

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0066 – Lamborghini  
Dealership Aux Com Lot

DISTRICT: 10

ZONING FROM: LO

TO: GR-CO, as amended by applicant

ADDRESS: 4109 Marathon Boulevard

SITE AREA: 7,600 square feet (0.17-acre)

PROPERTY OWNER:  
Fuad Fayad

AGENT:  
Permit Partners, LLC (David Cancialosi)

CASE MANAGER: Kate Clark (512-974-1237, [kate.clark@austintexas.gov](mailto:kate.clark@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends denial of the applicant’s request for Community Commercial-Conditional Overlay (GR-CO) combining district. The conditional overlay will prohibit a set of uses described in Exhibit D. For a summary of the basis of staff’s recommendation, see pages 3 and 4.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

<b>July 16, 2019</b>	<b>Scheduled for Zoning and Platting Commission</b>
June 18, 2019	Approved postponement request by applicant to July 16, 2019. Vote 7-0 [B. Evans, D. King 2 <sup>nd</sup> ], A. Denkler arrived late; N. Barrera-Ramirez, J. Kiobassa and A. Tatkow were absent.

CITY COUNCIL ACTION:

**August 8, 2019**      **Scheduled for City Council**

ORDINANCE NUMBER:

## ISSUES

The property is currently zoned Limited Office (LO) and is being used as overflow vehicular inventory for the Lamborghini Dealership at 4108 North Lamar making its use “automotive sales”. Currently the site is occupied by a prohibited land use and is non-complying in site development regulations (impervious cover) within the LO zoning district. The applicant is requesting Community Commercial-Conditional Overlay (GR-CO) combining district as amended (see *Exhibit C: Applicant Request to Amend Rezoning*) to conduct minor automotive work and repair services, as well as overflow storage of inventory and parts specific to their dealership. Their requested CO includes a list of prohibited uses as well as prohibiting access to Marathon Boulevard from this property.

The applicant has requested a second postponement in order to continue meeting with the interested parties and clarify confusion about the intended use of the property. The applicant’s agent and main point of contact for the neighborhood association are in communication about the requested postponement and have mutually agreed to it.

## CASE MANAGER COMMENTS:

This property is located on a 0.17-acre (7,600 square feet) site on the east side of Marathon Boulevard. It is midblock between 41<sup>st</sup> and 42<sup>nd</sup> Street. The adjacent surrounding land uses include office buildings to the north, commercial buildings to the east and south, and office buildings and residential units to the west (along the west side of Marathon Boulevard). This site is located one block west of Lamar Boulevard within a commercial to residential transition zone. Most of the properties south and east of the site are zoned Neighborhood Commercial (LR) or General Commercial Services (CS), while most of the properties immediately surrounding, and north and west of the site are zoned Limited Office (LO) or Family Residence (SF-3), see *Exhibit A1-Zoning Map*. According to floodplain maps there is no floodplain within or adjacent to the project location.

As stated in the Issues section of this report, the applicant is requesting to rezone the property to the Community Commercial-Conditional Overlay (GR-CO) combining district, for automotive repair use. Staff does not support the rezoning request. Per the City’s Zoning Guide, “site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment”. Being that this tract is in an area that is transitioning from commercial to residential use, and there are existing residential homes across the street from this property, staff thinks that granting GR on this tract would introduce a commercial use that does not match the existing zoning pattern. The surrounding land uses this property fronts and is adjacent to, include one- and two-story office and residential buildings.

The applicant is proposing an extensive list of prohibited uses (see *Exhibit D: Conditional Overlay Restrictions*) under the conditional overlay as well prohibiting access to Marathon Boulevard from the property. In summary, these prohibited uses would include all Civic, Industrial and Agricultural uses and many of the Commercial uses. While the landowner is

intending to use the site for “minor automobile repair” services, the current City’s Code only has a definition for “automotive repair services” which includes “the use of a site for the repair of automobiles, noncommercial trucks, motorcycles, motor-homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. This use includes muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities, but excludes dismantling or salvage” (*Article I-Zoning Uses, Section 25-2-4 Commercial Uses Described*). Whereas a conditional overlay can prohibit a land use, it cannot alter a land use’s definition or reduce what uses can be included in it. Having “automotive repair services” as a permitted land use would allow the landowner (current or future) to apply the highest intensity of the described land use to this site in the future. Being that Marathon Boulevard is a local street with offices and family residence buildings, this type of use does not fit within the existing zoning pattern of the street.

Staff has received correspondence in opposition to the rezoning request, see *Exhibit E: Correspondence Received*.

#### BASIS OF RECOMMENDATION:

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

*Exhibit A2: Zoning Map-Color Coded* visually shows a concentration of commercial uses along North Lamar Boulevard and Medical Parkway. Beginning one block north of the Medical Parkway and Marathon Boulevard intersection, the zoning districts between North Lamar and Medical Parkway change from commercial to either office or residential. This property shares an alley with commercial uses, but the uses adjacent to it and that it faces (on to Marathon Boulevard) are office or residential. While the applicant’s current stated use may not be considered intensive, if this site is rezoned to GR-CO, the property could be used for any of the permitted uses within this zoning category.

2. *Zoning changes should promote an orderly relationship among land uses.*

The definition of community commercial (GR) is “the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.” This property fronts onto Marathon Boulevard, a local road primarily serving office and residential uses. At the intersection of Medical Parkway and Marathon Boulevard there are commercial properties. However, the zoning transitions from this point going north to residential. Approximately 70 percent of the parcels that face Marathon Boulevard are zoned either LO or SF-3.

Though the applicant has stated their intent is to continue accessing the property from the alley, their existing property fence has a gate built into it that would allow access to/from Marathon Boulevard in the future. If the Zoning and Planning Commission recommends approving the applicants request, Staff recommends prohibiting access to Marathon Boulevard from this property as a part of the conditional overlay. This would help reduce traffic on Marathon Boulevard related to this rezoning request.

3. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses and development intensities.*

The site development regulations within a GR district are more permissive than those within LO. This property is currently located adjacent to LO zoned properties and across the street to LO and SF-3 districts. Both districts have a 25-foot front setback and 5-foot interior side setback. A property zoned LO has a maximum impervious coverage of 70 percent; and SF-3 districts have a maximum of 45 percent impervious coverage. The applicant is requesting GR-CO which only has a 10-foot front setback with no interior side setback requirements and a maximum impervious coverage of 90 percent. While the height of any future building onsite would be regulated through Compatibility Standards, its placement on the property could be built property edge to property edge. The immediate zoning around this property is already transitioning from commercial down to residential. Staff feels the intensity of development and use that GR could introduce to this area is inappropriate considering the existing surrounding zoning districts.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	LO	Automotive Sales (Overflow inventory parking for the Lamborghini Dealership at 4108 North Lamar)
North	LO	Personal Improvement Services, Professional Office
South	LO	General Retail Sales (General)
East	CS-V	Pet Services, Automotive Sales, Medical Office
West	LO / SF-3	Medical Office, Single Family Residence

NEIGHBORHOOD PLANNING AREA: Rosedale (no Neighborhood Plan process started or adopted)

TIA: Waived at this time. The applicant has agreed to a conditional overlay prohibiting access to Marathon Boulevard from this property with access provided from the adjacent alley. If access is proposed to Marathon Boulevard with future applications, a neighborhood traffic analysis is required.

WATERSHED: Waller Creek

OVERLAYS: Residential Design Standards

SCHOOLS: Bryker Woods Elementary, O. Henry Middle, Austin High

NEIGHBORHOOD ORGANIZATIONS

45<sup>th</sup> St. Concerned Citizens  
 Austin Independent School District  
 Austin Neighborhoods Council  
 Bike Austin  
 Central Austin Community Development Corporation  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association

Neighborhood Empowerment Foundation  
 North Austin Neighborhood Alliance  
 Preservation Austin  
 Rosedale Neighborhood Assn.  
 SELTexas  
 Shoal Creek Conservancy  
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2018-0044	LO to LR-CO	8/7/18: Approved staff recommendation of LR and added CO to prohibit Drive-Through Facilities.	10/4/18: Approved LR-CO as recommended by ZAP, Ord. # 20181001-050

RELATED CASES:

There have been no related cases for this property.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Marathon Boulevard	60 feet	36 feet	Local	Yes, east side	No	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

*Connectivity*

There is an incomplete public sidewalk system located along West 41st and at 42nd Street and Marathon Blvd. The site is located within 1,200 feet from two public transit stops. The Walkscore for this area is 85/100, Very Walkable, and most errands can be accomplished on foot. The site is also within walking distance to two urban trails. The connectivity options are above average, while the mobility options are average.

*Imagine Austin*

The property is located 200 feet away from an Activity Corridor, North Lamar Boulevard. The following Imagine Austin policies are applicable 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.
- HN P11. Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

This area of Austin has a variety of uses, including commercial, office and residential. While there are office and residential uses on Marathon Boulevard, North Lamar Boulevard, and 42nd Street, the above referenced Imagine Austin policies direct infill to be context sensitive and to protect the existing neighborhood character. They also address the need to recognize the different neighborhoods and their individual characteristics. The building density, massing and land uses differ between what exists along Marathon Boulevard and North Lamar Boulevard. The proposed use for this project seems to be more in line with the current uses that occur on Lamar Boulevard than what is on Marathon Boulevard.

Environmental

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

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 square feet cumulative is exceeded, and onsite control for the two-year storm. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### Site Plan

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.

Due to the lot being smaller than 20,000 square feet, the property is subject to small lot compatibility standards, per Section 25-2-1062.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. Additional design regulations will be enforced at the time a site plan is submitted.

### *Compatibility Standards*

The site is subject to compatibility standards due to proximity of SF-3 zoning to the northwest, northeast, and southwest. The following standards apply:

- 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 between 50 feet and 100 feet of the property line.
- 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.

### *Residential Design Standards Overlay*

The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

### Transportation

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

If access to Marathon Boulevard is permitted, a Neighborhood Traffic Analysis is required for this application. However, the applicant has agreed to a conditional overlay prohibiting access to Marathon Boulevard from this property with access provided from the adjacent alley. If access is proposed to Marathon Boulevard with future applications, a neighborhood traffic analysis is required.

Additional right-of-way maybe required at the time of subdivision and/or site plan.

FYI – Existing and proposed driveways, sidewalks, alley connection, etc. shall be constructed to City of Austin standards at the time of the site plan application.

### 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.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide adequate water and wastewater service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

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

Exhibit A1: Zoning Map

Exhibit A2: Zoning Map Color Coded

Exhibit B: Aerial Map

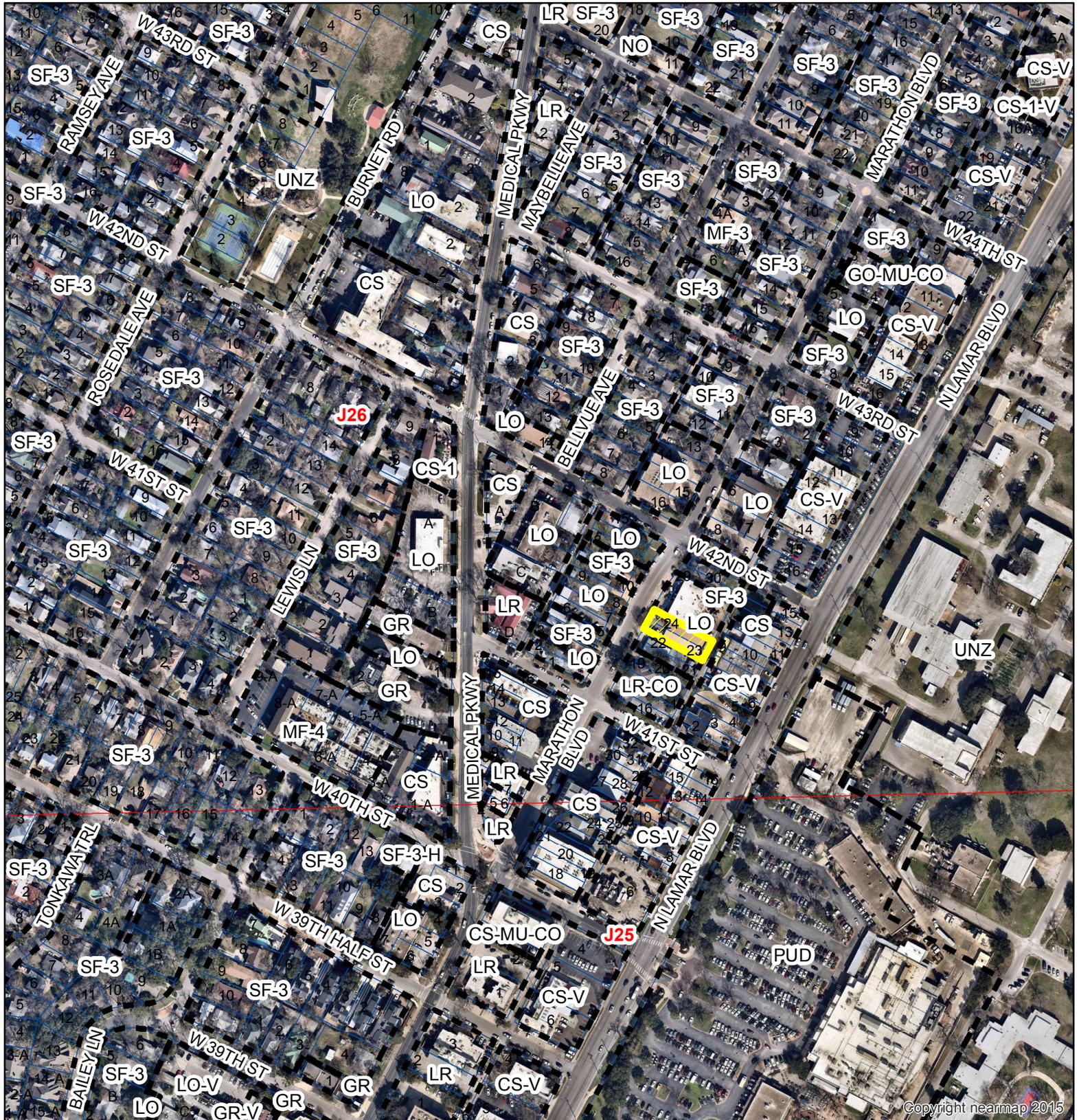
Exhibit C: Applicant Request to Amend Rezoning

Exhibit D: Conditional Overlay Restrictions

Exhibit E: Correspondence Received







Copyright nearmap 2015



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

1" = 300'

**LAMBORGHINI DEALERSHIP - AUX COM LOT**

ZONING CASE#: C14-2019-0066  
 LOCATION: 4109 MARATHON BLVD  
 SUBJECT AREA: .1745 ACRES  
 GRID: J26  
 MANAGER: KATE CLARK



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.

From the office of:

PERMIT PARTNERS, LLC  
105 W. Riverside Dr. Suite 225  
Austin, Texas 78704  
David C. Cancialosi  
512.593.5368 c.  
512.494.4561 f.  
[david@permit-partners.com](mailto:david@permit-partners.com)

May 28, 2019

Mrs. Clark Kate  
City of Austin  
One Texas Center  
505 Barton Springs  
Austin, Texas 78704

**RE: 4111 Marathon Blvd. Zoning case #C14-2019-0066**

Dear Mrs. Clark,

I am responding to your email request wherein you ask I clarify what uses we are proposing to prohibit at 4111 Marathon Blvd. as part of our application requesting a zoning change from LO, *Limited Office* to GR, *Community Commercial*.

In our initial application and accompanying cover letter we stated the change is necessary to accommodate very minor, private automotive storage and repair for the Lamborghini dealership located on North Lamar and across the alley from 4111 Marathon Blvd. This letter expands on the original cover letter and, hopefully, addresses your questions sent May 22, 2019 regarding the proposed use(s).

As you recall I stated in prior emails that the site would be utilized for “*very minor overflow storage, minor work or repairs to very high end automobiles, and inventory + parts storage. The space would not be open to the public for any automotive repair, storage, or other related uses.*” As such, that rules out a CUP request and necessitates a rezoning for 4111 Marathon. Again, the repair, storage, cleaning, and related tasks will only be for automobiles associated with the dealership. This will be a low impact, very secure use on the vacant lot. The owner has installed some temporary tarp covers to provide shade and security to the site, but no vertical construction is planned, ie, warehouse or similar building. The trip threshold will be very low and should not trigger a NPA since we will be under 300 trips per day. The dealership is literally moving a few cars per day across the alley from the show room to the 4111 Marathon site.

The uses we propose to prohibit as long as the site is utilized for the purposes of supporting the dealership are as follow:

1. All Civic Uses
2. Commercial: *Bail bond, auto rental, auto sales, street parking communications, consumer services convenience, consumer repair services, recycling, exterminating, food preparation, funeral, hotel / motel, outdoor entertainment, pawnshop, outdoor sports, pedicab storage / dispatch, pet services, printing and publishing, service station, special use, Theater.*
3. All industrial uses
4. All Agricultural uses

Also, the public notice for this case is assigned to “4111 Marathon Blvd.” The TCAD address of lots 22-23 Block 3 of Lee’s Hill Addition is 4109 Marathon Blvd. Is there a typo on the public notice or issue with internal GIS? Just wanting to ensure everything is accurate as we move forward.

Again, we would like to meet with you to discuss the case before we attend any public hearing. Please do not hesitate to contact me should you need anything further.

Sincerely,



David C. Cancialosi, Agent for Owner

PERMIT PARTNERS, LLC  
105 W. Riverside Dr., Suite 225  
Austin, Texas 78704  
Office: 512.593.5361  
[info@permit-partners.com](mailto:info@permit-partners.com)

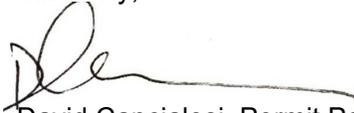
June 11, 2019

City of Austin | Planning and Zoning Department  
P.O.Box 1088  
Austin, Texas 78767

RE: 4109 Marathon Blvd C14-2019-0066

Permit Partners, LLC is requesting to be added to the July 16, 2019 ZAP agenda for Case # C14-2019-0066. We agree as a part of our conditional overlay to prohibit access from the site to Marathon Blvd.

Sincerely,



David Cancialosi, Permit Partners, LLC  
Agent for Owner

**Exhibit D: Conditional Overlay (CO) Restrictions**

The Applicant has agreed to a conditional overlay prohibiting access to Marathon Boulevard from this property with access provided from the adjacent alley.

The Applicant is proposing the following prohibited uses within the GR zoning district:

**Agricultural Uses:**

Community Garden  
Urban Farm

**Civic Uses:**

Club or Lodge	Day Care Services (Limited)
College and University Facilities	Guidance Services
Communication Service Facilities	Hospital Services (General)
Community Recreation (Private)	Hospital Services (Limited)
Community Recreation (Public)	Private Primary Educational Facilities
Congregate Living	Private Secondary Educational Facilities
Counseling Services	Public Primary Educational Facilities
Cultural Services	Public Secondary Educational Facilities
Day Care Services (Commercial)	Residential Treatment
Day Care Services (General)	Safety Services

**Commercial Uses:**

Automotive Rental	Hotel / Motel
Automotive Sales	Outdoor Entertainment
Bail Bond	Outdoor Sports and Recreation
Street Parking	Pawn Shop Services
Communications Services	Pedicab Storage and Dispatch
Consumer Convenience Services	Pet Services
Consumer Repair Services	Printing and Publishing
Drop-Off Recycling Collection Facility	Service Station
Exterminating Services	Special Use Historic
Food Preparation	Theater
Funeral Services	

**Industrial Uses:**

Custom Manufacturing

**Grantham, Scott**

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**From:** Grantham, Scott  
**Sent:** Monday, May 06, 2019 3:39 PM  
**To:** 'Carl Reynolds'  
**Subject:** RE: C14-2019-0066 4109 Marathon

Carl,

Good afternoon and thank you for your earlier email.

I hear and acknowledge your opposition to the proposed rezoning - I will be including it with the staff backup material for Planning Commission.

Although the public hearings have not yet been scheduled, you will receive a notice in the mail when they are scheduled. You are welcome to come to the hearings – Planning Commission or City Council – and speak on the proposed rezoning.

Take care and hope to talk soon!

Best - Scott

**Scott Grantham**

*Senior Planner*

**City of Austin | Planning and Zoning Department**

505 Barton Springs Road | 5<sup>th</sup> floor | Austin TX | 78704

Tel | 512.974.3574

Email | [scott.grantham@austintexas.gov](mailto:scott.grantham@austintexas.gov)

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**From:** Carl Reynolds  
**Sent:** Thursday, May 02, 2019 3:12 PM  
**To:** Grantham, Scott <Scott.Grantham@austintexas.gov>  
**Subject:** C14-2019-0066 4109 Marathon

Scott,

I am opposed to the zoning change proposed for this property. It is not a suitable location for an automotive garage with the attendant noise, next to offices and very close to residences. In addition, when I got the notice about the proposed change, I called the owner in good faith, to ask him what he intended to do, and he was not truthful with me. He said only that he wanted to build enclosed, air-conditioned space for his expensive cars, and that it might have a couple of offices. He said nothing about working on cars, but I am advised that is the intention. I will come and testify if necessary, and include calling him out for lying.

Carl Reynolds  
4300 Sinclair

**Clark, Kate**

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**From:** Heidi Ross  
**Sent:** Thursday, June 13, 2019 10:03 AM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

My name Heidi Ross. I oppose the rezoning of [4109 Marathon Blvd](#) due to the future usability being a conflict with neighborhood compatibility.

Sent from my iPhone

**Clark, Kate**

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**From:** Stacey Rudnick  
**Sent:** Thursday, June 13, 2019 11:43 AM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

Kate,

My name is Stacey Rudnick and I live on 4306 Marathon Boulevard with my three school age children, where I have owned my home for 14 years. I oppose the rezoning of 4109 Marathon Blvd due to the potential noise and disruption anticipated from the request that the Lamborghini dealership has made to turn the back lot into an auto mechanic shop. That lot backs up to residential spaces and is incompatible with a neighborhood that is characterized by homes and quiet office space.

I ask that you deny the rezoning request.

Regards,

Stacey

**STACEY RUDNICK**, Director, Center for Leadership & Ethics  
**The University of Texas at Austin** | McCombs School of Business  
Rowling Hall Office 1.326

*Leaders Change the World. We Change Leaders*

**Clark, Kate**

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**From:** Kent Hemingson  
**Sent:** Thursday, June 13, 2019 12:05 PM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

My name is Kent Hemingson, and I **oppose the rezoning of 4109 Marathon Blvd due to the future usability being a conflict with neighborhood compatibility.**"

There is simply no compatibility of a noisy, dust creating, and traffic resulting business with single family homes who have been in the Rosedale neighborhood for dozens of years.

Furthermore, the domino theory comes true..... if we have one such business permitted, then other similar incompatible business requests will surely follow.

Thank you,

Kent Hemingson

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\*\*\*\*\*  
Kent Hemingson  
2509 W. 45th  
Austin, TX 78756  
\*\*\*\*\*

**Clark, Kate**

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**From:** DeAnn  
**Sent:** Thursday, June 13, 2019 2:04 PM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

Case No. C14-2019-0066

My name is DeAnn Friedholm, and as a resident of Rosedale neighborhood I oppose the rezoning of 4109 Marathon Blvd due to the future usability (a Lamborghini repair shop) being a conflict with neighborhood compatibility.

Please do not allow this to happen.

Sincerely,

DeAnn Friedholm

**Clark, Kate**

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**From:** Shefaly Ravula  
**Sent:** Thursday, June 13, 2019 3:55 PM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

My name is shefaly ravula. I oppose the rezoning of [4109 Marathon Blvd](#) due to the future usability being a conflict with neighborhood compatibility.

The noise will be too much for all of us in this neighborhood. Many school age children and younger live near.

Thank you.  
Shefaly Ravula

**Clark, Kate**

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**From:** Ernest McKenney  
**Sent:** Thursday, June 13, 2019 4:22 PM  
**To:** Clark, Kate  
**Subject:** 4109 Marathon

My name is Ernest McKenney and I live at 4011 Rosedale Ave. I oppose the rezoning of 4109 Marathon. This rezoning is incompatible with the single family neighborhood that this address is part of.

Ernest McKenney

**Clark, Kate**

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**From:** ---  
**Sent:** Thursday, June 13, 2019 4:31 PM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

My name is Mark Provenzano, I oppose the rezoning of [4109 Marathon Blvd](#) due to the future usability being a conflict with neighborhood compatibility and I already hear the racing of engines INSIDE MY HOME with windows shut.

Also notice sent had two different addresses (front of notice/back of notice) and is therefor invalid.

**Clark, Kate**

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**From:** T Holmes  
**Sent:** Thursday, June 13, 2019 4:45 PM  
**To:** Clark, Kate  
**Subject:** Opposition to Case No. C14-2019-0066

Hello Kate,

It was lovely talking with you and I am glad you are on our case. I tried to notify as many people as I could about the swap in contacts, so they can reach out again. I wish we knew exactly who had already; hopefully people do not fall through the cracks.

Our home is within earshot of 4109 Marathon, we are just a few houses away and therefore affected by the requested use of this zoning request. In addition, there is an elderly couple that lives directly across the street and a business that operates a massage clinic, several psychologist offices... so on and so forth. When we originally reached out to the Owner, we were told he was only wanting to build a warehouse to hold his cars. We later learned from Permit Partners and Scott, that the plan was to open an auto mechanics shop- a big difference and not suited for the middle of a quite family neighborhood. We have not heard from the Owner/Mr. Fayad, since.

Auto Mechanic Shops are quite loud! I am sure you are familiar with these sounds, <https://www.youtube.com/watch?v=9OOJDA7Ermc>. In addition to the level of noise we will hear from our backyards and in our homes, test driving vehicles through the neighborhood is a regular occurrence. As beautiful as they are to look at, it is a safety issue. Prior to Lamborghini moving into this location, it was a Ferrari Dealership. Understandably so, they moved to a much bigger facility off of a major highway/I-35 rather than in our neighborhood.

I would hope that Mr. Fayad can respect the neighbors nearby and will reconsider his request based on where he is located. Thank you for listening Kate and enjoy your day!

Bests,  
Teresa Holmes and Julian Strahan  
4209 Bellvue Ave  
Austin, TX 78756

## Clark, Kate

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**From:** Susan Bergstrom  
**Sent:** Thursday, June 13, 2019 5:23 PM  
**To:** Clark, Kate  
**Subject:** Marathon Blvd/ Lambougini Mechanic shop 🤖

Case No. C14-2019-0066

My name is Susan Bergstrom.

I oppose the rezoning of [4109 Marathon Blvd](#) due to the future usability being a conflict with neighborhood compatibility. Please deny!!

Thank you.

**Clark, Kate**

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**From:** Kendall Antonelli  
**Sent:** Friday, June 14, 2019 2:37 AM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

Good Morning,

My name is Kendall Antonelli and I live in the Alta Vista / Rosedale neighborhood on Bellvue Ave, one block west of Marathon Blvd. I oppose the rezoning of 4109 Marathon Blvd due to the future usability being a conflict with neighborhood compatibility.

Kendall Antonelli  
4314 Bellvue Ave  
Austin TX 78756

**Clark, Kate**

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**From:** Cyral Miller  
**Sent:** Friday, June 14, 2019 7:13 AM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066 Case No. C14-2019-0066

My name is Cyral Miller, and as a resident of Rosedale neighborhood I oppose the rezoning of 4109 Marathon Blvd due to the fact that a Lamborghini repair shop would negatively impact nearby neighborhood residences. Please do not allow this to zoning change. Sincerely, Cyral Miller

Sent from my iPad

## Clark, Kate

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**From:** Edith Kemp  
**Sent:** Friday, June 14, 2019 9:31 AM  
**To:** Clark, Kate  
**Subject:** Rezoning case C14-2019-0066

Dear Ms. Clark

I live a block from the Lamborghini car dealership proposing to change the zoning and add an automotive repair garage. I truly hope you can understand how badly this would impact the nearby homes and businesses. I have lived at 4201 Bellvue for 19 years and have gotten used to most of the "city" noise living at the edge of the residential area entails.

However, the stunningly jarring noises of high-performance engines revving, pneumatic tools and other banging required to operate a repair shop will not only make having a quiet day at home horribly unpleasant, but the nearby businesses will find having normal conversations, meetings and phone called interrupted detrimental to their work.

Please do not allow this zoning change. A Lamborghini garage will be bad enough, but if the zoning passes to future businesses, the problem could become even worse.

Thank you,  
Edith Kemp  
4201 Bellvue Avenue  
Austin, TX 78756

**Clark, Kate**

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**From:** Paul & Mona Sinclair  
**Sent:** Friday, June 14, 2019 12:16 PM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

Hi, My husband and I are building a house on Bellvue. My name is Mona Sinclair. I oppose the rezoning of 4109

Marathon Blvd due to the future usability being a conflict with neighborhood compatibility; we would not have chosen this neighbor hood had we known about a mechanics shop two blocks away.

Best, Mona Marshall Sinclair

**Clark, Kate**

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**From:** Debra Leff  
**Sent:** Friday, June 14, 2019 8:11 PM  
**To:** Clark, Kate  
**Subject:** Maserati dealership

We are struggling to save what is left of our crumbling neighborhood.  
I am against the development of the car repair shop on Marathon.

Sincerely,  
Debra Leff  
4110 Sinclair

**Clark, Kate**

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**From:** Alice Rogers  
**Sent:** Sunday, June 16, 2019 7:03 PM  
**To:** Clark, Kate  
**Cc:** District10  
**Subject:** 4109 Marathon Blvd

Dear Ms. Clark,

We wish to express our opposition to rezoning of 4109 Marathon Blvd. (case number C14-2019-0066). An automobile repair shop is not compatible with our residential neighborhood.

Sincerely,

Alice and Louis Rogers  
4406 Marathon Blvd

Sent from my iPhone

**Clark, Kate**

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**From:** Gary Evans  
**Sent:** Monday, June 24, 2019 1:05 PM  
**To:** Clark, Kate  
**Subject:** 4109 Marathon Blvd.

Ms. Clark, I live at 4308 Marathon Blvd, Austin, TX 78756. I am opposed to the application to allow 4109 Marathon Blvd to become a mechanic shop. Not only is it not compatible with our neighborhood, I fear it could increase traffic on Marathon Blvd. which is already a busy street.

Gary and Angela Evans  
4308 Marathon Blvd, Austin, TX 78756

**Clark, Kate**

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**From:** Laurel Eskridge  
**Sent:** Monday, June 24, 2019 1:54 PM  
**To:** Clark, Kate  
**Subject:** Case No. C14-2019-0066

My name is Laurel Eskridge, and as a resident of Rosedale neighborhood, I oppose the rezoning of 4109 Marathon Blvd due to the future usability (a Lamborghini repair shop) being a conflict with neighborhood compatibility. Please do not allow this to happen.

Sincerely,

Laurel Eskridge  
4213 Bellvue Ave.

PERMIT PARTNERS, LLC  
105 W. Riverside Dr., Suite 225  
Austin, Texas 78704  
Office: 512.593.5361

July 9, 20149

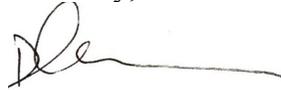
Commission and Council  
One Texas Center  
505 Barton Springs  
Austin, TX 78704

**RE: 4109 Marathon Blvd.**

Dear Commission and Council,

I am writing to request postponement of the 7/16/19 ZAP meeting to 9/3/19. I would also like to request postponement for the 8/8/19 City Council meeting to 10/3/19. We are working to continue ongoing discussions with neighborhood group in an attempt clarify any questions or concerns the interested parties have expressed over the phone.

Sincerely,



David Cancialosi, Agent for Owner

Cc: Gustavo Deleze, Owner Representative