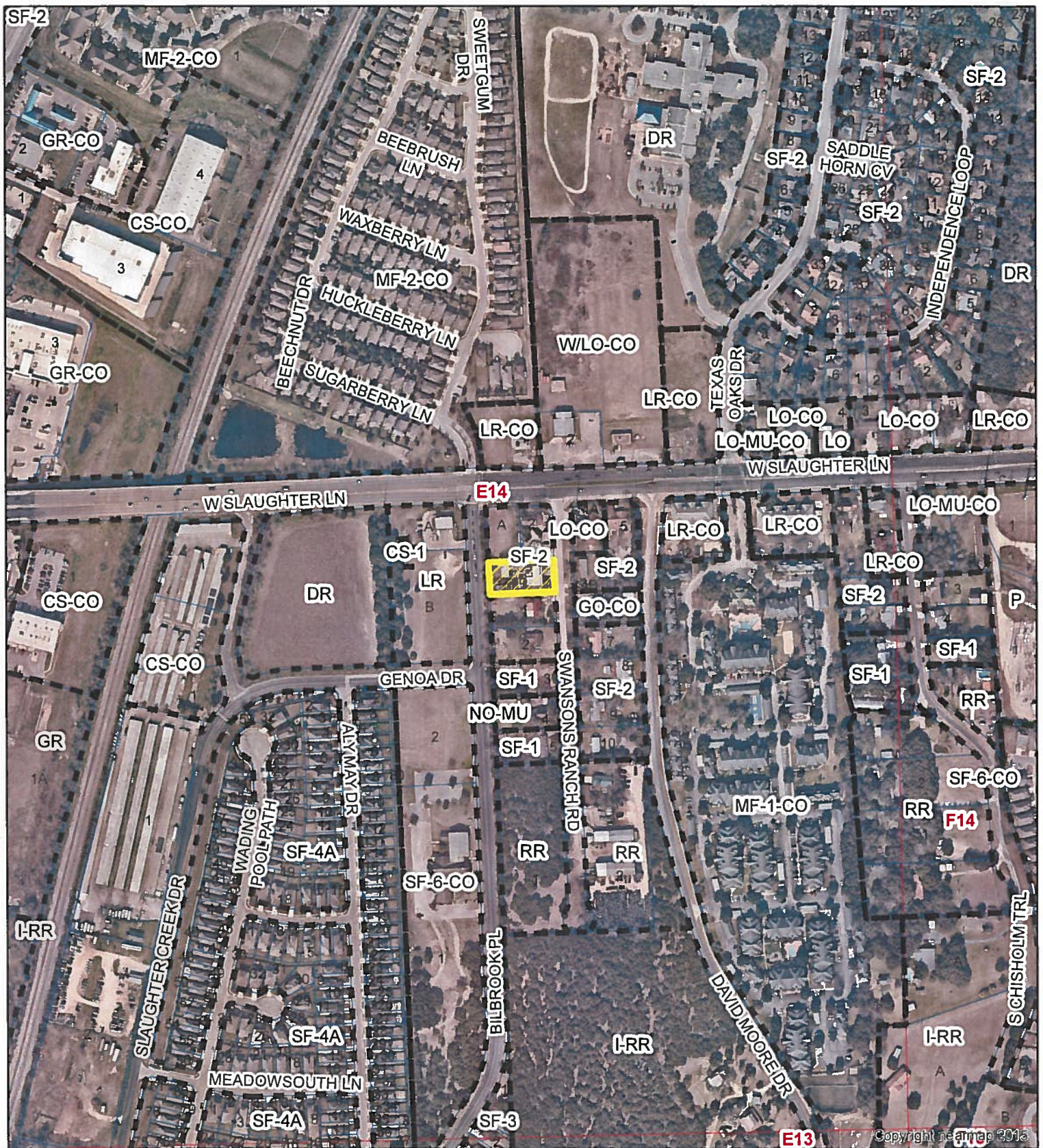
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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



Created: 3/4/2019





1" = 400'

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY
- CREEK BUFFER

## THE AVALON N HOLDINGS LLC

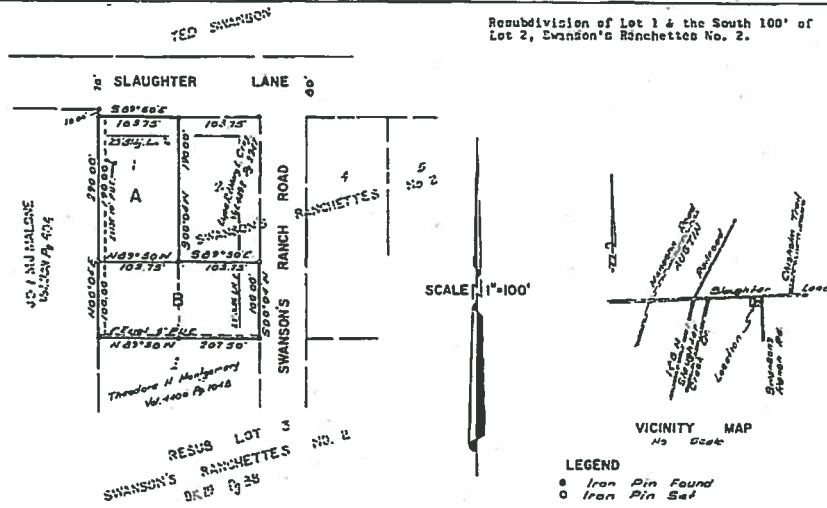
ZONING CASE#: C14-2019-0048  
 LOCATION: 9606 SWANSONS RANCH ROAD  
 SUBJECT AREA: 0.495 ACRES  
 GRID: E14  
 MANAGER: WENDY RHOADES

*Exhibit A-1*



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.





State of Texas,  
County of Travis:

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, being the owners of Lot 1 and the South 100' of Lot 2, Swanson's Ranchettes No. 2, located in Travis County, Texas, as recorded in Book 17, Page 28 of the Plat Records of Travis County, Texas, do hereby re-subdivide said lots in accordance with the attached Plat, to be known as the Resubdivision of Lot 1 and the South 100' of Lot 2, Swanson's Ranchettes No. 2, and do hereby dedicate the streets and easements as shown hereon.

Witness our hands, the date is, shown below.

Jack G. Gibson 6-6-75 Jose L. Gutierrez 6-6-75  
Date Date

before me, the undersigned authority, on this day personally appeared Jack G. Gibson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and considerations therein expressed.

before me, the undersigned authority, on this day personally appeared Jose L. Gutierrez, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and considerations therein expressed.

Witness my hand and seal this the 6th day of June, 1975 A.D.

Witness my hand and seal this the 6th day of June, 1975 A.D.

Celia M. Segura  
Notary Public in and for Travis County, Texas

Celia M. Segura  
Notary Public in and for Travis County, Texas

Approved for acceptance: By Richard S. Ellis Director of Planning, this the 11 day of August, 1975 A.D.

Accepted and Authorized for Record: By the Planning Commission of the City of Austin, this the 11 day of August, 1975 A.D.

Filed for Record: At 12:50 o'clock P.M., the 8 day of Sept, 1975 A.D.  
Doris Shropshire, Clerk, County Court, Travis County, Texas.

By: Leanne Smith Deputy

State of Texas,  
County of Travis:

I, Doris Shropshire, Clerk of County Court, within and for the County and State aforesaid do hereby certify that the within instrument of writing with its certificate of authentication was filed for record in my office on the 8 day of Sept, 1975 at 12:50 o'clock P.M., and was duly recorded on the 8 day of Sept, 1975 A.D. at 1 o'clock P.M. in Book 73, Page 21.

Witness my hand and seal of the Court of the said County the last date written above.  
Doris Shropshire, Clerk, County Court, Travis County, Texas By: Leanne Smith Deputy



Approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the dedication of all streets, roads, or other public thoroughfares delineated and shown on this plat, and the creation and subsequent maintenance of such streets, roads, or other public thoroughfares or in connection therewith shall be the responsibility of the owner and/or the developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and the Commissioners Court assumes no obligation to maintain such streets, roads, or other public thoroughfares shown on this plat or of constructing any bridges or culverts in connection therewith.

RESOLUTION: (1) No lot in this subdivision shall be occupied until water satisfactory for human consumption is available.

It is resolved by the Commissioners Court of Travis County, Texas, that the acceptance for maintenance by Travis County, Texas, of the roads or streets in real-estate subdivisions does not obligate the county to install street lighting signs, as this is considered to be a part of the developers' construction; but that certain signs for traffic control, such as for speed limits and Stop & Yield signs, shall remain the responsibility of the county.

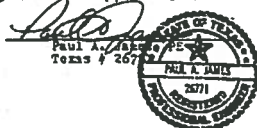
NOTE OF FILED: I, Doris Shropshire, County Clerk of Travis County, Texas, do hereby certify that on the 8 day of Sept, 1975, A.D., the Commissioners Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said Court in Book 73 and Page 40.

At 11:00 o'clock A.M., the 8 day of Sept, 1975, A.D.

Doris Shropshire, County Clerk, Travis County, Texas.

By Deputy Leanne Smith

This is to certify that the Austin City Code 23.27 of 1954 has been complied with.



NOTE: This Subdivision has been approved by the Austin, Travis County Health Department for 2 lots which will be served by septic tanks.

H.E. Hargis P.E.  
P.E. Austin, Travis County Health Dept.

Date: 6/5/75

EXHIBIT B  
RECORDED PLAT

CUL

CB-75-114

20' 0 20'

BILBROOK PLACE

25.0' CURB CUT

CURB

(N 00°04'00" W 100.00')  
N 00°13'37" W 100.21'

LOT B

LOT A

LOT 1, RESUBDIVISION OF LOT 3, SWANSON'S RANCHETTES NO.2, BOOK 19, PAGE 38

N 89°56'17" E 207.22'  
(N 89°50'00" E 207.50')

N 89°57'37" E 207.77'  
(N 89°50'00" E 207.50')

NORTH 190' OF LOT 2,  
SWANSON'S RANCHETTES NO.2,  
BOOK 17, PAGE 88

LOT 1  
LOT 2

FROM A 1/2" REBAR FOUND AT THE  
PROPERTY CORNER, ANOTHER 1/2" REBAR  
FOUND BEARS N 15°29'31" E 1.50'

(BEARING BASIS)  
CM-TO-CM  
S 00°04'38" W 207.54' (207.50')

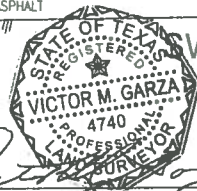
N 00°04'08" E 107.41'  
(N 00°04'00" E 107.50')

S 00°05'09" E 100.13'  
(S 00°04'00" E 100.00')

LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- 600 NAL FOUND
- 600 NAL SET
- CAPPED REBAR FOUND
- "X" SET IN CONCRETE
- "X" FOUND IN CONCRETE
- SPINDLE FOUND
- PUNCH HOLE FOUND
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- BREAK-IN-SCALE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- ( ) PER PLAT
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING
- OVERHEAD UTILITY LINE
- POWER POLE
- A.C. AIR CONDITIONER

EDGE-OF-ASPHALT



TO THE LITENHOLDER AND / OR PRESENT OWNERS OF THE PREMISES SURVEYED

SWANSON'S RANCH ROAD  
(60' R.O.W.)

METAL MAILBOXES

STREET ADDRESS: 9606 SWANSON'S RANCH ROAD		CITY: AUSTIN	COUNTY: TRAVIS	STATE OF TEXAS
LOT: B	SUBDIVISION: RESUBDIVISION OF LOT 1 & THE SOUTH 100' OF LOT 2, SWANSON'S RANCHETTES NO. 2			
REFERENCE NAME: LUKE SANCHEZ		VOL. 73 PG. 21 PLAT RECORDS		



B & G SURVEYING, LLC

FIRM REGISTRATION NO. 100363-00

WWW.BANDGSURVEY.COM

1404 West North Loop Blvd.

Austin, Texas 78756 - Office 512\*458-6969

FIELD WORK BY:	CM	01/16/19
CALCD BY:	JOSE	01/23/19
DRAFTED BY:	AW3	01/22-23-19
CHECKED BY:	VG	01/23/19

JOB #: B0111519\_TA  
DATE: 01/23/19  
SCALE: 1" = 20'

IMPORTANT NOTICE  
This Survey was prepared without the benefit of a  
title commitment. There may be additional setback  
lines, easements and interests which are relevant to  
this property and unknown to B & G SURVEYING, LLC.  
Building dimensions are approximate.

EXHIBIT C: SURVEY OF PROPERTY



# City of Austin

P.O. Box 1088, Austin, TX, 78767

## AUSTIN CODE DEPARTMENT

### **NOTICE OF VIOLATION**

**Case Number: CV-2016-135412**

via Certified Mail #7015 1730 0001 9235 4655

November 2, 2016

AVALON-N HOLDINGS LLC THE  
11000 SWELFLING TERRACE  
AUSTIN, Texas, 78737

RE: 9606 SWANSONS RANCH RD AUSTIN TX 78748  
Legally described as LOT B \* RESUB OF LOT 1 & S100FT OF LOT 2 SWANSONS  
RANCHETTES SEC 2  
Zoned as SF-2  
Parcel Number 0430190119

Dear: THE AVALON-N HOLDINGS LLC

The City of Austin Code Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at 512-974-6781 or [Mario.Ruiz@austintexas.gov](mailto:Mario.Ruiz@austintexas.gov). Please reference **case number** CV-2016-135412. Hours of operation are: Monday – Friday, 7:30 a.m. - 4:00 p.m.

Para obtener más información, llame al 512-974-6781 o enviar un correo electrónico a [Mario.Ruiz@austintexas.gov](mailto:Mario.Ruiz@austintexas.gov). Por favor, consulte caso número CV-2016-135412. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m.

Sincerely,

Mario Ruiz, Austin Code Officer  
City of Austin Code Department

EXHIBIT D

## **VIOLATION REPORT**

**Date of Notice:** November 2, 2016  
**Code Officer:** Mario Ruiz  
**Case Number:** CV-2016-135412  
**Property Address:** 9606 SWANSONS RANCH RD AUSTIN TX 78748  
Zoned as SF-2

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

### **Violation Type: LAND USE**

Austin City Code Section: Building Permit Requirement (§25-11-32)

Description of Violation: Commercial construction performed without required permit(s). Commercial structure, changes made to the front of the structure. Canopy added and electrical lighting installed without permits. Obtain a Building Permit for the canopy, windows and door added to the structure. Also an electrical permit for all the light canisters installed.

Date Observed: 11/01/2016

Timeframe to Comply: 14 Day(s)

**Notes:** Permit violations require the permit(s) to be issued and all required inspections to be completed to attain compliance. For questions concerning land use violations, please contact the Development Services Department at 512-978-4000. You can also visit <http://www.austintexas.gov/department/development-services> for more information.

## **IMPORTANT INFORMATION**

### **Failure to Correct**

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancelation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.
- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

**Ownership Information**

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Austin Code Department office no later than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at [www.austintexas.gov/code-resources](http://www.austintexas.gov/code-resources), or at the Austin Code Department office at 1520 Rutherford Lane. The completed affidavit should be mailed to: **City of Austin Code Department, P.O. Box 1088, Austin, Texas 78767.**

You may file a written complaint or commendation regarding an Austin Code Department Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**





## 4.0 SITE BACKGROUND/OPERATING HISTORY

Various sources were consulted to develop a history of prior uses of the subject property and surrounding area to help identify uses that may have been environmentally significant, leading to Recognized Environmental Conditions (RECs). Attempts were made to identify the obvious prior usage of the property back to the property's first development using as many sources that were both reasonably ascertainable and likely to be useful. Standard historical sources include any or all of the following: historical aerial photographs, historical maps, tax information, land title records, topographic maps, city/local directories, building department records, zoning/land use records and interviews with local agencies or other knowledgeable individuals.

The source(s) used for this determination were Polk/Cole Historical address look up phone directories, Historical Aerial Photographs, Historic Sandborn Maps (a search was performed, but no maps were available for this area), Historical Topographic Maps and a Title Search. According to the ASTM E1527 standards, a minimum of at least one of these sources must be researched, and if Title Search is one of these searches, it must be accompanied by one of the other historic sources listed.

### 4.1 Current and Prior Ownership

Results from a search of Travis County Clerk traced transfer of the subject property back to 1957. Within this period of time the title history did not reveal ownership, by any business that would be suspect for involvement in any activity related to any RECs for the property, nor did it reveal transfer or reference to any activity that would be of concern as an REC to the property.

### 4.2 Historic City Directories

Austin Enviro Group reviewed copies of the historic Cole/Polk street/phone directories to determine the businesses and property use for the subject property and surrounding properties. The results of the historic phone directory search are: R=Residential A=Apartment NL=No Listing NP=No Phone V=Vacant The year when the listing began is indicated beside the entry when available from the directory, and the type of business is listed where available from the Polk directory.

Swansons Ranch Road	9606	9607	9608	9609
2014	Rob's BodyWorks '11 (autobody rpr /pntng)	NL	Tam Universal LLC/R '11	First American Construction '11 (gnrl contrs)
				R '05
2009	Rob's Body Works '02	R/NP '82	R/NP '94	R/NL '05
				Longhorn Promotions Inc '02 (embroidery)
				Safety Services of Texas '94
				Texas Mold Consultants '02
2004	NL	R '82	R '94	R '01
				Etcetera Services '99 (general contractors)
				Rapid Technologies '01
1999-2000	NL	R '80	R '79	NP
1994-95	NL	R '80	R '79	R '93
1989-90	NL	R '80	R '79	NP
1984-85	R '77	R '80	R '79	R '82
1979	R	NL	R	NL
	Tingles Gunsmithing			
1974	NL	NL	NL	NL
1969	NL for Swansons Ranch Road			

## TRAVIS CAD

Property Name	Property ID	Address
LUDLAM, BRIAN & KRISTI	346078	1309 SLAUGHTER Ln.
AVALON-N-HOLDINGS LLC	346079	9606 SWANSONS RANCH RD.
CHRISTOPHE, MICHELE	346064	9608 SWANSONS RANCH RD.
DOBBS, DAVID D.	346075	9702 SWANSONS RANCH RD.
DOBBS, DAVID D.	346074	9702 SWANSONS RANCH RD.
CORTEZ, CHRISTOPHER J. & JESSICA M.	346073	9704 SWANSONS RANCH RD.
AMIE HARTFIELD, DANIEL	346072	9706 SWANSONS RANCH RD.
MESSINGER MILTON A TAX EXEMPT FAMILY TRUST	346076	BILBROOK PL.
RG MANCHACA HOLDINGS LLC	346081	1303 SLAUGHTER LN.
WAREN, MARTIN C. III	346065	9607 SWANSONS RANCH RD.
GREANEY, THOMAS JOSEPH	346067	A, B, C 9609 SWANSONS RANCH RD.
YALLA PROPERTIES LLC SWANSONS	346068	9701 SWANSONS RANCH RD.
DITTA, LUKE	346069	9702 DAVID MOORE DR.
CONTRERAS, RICHARD L.	346070	9705 SWANSONS RANCH RD.
PARKER, MALENE	346071	9707 SWANSONS RANCH RD.
BUTLER SCHENK HOLDINGS LP	346077	9709 SWANSONS RANCH RD.

Neighbors on Swansons Ranch  
Road, Rezoning approvals.

EXHIBIT F

11-27-18

**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, Brian & Kristi Ludlam residing at 1309 Slaughter Ln. in Austin Texas 78748 and per Property ID 346078, do hereby approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: Brian Ludlam

Date: 12/2/18

Signature: Kristi Ludlam

Date: 12/2/18

11-27-18

**Regarding:** Rezoning

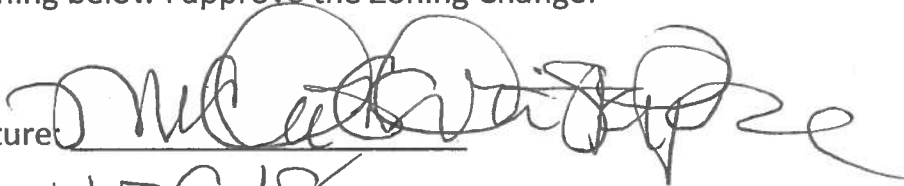
**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, Michele Christophe residing at 9608 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID 346064, do here by approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'Michele Christophe', written over a horizontal line.

Date: \_\_\_\_\_

A handwritten date '11-29-18' in black ink, written over a horizontal line.

11-27-18

**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, David D. Dobbs residing at 9702 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID's 346075 and 346074, do here by approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: David D. Dobbs

Date: Nov 29, 2018

11-27-18

**Regarding:** Rezoning

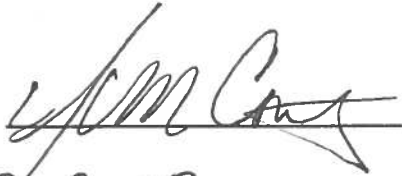
**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, ~~Christopher~~ J. and Jessica M. Cortez residing at 9704 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID 346073, do here by approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

12-2-18

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

11-27-18


**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, Daniel Hartfield residing at 9706 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID 346072, do hereby approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: 

Date: 12-2-18

11-27-18

**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, THANE MESSINGER for Messinger Milton A Tax Exempt family  
Trust residing at Bilbrook Pl. in Austin Texas 78748 and per Property ID 346076,  
do here by approve a Zoning change for 9606-A Swansons Ranch Road to LI  
"Limited Industrial Service" " and for 9606-B Swansons Ranch Road to LI "Limited  
Industrial Service".

By signing below I approve the Zoning Change:

Signature: 

Date: 21 DEC 2018

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



1-15-19

**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I Ricky D. Green, Owner of RG Manchaca Holdings LLC., located at 1303 Slaughter Lane in Austin Texas 78748 and per Property ID 346081, do here by approve a Zoning change for 9606 A Swansons Ranch Road to LI "Commercial Construction Sale " and for 9606-B Swansons Ranch Road to LI "Commercial Automotive "

By signing below I approve the Zoning Change:

Signature: \_\_\_\_\_

*Ricky D Green*

Date: 1-29-19

Signature: \_\_\_\_\_

*Ricky D Green*

Print \_\_\_\_\_

Date: 1-29-19

11-27-18


**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, Martin C. Warren III residing at 9607 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID 346065, do here by approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature:  Martin C Warren III

Date: 12-3-18.

11-27-18

**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, Thomas Joseph Greaney residing at 9609 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID 346067, do here by approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: 

Date: 12-2-18

11-27-18

**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, Robert Walz for Yalla Properties LLC Swansons residing at 9701 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID 346068, do here by approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: Robert Walz

Date: 12/5/2018

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

11-27-18

**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, Luke Ditta residing at 9702 David Moore Dr. in Austin Texas 78748 and per Property ID 346069, do hereby approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: 

Date: 12-2-18

11-27-18

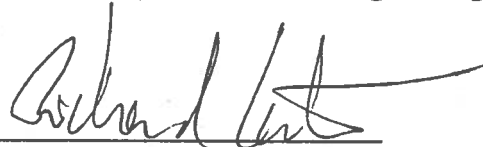
**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, Richard L. Contreras residing at 9705 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID 346070, do hereby approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: 

Date: 12/20/18

11-27-18

**Regarding:** Rezoning

**Location:** 9606 A & B Swansons Ranch Road  
Austin, Texas 78748

**Current Zoning:** SF-2

I, SCOTT J. SCHENK for Butler Schenk Holdings LP residing at 9709 Swansons Ranch Rd. in Austin Texas 78748 and per Property ID 346077, do here by approve a Zoning change for 9606-A Swansons Ranch Road to LI "Limited Industrial Service" and for 9606-B Swansons Ranch Road to LI "Limited Industrial Service".

By signing below I approve the Zoning Change:

Signature: 

Date: 11/30/18

Signature: 

Date: \_\_\_\_\_

## Rhoades, Wendy

---

**From:** Phil Moncada <moncadataz@gmail.com>  
**Sent:** Monday, May 06, 2019 9:53 AM  
**To:** Rhoades, Wendy; Phil Moncada  
**Cc:** Italex99@gmail.com; Karla Rodriguez  
**Subject:** Re: Rezoning 9606 Swanson Ranch Rd

Good Morning Wendy,  
we would like to amend our zoning application to reflect our request to change from LI to CS zoning and be able to have the auto repair included for the small paint shop at the rear.

Phil Moncada  
Moncada Enterprises, LLC  
1301 S IH 35 Ste. 204  
Austin, TX 78741  
512.627.8815 (c)  
512.474.7377(o)

On Fri, May 3, 2019 at 11:01 AM Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)> wrote:

Phil,

Yes, the existing construction and sales business is first permitted under the CS district and auto repair use is also permitted by the CS district.

If you would like to amend the rezoning case from the LI zoning district to the CS zoning district, please send me an email to that effect.

Thank you,

Wendy

**From:** Phil Moncada [mailto:[moncadataz@gmail.com](mailto:moncadataz@gmail.com)]  
**Sent:** Friday, May 03, 2019 7:40 AM  
**To:** Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)>  
**Cc:** Luke Sanchez <[italex99@gmail.com](mailto:italex99@gmail.com)>; Phil Moncada <[moncadataz@gmail.com](mailto:moncadataz@gmail.com)>; Karla Rodriguez <[kmoncadaent@gmail.com](mailto:kmoncadaent@gmail.com)>  
**Subject:** Re: Rezoning 9606 Swanson Ranch Rd

Good morning Wendy,



I am more than happy to amend the application to CS, but need to verify that Luke's current use is one that our CS zoning will support. How do we amend the zoning application? Vias email or do I need to come down to the OTC to take care of this? Thank you in advance.

Phil

Phil Moncada

Moncada Enterprises, LLC

1301 S IH 35 Ste. 204

Austin, TX 78741

512.627.8815 (c)

512.474.7377(o)

On Thu, May 2, 2019 at 6:43 PM Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)> wrote:

Luke / Phil,

Thank you for the additional information. Is this the finalized list of land uses to be prohibited? Also, could you let me know if it is your intent to amend the rezoning application from the LI, limited industrial services district to the CS, general commercial services district as we discussed in our meeting.

Thank you,  
Wendy

-----Original Message-----

From: Phil Moncada [mailto:[moncadataz@gmail.com](mailto:moncadataz@gmail.com)]

Sent: Tuesday, April 30, 2019 1:23 PM

To: ~~Italex00@gmail.com~~; Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)>

Cc: Karla Rodriguez <~~k.moncadaent@gmail.com~~>; Phil Moncada (me) <~~moncadataz@gmail.com~~>

Subject: Rezoning 9606 Swanson Ranch Rd

Good afternoon Wendy,Luke

I have prepared a list of uses that we can prohibit in order to potentially gain staff support for our rezoning case. Please review and let me know if I need to change anything off of this list since we would like to include it with the other documents that you already have in your possession. Thank you in advance,

As follows:

RESIDENTIAL USES

Bed and Breakfast (Group 1),( Group 2)

COMMERCIAL USES

Agricultural Sales and Services

Art and Craft Studio (Industrial), (Limited) Automotive Sales Bail Bond Service Business or Trade School

Campground Commercial Blood Plasma Center Communications Services Customer Conveniences Service

Consumer Repair Services Convenience Storage Drop-off Recycling Collections Facility Electronic Prototype Assembly Equipment Repair Services Equipment Sales Exterminating Services Financial services Food sales Funeral services General Retail Sales (Convenience) General Retail Sales ( General) Hotel – Motel Indoor Entertainment Indoor Sports and Recreation Kennels Laundry Service Marina Medical Offices -not exceeding 5,000 square ft.

Medical Offices- exceeding 5,000 square ft.

Monument Retail Sales

Off-site Accessory Parking

Outdoor Sports and Recreation

Pawn Shop Services

Personal Improvements Services

Personal Services

Pet Services

Plant Nursery

Research Assembly Services

Research Services

Restaurant (Drive-in, Fast Food)

Restaurant (Limited)

Restaurant ( General)

Service Station

Software Development

Theater

Vehicle Storage

Veterinary Services

INDUSTRIAL USES

Custom Manufacturing

Limited Warehouse and Distribution

CIVIC USES

College and University Facilities

Community Recreation (Private)

Community Recreation (Public)

Congregate Living

Counseling Services

Cultural Services

Day Care Services(Commercial)

Day Care Services(General)

Day Care Services (Limited)

Family Home

Group Home, Class I(General)

Group Home,Class I(Limited)

Group Home,Class II

Guidance Services

Hospital Services (Limited)

Local Utility Services — not recommended to be prohibited

Maintenance and Service Facilities

Private Primary Educational Facilities

Private Secondary Educational Facilities Public Primary Educational Facilities Public Secondary Educational Facilities Religious Assembly Residential Treatment Safety Services

Phil

cannot be  
prohibited

Moncada Enterprises LLC  
1301 S IH 35 Ste 204  
Austin, Texas 78741  
Phil's cell: 512-627-8815

## 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](http://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: C14-2019-0048

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: May 21, 2019, Zoning and Platting Commission;  
June 20, 2019, City Council

Michelle Ellis

Your Name (please print)

1513 Sugarberry Lane, 78748

Your address (do not affect by this application)



Signature

Daytime Telephone: 512-636-2794

Date

5/13/2019

☐ I am in favor  
☒ I object

Comments: Changing the zoning to CS - General Commercial Services district would be detrimental to the neighboring area. The area is light in question where zoning would change. It is already very accident prone. This would increase traffic, traffic accidents and possibly have health effects on the neighborhood children and elementary school.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810