

**Heldenfels, Leane**

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**From:** Tom Watson [REDACTED]  
**Sent:** Friday, September 11, 2015 11:42 AM  
**To:** Heldenfels, Leane  
**Subject:** Comments regarding case C15-2015-0128 - 1701 Toomey Rd. <sup>ml</sup> 24

In the matter of this variance, I offer the following comments.

As a neighbor of this property, we (my wife and I) do not have any concerns about allowing the restaurant to continue operation without any dedicated parking. The metered parking across the street in the Butler Shores Park parking lot is adequate.

The school is a different matter. There is a "drop-off" zone directly in front of the school and it is often clogged with parked cars, which the school does nothing to police. The school has also taken to blocking part of the street and impeding the flow of traffic during the morning and evening drop-off/pick-up periods. While we agree that child safety is the top priority, we do not feel that the school has acted responsibly to use the "drop-off" zone to maximum effectiveness. At most elementary schools, someone will be outside ensuring the traffic flows smoothly in the drop-off area, but at this school they seem oblivious to the impact they're having on the neighborhood traffic. At the very least, we would like to see an off-street drop-off zone that can accommodate the inflow of students and which is actively managed to prevent congestion.

Tom

**Heldenfels, Leane**

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**From:** Lorraine Atherton <[REDACTED]>  
**Sent:** Thursday, September 10, 2015 12:46 AM  
**To:** Heldenfels, Leane  
**Cc:** shersh@austin.rr.com; David King  
**Subject:** 1701 Toomey (C15-2015-0128) postponement  
**Attachments:** PARD parking memoMay2013.pdf; ButlerParkingStudyAug2013.pdf; 1701 Toomey ZNAresponse.docx

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Hello, Ms. Heldenfels.

Attached is the Zilker Neighborhood Association (ZNA) Executive Committee's response to the parking variance request (C15-2015-0128) for 1701 Toomey Road, scheduled to be heard by the Board of Adjustment on Sept. 14, 2015.

The attachment requests a postponement pending a written clarification from City legal of the Board's authority in cases involving dedicated parkland and Chapter 26 hearings under the Texas Parks and Wildlife Code. It also requests that the case be referred back to the City of Austin Parks and Recreation Department for a review of the conditions governing the metered parking on Butler Shores.

The ZNA Executive Committee would be grateful if you could communicate these requests to the Board and include these three attachments in the Board's materials (the Butler Shores parking study from August 2013 and the PARD parking memo of May 2013, in addition to the ZNA response and postponement request).

Thank you,

Lorraine Atherton,

on behalf of the ZNA Executive Committee

# Zilker Neighborhood Association

www.zilkerneighborhood.org ♦ zilkerna@austin.rr.com  
2009 Arpdale ♦ Austin, TX 78704 ♦ 512-447-7681

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September 9, 2015  
Board of Adjustment  
City of Austin Watershed Protection and  
Development Review Dept.  
Austin, TX 78704

Re: 1701 Toomey Road (C15-2015-0128), parking variance request to reduce minimum parking requirement to 0 for a restaurant and private school

The Zilker Neighborhood Association (ZNA) is committed to working with the Parks Department to keep our parks, especially Zilker Park and parklands in the densely populated Butler Shores waterfront area, accessible to the general public. In 2013, the Parks and Recreation Department, Parks Board, Planning Commission, and City Council considered and ultimately rejected proposals that would grant Casa de Luz restaurant the special privileges requested in this application (see PARD parking memo of May 2013). This decision was based on results of surveys and studies conducted in 2013 by Austin's Parks and Recreation Department (see Butler Shores parking study update of August 19, 2013) and an extensive public process. ZNA supports the City Council's decisions to maintain parkland parking lots for the benefit of park users, and we respect the public process that resulted in those decisions. We therefore request that the Board of Adjustment not undo the results of that process.

The ZNA Executive Committee has reviewed the studies and public hearings surrounding the installation of parking meters on Butler Shores parkland in 2013. Two points stand out:

1. Public and street parking cannot count toward minimum parking requirements for private businesses. This was stated unequivocally by the Director of Planning and Development Review, Greg Guernsey, at a City Council hearing on June 6, 2013.
2. Any agreements allowing private businesses to utilize parkland require a public hearing under Chapter 26 of the Texas Parks and Wildlife Code.

By asserting that the metered parking on Toomey and in the Butler Shores parkland parking lots fulfills the entire parking requirement for a restaurant and private school, the applicant is asking the Board of Adjustment to overturn the Chapter 26 hearing and the City Council's ultimate decision not to grant special parking privileges to businesses located near parkland parking lots. If the applicant believes that parking and traffic conditions have changed significantly since the installation of parking meters in 2014, we suggest that Mr. Longoria should pursue a license

agreement with the City and request that the City of Austin Parks and Recreation Department (PAR) conduct a new study and Chapter 26 hearing.

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The ZNA Executive Committee does not believe that the Board of Adjustment is the appropriate entity to review and change license agreements affecting dedicated parkland that requires Chapter 26 decisions. We therefore request that the Board postpone or otherwise decline to accept this variance application until the City's legal department submits a written opinion clarifying the Board's authority in this situation.

If the Board chooses to grant Mr. Hersh's request for a postponement pending a neighborhood meeting, the ZNA executive committee requests that the Board instruct the applicant to cooperate with PAR to conduct a meeting of a stakeholders group similar to the group that met August 14, 2013, made up of competitors for parking in the area. These should include representatives of PAR, the multiple Zachary Scott theater groups, softball leagues, and other park users; organizers of large events in Zilker Park and the neighborhood stakeholder group that meets regularly to review traffic and parking plans for large events (under the direction of Jason Maurer with PAR); the residents and business tenants of the Cole, Barton Place, Zilkr on the Park, and Pecan Grove; the surrounding commercial property owners; and managers of construction projects. The ZNA Executive Committee will be happy to notify our membership of such a meeting and encourage them to participate.

The ZNA Zoning Committee has not yet found documentation of the previous parking variance application at this address, but the *Austin Chronicle* reported on Nov. 21, 2003, that the Board voted 5-0 to allow the applicant "time to try to drum up some more parking for the restaurant and school." Around that time, members of ZNA encouraged the owner to take advantage of various City programs to reduce his parking requirements. Although conditions in this area have changed dramatically since 2003, the current application does not mention attempts to negotiate parking leases in the new parking garages or to establish car-pooling, bus, shuttle van, or valet services for employees or customers of the school and restaurant. There are clearly other remedies besides this variance that would substantially reduce Mr. Longoria's minimum parking requirements, and so the current application is inappropriate for a court of last resort such as the Board of Adjustment.

To summarize, the ZNA Executive Committee requests that the Board of Adjustment refer this variance case back to the appropriate City departments.

Submitted by Lorraine Atherton on behalf of the  
ZNA Executive Committee  
David King, President  
Dave Piper, Vice President  
Bill Neale, Zoning Committee Chair



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## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Sara L. Hensley, CPRP, Director  
Austin Parks and Recreation *S. Hensley*

**DATE:** August 19, 2013

**SUBJECT:** Butler Shores at Town Lake Metropolitan Park Parking Study Status Update

A recent assessment of parking trends at Butler Shores at Town Lake Metropolitan Park was completed in order to recommend a proposal to install pay stations to control the non-park related use. The study was initiated after Council Resolution #2013-0606-048 was passed on June 6<sup>th</sup>, 2013. The following methodologies were implemented to analyze usage and needs:

- A three week field survey of parking area users
- Meetings with the Transportation Department
- Discussions with area residents
- Analysis and recommendations by the Parks and Recreation Department (PAR) staff

### Process

PAR staff observed users of the parking areas from July 5 to July 26, seven days a week at several different times of the day. Field observations were taken of the parking area use before and after 8:00 a.m., during the lunch hour, before and after 5:00 p.m. and evening hours. Exhibit A includes the layout of the study area. Attachment B includes the results of the parking surveys.

PAR met with the Parking Division of the Transportation Department in order to determine the costs for pay stations. The pay station information includes initial costs to purchase and install the meters as well as operation, maintenance, projected revenue and enforcement. These estimates are based on information gathered from the recent implementation of the metering program at the Emma S. Barrientos Mexican American Cultural Center (ESB-MACC). The metering program at the ESB-MACC has been active for approximately four months and is providing insight as to the effectiveness and potential for a similar program at Butler Shores.

### Stakeholders

A public meeting was held on August 14, 2013, at the Zachary Scott Whisenhunt Theater from 5:30 p.m. - 7:30 p.m. to further discuss the proposed program with the surrounding community. On August 22 the Land and Facilities Committee will review the proposal and community feedback and make a recommendation to the full board. The Parks and Recreation Board will consider the proposal at their August 27, 2013 meeting. The results of the public meeting and Parks Board Action will be included in the memo to Council on August 30, 2013.

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## Findings

Staff analysis of the data indicates that Butler Shores parking areas are primarily utilized by non-park patrons. Weekday parking lot use includes the following:

- **Construction Workers**

Area construction activity has generated heavy use of parkland parking during the work week between 7 a.m. to 4 p.m. Vehicle counts ranged from 37 to 55. This current use is subject to change following the completion of construction projects over the next twelve to eighteen months.

- **Restaurant and Daycare Facility**

The nearby restaurant and daycare facility also generated heavy use of parkland parking. Employees and customers were observed utilizing parkland parking areas during the lunch and dinner hours. Vehicle counts ranged from 10 to 30 vehicles.

- **Barton Place Condominiums (1600 Barton Springs Road)**

Other significant users of parkland parking lots were residents/guests of Barton Place Condominiums. Vehicle counts ranged from 15 to 20 vehicles at all times in the parkland parking area directly across the street from the condominiums, with a slight increase to around 25 vehicles in the evening hours and overnight.

## Meter Equipment

Transportation Department staff recommends six (6) pay stations are needed to cover the Butler Shores parking areas. The proposed parking meter program is expected to operate in a similar fashion as the current program at the ESB-MACC. The Transportation Department can order, install, operate, maintain and service the stations and provide PARD with the accounting and distribution of fees collected. Parking enforcement can also be provided by the Transportation Department, with the potential of transferring those responsibilities to PARD Park Rangers in the long term. The cost of each pay station is approximately \$10K. The debt incurred would be paid through the revenue collected, typically paid out within a ten (10) year period. Maintenance and monitoring expense will remain while the meters are in operation.

## Staff Recommendations

After analyzing the user patterns of the parking lots at Butler Fields, staff would like to continue to explore the following recommendations and their impacts with the community and with the Parks and Recreation Board:

1. Install six (6) pay stations throughout the Butler Shores parkland parking areas.
2. The hours of operation would be Monday through Friday, from 8:00 a.m. to 4:00 p.m. The proposed rate would be one (\$1) dollar an hour.

Below is a description of monthly projected expenses and an estimated monthly & annual revenue scenario assuming the above noted hours of operation.

## Monthly Expenses

These expense calculations are derived from the existing meter operations at the Emma Barrientos – Mexican American Cultural Center for four months of this year and then recalculated for the projections at the Butler Shores Ball Fields. The total of the monthly expenses, utilizing this scenario is projected to be \$5,188. This includes a projected credit card service fee, a sales tax fee, enforcement costs, operation and maintenance fees and the debt service of the equipment and construction cost.

## Estimated Monthly & Annual Revenue

The meters are proposed to be activated on weekdays between 8 a.m. and 4 p.m. The goal would be to structure the hours of operation to capture non-park patrons who utilize the parking lots during the weekdays, and not

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burden ball field or trail users. The staff conducted survey indicates a weekday use of non-park patrons to be about 37 vehicles on average. Using this scenario, Staff estimates monthly net revenue of \$1,324 per month or projected \$15,888 annually.

**Next Steps**

Following the August 14, 2013 public stakeholder meeting and August 27, 2013 Parks and Recreation Board (PARB) meeting, PARD will provide a final report to Council by August 30, 2013. The final report will include information and feedback gathered from the stakeholder meeting and PARB.

Should you have any questions or need additional information, please contact Ricardo Soliz, at (512) 974-9452.

Cc: Marc A. Ott, City Manager  
Bert Lumbreras, Assistant City Manager  
Robert Goode, Assistant City Manager  
Robert Spillar, Director, Transportation  
Jesse Vargas, Assistant Director, Austin Parks and Recreation  
Ricardo Soliz, Division Manager, Austin Parks and Recreation  
Steve Grassfield, Transportation Regulatory Manager, Transportation

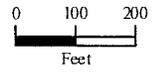


**Legend**

-  TCAD Parcels
-  City of Austin Parks
-  Creeks and Drainage

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This map has been produced by the Parks and Recreation Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**Butler Shores at Town Lake**

18 October 2010 AH

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**ORDINANCE AMENDMENT REVIEW SHEET**

**Amendment:** C20-2013-009 PARD Parking

**Description:** Consider amendments to Chapter 8 and 25 of the City Code to authorize parking utilization agreements on under-used City parking lots.

**Proposed Language:** See attached draft ordinance.

**Staff Recommendation:** Staff recommends this amendment.

**Background:** Initiated by Council Resolution 20121206-071

In response to concerns behind limited parking opportunities for certain businesses, particularly near under-utilized park parking facilities, the City Council passed Resolution 20121206-071 directing the City Manager to develop an ordinance that allows businesses, under certain conditions, to use under-utilized parking lots on city parkland to satisfy minimum parking requirements in exchange for providing significant amenities or enhancements to serve the park.

**Board and Commission Actions**

**Planning Commission Subcommittee on Codes and Ordinances:** April 16, 2013 – Recommend denial of this item to full Planning Commission. Vote: 4-0; D. Anderson and J. Nortey absent.

**Planning Commission:** A public hearing has been set for May14, 2013.

**Council Action**

**City Council:** A public hearing at City Council has been set for June 6, 2013.

**Ordinance Number:** NA

**City Staff:** Ricardo Soliz      **Phone:** 974-9452      **Email:** ricardo.soliz@austintexas.gov



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## MEMORANDUM

**TO:** Planning Commission

**FROM:** Ricardo Soliz, Division Manager  
Parks and Recreation Department

**DATE:** May 6, 2013

**SUBJECT:** Amendments to Titles 25 and 8 of the City Code That Allow Businesses to Utilize City parkland to Satisfy Minimum Parking Requirements

The purpose of this memo is to provide background information on the proposed amendments to Titles 25 and 8 of the City Code and to gain support from the Committee to move forward to the full commission for a public hearing.

The amendments to Titles 25 and 8 (*Land Development*) of the City Code allows non-residential businesses, under certain conditions, to use currently under-utilized parking lots on city parkland to satisfy minimum parking requirements in exchange for funding to provide significant amenities or enhancements to serve the park.

Currently there are parks within our system that have parking facilities that are not heavily used during certain hours of the day or week located adjacent to non-residential businesses. Under certain criteria, the Director of Parks & Recreation Department, may recommend to the City Council to enter into a parking utilization agreement with non-residential businesses. If PARD's future plans require a change in use, the City can revoke the agreement at will, in which case, the applicant is responsible for complying with the minimum requirements of Chapter 25-6, Off-Street Parking and Loading requirements.

Each parking utilization agreement will require a public hearing under Chapter 26 of the Texas Parks and Recreation Code, along with a finding by the City Council that there is no feasible and prudent alternative to the non-park use of parkland and that all reasonable planning has been undertaken to minimize harm to the park resulting from the non-park use.

cc: Jesse Vargas, Assistant Director  
Kimberly McNeeley, Assistant Director  
Cora Wright, Assistant Director  
Ricardo Soliz, Division Manager  
George Zaplac, Planning & Development Review

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**RESOLUTION NO. 20121206-071**

**WHEREAS**, parts of Austin's central city are experiencing shortages of private, off-street parking; and

**WHEREAS**, city-owned parking lots may exist in those areas which are under-utilized, only utilized at certain times, or used illegally for non-city purposes; and

**WHEREAS**, vacant parking lots are an inefficient use of land and lack the aesthetic or recreational benefits of parkland or open space; and

**WHEREAS**, unique parkland amenities and public art installations enhance the character of surrounding neighborhoods; and

**WHEREAS**, due to limited resources and the need to channel parkland dedication funds into larger system-wide acquisitions and improvements, it is often difficult for the City to provide unique and innovative amenities and enhancements for individual parks; and

**WHEREAS**, meeting the City's minimum commercial parking requirements in the urban core poses a significant challenge for many businesses, particularly for smaller scale local businesses in densely developed areas; and

**WHEREAS**, allowing businesses to utilize under-used city parking lots in exchange for providing valuable amenities and enhancements would represent good urban planning, significant public benefit, and efficient use of public resources; **NOW, THEREFORE**,

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**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

1. The city council initiates amendments to Title 25 (*Land Development*) of the City Code and directs the city manager to develop an ordinance that allows businesses, under certain conditions, to use under-utilized parking lots on city parkland to satisfy minimum parking requirements in exchange for providing significant amenities or enhancements to serve the park.
  
2. In developing the ordinance, the city manager should use the following requirements and criteria as a starting point. Additional requirements or procedures may also be included based on further review and consultation with affected city departments.
  - (A) The ordinance should allow proposals to be accepted for review only from businesses located within 1,000 feet of a parking lot that is located on city parkland and, based on a determination by the Transportation Department, has an over-capacity of parking based on the parking demands for existing and planned park-related uses.
  
  - (B) To be considered for review, a proposal from an eligible business would have to include:
    - (i) proof that the business cannot provide the minimum number of parking spaces required under City Code Chapter 25-6 (*Transportation*); and

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(ii) an offer to provide and maintain, at the business's own expense, a significant and innovative park amenity or improvement.

(C) A proposal would be recommended to the city council for approval through the Chapter 26 process if the official designated to review the proposal concludes, at a minimum, that:

- (i) the excess capacity of parking is sufficient to satisfy at least 75% of the applicant's parking deficiency for at least 75% of the time that the business is open; and
- (ii) the proposed amenity or improvement would constitute a significant public benefit and enhance the character of the park or provide a substantial recreational benefit; and
- (iii) use of the spaces will not unduly interfere with use of the park for park purposes.

(D) Council approval of a proposal would be subject to the requirements of the Texas Parks and Wildlife Code, Chapter 26, and all other applicable ordinance, charter, and statutory requirements. In addition, approval would require execution of a park use agreement that:

- (i) requires the applicant to provide for any necessary maintenance of the park amenity or improvement and the parking spaces covered by the agreement;
- (ii) gives the City the unilateral right to revoke the agreement, without penalty, in which case an applicant would be

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required to fully satisfy the minimum parking standards under Chapter 25-6 (*Transportation*); and

(iii) allows the city to utilize the parking spaces subject to the agreement.

(E) Nothing in this ordinance shall apply to the Mexican American Cultural Center and its master plan.

3. The City Manager is authorized to consider allowing a fee in lieu of providing and maintaining the proposed amenity and the evaluation process should include an assessment of the value of the amenity relative to the parking spaces.
4. This ordinance should come back to Council by March 31, 2013.

ADOPTED: December 6, 2012 ATTEST: Shirley A. Gentry  
Shirley A. Gentry  
City Clerk

ORDINANCE NO.

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1 AN ORDINANCE AMENDING CITY CODE CHAPTERS 8-1 AND 25-6 TO  
2 AUTHORIZE PARKING UTILIZATION AGREEMENTS ON UNDER-USED  
3 CITY PARKING LOTS.  
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5 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
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7 PART 1. Subsection (A) of City Code Section 8-1-33 (*Restrictions on Parking*) is  
8 amended to read:

9 (A) Except as provided in Subsections (B) and (C), a person may park a motor  
10 vehicle in a park, playground, or nature preserve owned, operated or maintained by the  
11 city only:

- 12 (1) in a designated parking area;
- 13 (2) within 12 feet of the edge of a roadway where parking is authorized; [ø]
- 14 (3) at the direction of a police officer or park police officer; and
- 15 (4) in an area subject to an agreement approved under Section 8-1-35  
16 (*Parking Utilization Agreements*).  
17

18 PART 2. City Code Chapter 8-1, Article 3 (*Restrictions on Use of Motor Vehicle in*  
19 *Park*) is amended to add a new Section 8-1-35 to read:

20 § 8-1-35 PARKING UTILIZATION AGREEMENTS.

21 (A) This section authorizes the director to recommend to the city council approval  
22 of a parking utilization agreement authorizing the use of under-utilized parking on city  
23 parkland in exchange for a significant community benefit.

24 (B) An applicant may request that the director review a proposed parking utilization  
25 agreement under Subsection (C) if each of the requirements in this subsection is met.

26 (1) The applicant is a business or non-profit organization, other than a  
27 provider of residential housing, located within a 1,000 feet of a parking lot that is  
28 located on city parkland and does not serve an administrative building or  
29 recreational center.

30 (2) The director determines that the parkland associated with the lot is  
31 suitable for additional amenities or improvements that would add significant  
32 aesthetic or recreational value to the park.

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1 (3) The Transportation Department determines, in consultation with the  
2 director, that the parking lot is under-utilized for park-related events during normal  
3 hours of operation.

4 (4) The Planning & Development Review Department determines that:

5 (a) the under-utilized spaces would be sufficient to satisfy at least 75  
6 percent of the applicant's minimum parking requirements under Chapter 25-  
7 6, Appendix A (*Tables Of Off-Street Parking And Loading Requirements*);  
8 and

9 (b) the applicant is unable to obtain sufficient parking due to lack of  
10 availability.

11 (5) A fee for the determinations required under Paragraphs (2), (3), and (4)  
12 of this subsection shall be established by separate ordinance.

13 (C) The director shall review a parking utilization proposal under this subsection  
14 only if it includes all of the elements required by Subsection (B). A decision by the  
15 director that a proposal does not warrant further review is final.

16 (1) The director may recommend a proposed parking utilization agreement to  
17 the city council for consideration if:

18 (a) no permanent change in operation of the park is anticipated that  
19 would significantly increase park-related demand for parking spaces;

20 (b) the applicant agrees that, if the agreement is approved by the city  
21 council, the applicant will:

22 (i) fund construction and maintenance of the amenities or  
23 improvements identified by the director under Subsection (B)(2);  
24 and

25 (ii) fees required for use of park property consistent with the  
26 process for implementing Chapter 26 of the Texas Parks &  
27 Wildlife.

28 (2) The director may require changes to a proposed parking utilization  
29 agreement as a condition to recommending council approval. A decision by the  
30 director not to recommend approval of a parking utilization agreement is final.

31 (D) If the director recommends approval of a parking utilization agreement under  
32 this section, the item shall be posted on the council agenda concurrent with approval of a  
33 determination under Chapter 26 of the Texas Parks & Wildlife Code. The council may  
34 approve, deny, or modify a proposed parking utilization agreement.



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### PUBLIC HEARING INFORMATION

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 application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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 will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
  - appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
  - is the record owner of property within 500 feet of the subject property or proposed development; or
  - is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/devservices](http://www.austintexas.gov/devservices).

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

**Case Number: C15-2015-0128. 1701 Toomey Road**  
**Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov**  
**Public Hearing: Board of Adjustment, September 14th, 2015**

James M. Karabaić  I am in favor  
 Your Name (please print)  I object

1725 Toomey Rd. <sup>#300</sup> Austin, Tx. 78704  
 Your address(es) affected by this application

James M. Karabaić 9/6/15  
 Signature Date

Daytime Telephone: (512) 469-7807

Comments: Cava de Luz has been part of  
the community for over 20 years. Many  
of the customers walk or ride bikes.  
Granting this variance will be a good  
thing & it should not have a negative impact  
on our neighborhood. There has been a  
school there also, for many years & it does not  
create a parking or traffic problem.  
Thank you,

**If you use this form to comment, it may be returned up until noon the day of the hearing to (comments received after noon may not be seen by the Board at this hearing) :**

City of Austin-Development Services Department/ 1st Floor  
 Leane Heldenfels  
 P. O. Box 1088  
 Austin, TX 78767-1088  
 Fax: (512) 974-6305  
 Scan & Email to: [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

*James Karabaić*

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### PUBLIC HEARING INFORMATION

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- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
  - appearing and speaking for the record at the public hearing;
- and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

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**Case Number: C15-2015-0128. 1701 Toomey Road**

**Contact:** Leane Heldenfels, 512-974-2202, [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, September 14th, 2015**

Bradley S. Keup

Your Name (please print)

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

1600 Barton Springs Rd #2505 AUSTIN, TX

Your address(es) affected by this application

Bradley S Keup

Signature

9/4/2013

Date

Daytime Telephone: (512) 963 5697

Comments: They should have been shut down a long time ago.

That restaurant Caza de Luz has been operating illegally for years!

**If you use this form to comment, it may be returned up until noon the day of the hearing to (comments received after noon may not be seen by the Board at this hearing) :**

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