

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0096.SH

P.C. DATE: August 14, 2007
October 9, 2007

ADDRESS: 8837, 8839, 8841 East Drive

OWNER/APPLICANT: Ron Chitsey

AGENT: Vaughn & Associates (Rick Vaughn)

ZONING FROM: SF-3

TO: SF-6

AREA: 0.88 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to **deny** the applicant's request for SF-6, Townhouse & Condominium Residence District, zoning for this property.

PLANNING COMMISSION RECOMMENDATION:

8/14/07: Postponed to October 9, 2007 at the applicant's request (7-0, C. Galindo-absent);
J. Reddy-1st, S. Kirk-2nd.

10/09/07: Approved staff's recommendation to deny SF-6 zoning (9-0); J. Reddy-1st, M. Dealey-2nd.

ISSUES:

The staff received a postponement request from the agent for this case on August 7, 2007 (Postponement Request – Attachment A). The applicant/agent is requesting a postponement to allow for additional time to meet the surrounding neighborhood associations. This is the applicant/agent's first postponement request.

On August 3, 2007, the staff received a petition from adjacent property owners against the proposed rezoning (Petition Submittal – Attachment B). This petition has been validated at 33.17%. The valid petition will require an affirmative vote of three-fourths of the members of Council to approve a proposed rezoning of these tracts. The excerpt below is from the City of Austin's Land Development Code and explains when the City Council is subject to the three-fourths vote.

Sec. 25-2-284 REQUIREMENT FOR APPROVAL BY THREE-FOURTHS OF COUNCIL.

- (A) *The affirmative vote of three-fourths of the members of Council is required to approve a proposed rezoning if:*
 - (1) *the Land Use Commission recommends denial of an application to rezone property to a planned unit development; or*
 - (2) *the proposed rezoning is protested in writing by the owners of not less than 20 percent of the area of land:*
 - (a) *included in the proposed change; or*
 - (b) *immediately adjoining the area included in the proposed rezoning and extending 200 feet from the area.*

DEPARTMENT COMMENTS:

The property in question consists of three grassy, undeveloped lots. The applicant is requesting SF-6, Townhouse and Condominium Residence District, zoning at this location to construct a 12 unit multifamily development on the site (SMART Housing Certification Letter – Attachment C).

The staff is recommending denial of the proposed SF-6 zoning because the property is located adjacent to existing one story single-family houses to the north, south and west. The current SF-3, Family Residence District, zoning designation is appropriate at this location because the site is surrounded by SF-3 zoning to north, south and west. The property to the east is zoned for MF-4-CO, Multifamily Residence-Moderate-High Density District, zoning. However, these apartment homes front onto the Interstate Highway-35 Southbound Service Road and do not take access to East Drive, which is classified as a local residential street. The site under consideration meets the purpose statement for the SF-3 zoning district designation and can currently be developed with single family residences or duplexes that will maintain the single-family residential character of the surrounding neighborhood.

The applicant does not agree with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Undeveloped
<i>North</i>	SF-3	Single-Family Residences
<i>South</i>	SF-3	Single-Family Residences
<i>East</i>	MF-4-CO	Apartments
<i>West</i>	SF-3	Single-Family Residences

AREA STUDY: Georgian Acres NP Area (On December 14, 2006, the City Council approved a resolution to adopt the North Lamar/Georgian Acres area for a future neighborhood plan. The neighborhood planning process has not begun for this area at this time.)

TIA: N/A

WATERSHED: Little Walnut Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

28 – Georgian Acres Neighborhood Association
114 – North Growth Corridor Alliance
511 – Austin Neighborhoods Council
742 – Austin Independent School District
786 – Home Builders Association of Greater Austin
937 – Taking Action Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0030	MF-3-NP to LR-NP	6/14/05: Approve the LR-CO-NP zoning request and plan amendment with additional recommendation that hours be limited, a 2,000 vehicle trip limit per day, and that the City Council public hearing notice include the opportunity to add MU, Mixed Use Combining District. Vote: (7-0, C. Galindo- absent)	10/06/05: Denied request for LR-NP (7-0)
C14-01-0037	SF-2, SF-3, MF-2, MF-3, LO, LR, GR, CS, CS-1, LI, LI-CO to MF-2-NP, NO-NP, LO-NP, GR-NP, CS-NP, P-NP, LI-NP	4/17/01: Approved staff rec. of NO-NP, CS-NP, MF-2-NP, LO-NP, GR-NP, P-NP, LI-NP (9-0)	5/24/01: Approved PC rec. on all 3 readings (except Tract 9-on 1 st reading only); (6-0) 8/09/01: Approved CS-NP for Tract 9 (7-0); 2 nd /3 rd readings
C14-93-0151	GR to LI	1/04/94: Approved LI-CO with conditions and R.C. (8-1)	2/03/94: Approved LI-CO (5-0); 1 st reading 4/14/94: Approved LI-CO (6-0); 2 nd /3 rd readings
C14-93-0064	MF-3 to LI	6/15/93: Approved LI, prohibiting several uses agreed to by the neighborhood and the applicant	7/01/93: Approved LI-CO (7-0); all 3 readings
C14-92-0106	GR to LI	12/08/92: Approved LI-CO	12/17/92: Approved LI-CO with conditions, 1 st reading 2/25/93: Approved LI-CO with conditions, 2 nd /3 rd readings

RELATED CASES: N/A**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Daily Traffic
East Drive	50-ft.	18-ft.	Local Residential	N/A

CITY COUNCIL DATE: November 8, 2007

ACTION:

ORDINANCE READINGS: 1st

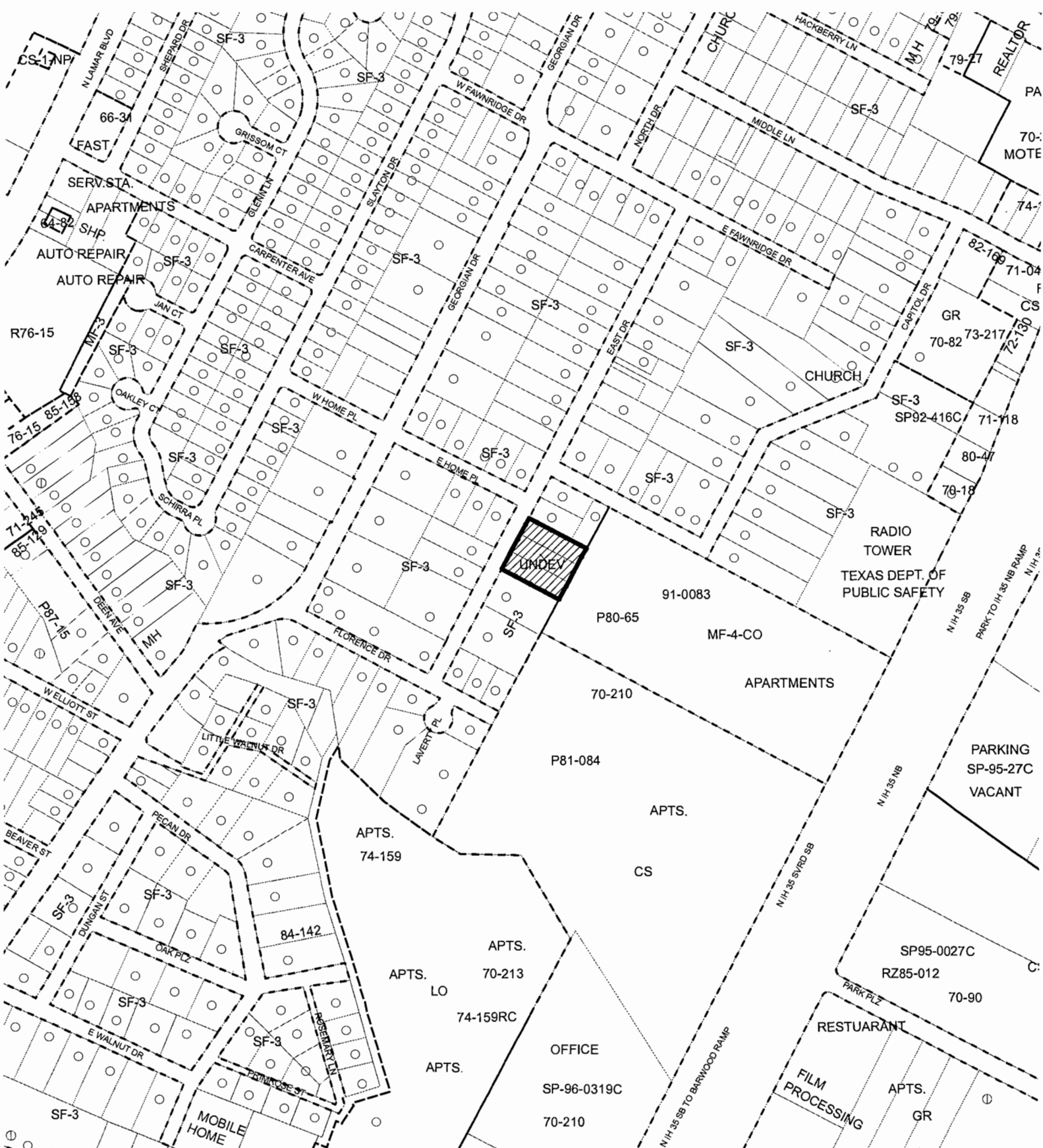
2nd

3rd

ORDINANCE NUMBER: N/A

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



ZONING



Subject Tract



Zoning Boundary



Pending Cases

1" = 400'

OPERATOR: SM

ZONING CASE#: C14-2007-0096.SH
ADDRESS: 8837 EAST DR
SUBJECT AREA: 0.88 ACRES
GRID: L29
MANAGER: S. SIRWAITIS



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

STAFF RECOMMENDATION

The staff's recommendation is to **deny** the applicant's request for SF-6, Townhouse & Condominium Residence District, zoning for this property.

BASIS FOR RECOMMENDATION

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

The property in question is not consistent with the purpose statement for the SF-6 zoning district as this site is not located in an area with large lots that have access to streets other than minor residential streets. It does, however, meet the intent of the existing SF-3 zoning designation.

Family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated as an SF-3 district is subject to development standards that **maintain** single-family neighborhood characteristics.

2. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The rezoning request to SF-6 is not compatible with the adjacent low density single family residential neighborhood. The current SF-3 zoning is consistent with the existing zoning and residential uses surrounding the site the north, south, and west. The property in question is located mid-block on a local residential street.

3. *Zoning should allow for reasonable use of the property.*

The current SF-3 zoning will allow for the development of compatible single-family houses or duplex uses on the property.

EXISTING CONDITIONS

Site Characteristics

The site under consideration consists of three undeveloped lots that are covered with grassy terrain.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the SF-6 zoning district would be 55%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Environmental

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 sq. ft. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

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

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

Transportation

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

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

The trip generation under the requested zoning is estimated to be 77 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

There are no existing sidewalks along East Drive.

Capital Metro bus service is available within ¼ mile along Georgian Drive with the No. 15 Red River local service route.

Existing Street Characteristics:

<u>Name</u>	<u>ROW</u>	<u>Pavement</u>	<u>Classification</u>	<u>Daily Traffic</u>
East Drive	50-ft.	18-ft.	Local Residential	N/A

Water and Wastewater

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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.

Stormwater Detention

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

Site Plan Review

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

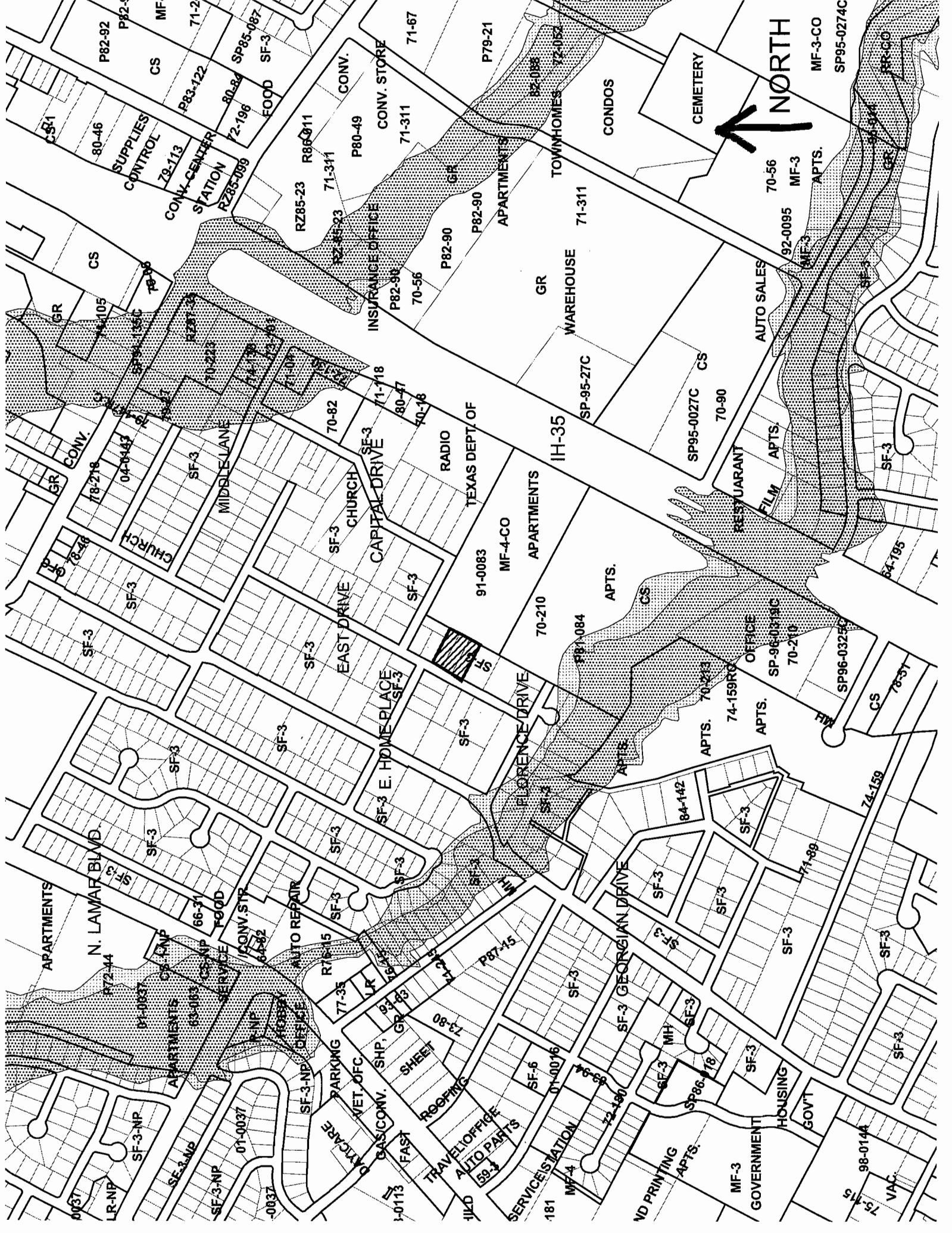
Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Compatibility Standards

The site is subject to compatibility standards. Along the front and both interior side yard property lines, 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.

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







Vaughn & Associates

August 7, 2007

Mr. David Sullivan
Planning Commission
P.O. Box 1088
Austin, TX 78767

Re: 8837, 8839, 8841 East Drive, C14-2007-0096.SH

Dear Mr. Sullivan,

As representative of the owner of the above referenced property, located at 8837, 8839, 8841 East Drive, I hereby respectfully request to postpone the Planning Commission meeting scheduled for August 14, 2007. The postponement is requested due to needing more time in order to hold additional meetings with the Neighborhood Associations.

We respectfully request this postponement until the October 9, 2007 Planning Commission meeting.

If you have any further questions regarding this important matter, please do not hesitate to contact my office.

Sincerely,

Rick Vaughn
Principal

GeorgianAcresPostponementLetter.08.07.2007

PETITION

Case Number:

C14-2007-0096.SH Date:Aug. 7, 2007

Total Area within 200' of subject tract: (sq. ft.)

280,325.76

1	<u>02-3818-0207</u>	<u>GALBRETH LYNETTE</u> <u>M</u>	<u>17081.58</u>	<u>6.09%</u>
2	<u>02-3818-0232</u>	<u>GANCI SALVATORE</u> <u>JR & JOAN</u>	<u>9521.15</u>	<u>3.40%</u>
3	<u>02-3917-0306</u>	<u>GUYNES RANDOLPH</u> <u>T</u>	<u>9041.29</u>	<u>3.23%</u>
4	<u>02-3917-0307</u>	<u>GOMEZ VICTOR A</u> <u>YOUNT JOHN &</u>	<u>185.86</u>	<u>0.07%</u>
5	<u>02-3917-0308</u>	<u>GINGER</u> <u>GONZALEZ MARTIN H</u>	<u>12930.43</u>	<u>4.61%</u>
6	<u>02-3917-0309</u>	<u>& SARAH A</u>	<u>17691.62</u>	<u>6.31%</u>
7	<u>02-3917-0311</u>	<u>GAUTHREUX TANYA</u> <u>MORENO TOMAS</u>	<u>12670.31</u>	<u>4.52%</u>
8	<u>02-3917-0435</u>	<u>REY & NANCY</u>	<u>13875.11</u>	<u>4.95%</u>
9				<u>0.00%</u>
10				<u>0.00%</u>
11				<u>0.00%</u>
12				<u>0.00%</u>
13				<u>0.00%</u>
14				<u>0.00%</u>
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Validated By:

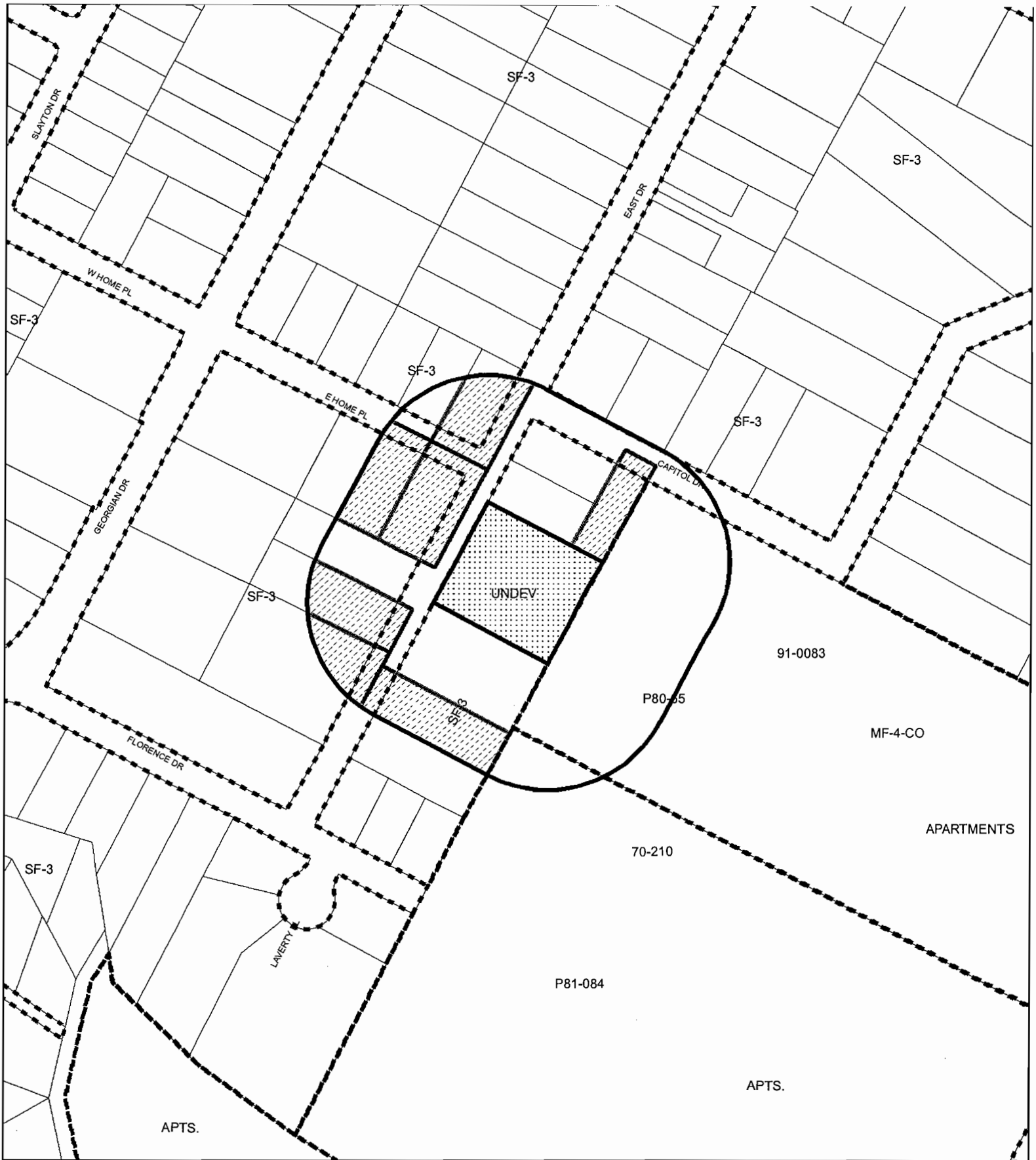
Stacy Meeks





Total Area of Petitioner:

92,997.36

Total %

33.17%



-  **Subject Tract**
-  **Property Owner**
-  **Buffer**
-  **Zoning Boundary**

1" = 200' OPERATOR: SM

PETITIONS

CASE#: C14-2007-0096.SH
 ADDRESS: 8837, 8839 & 8841 EAST DR
 GRID: L29
 CASE MANAGER: S. SIRWAITIS



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PETITION

Date: August 1, 2007

File Number: C14-2007-0096.SH

Address of Rezoning Request: 8837, 8839, and 8841 East Drive

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

Reason # 1 – The change is incompatible with the current zoning of the neighborhood. There are no SF-6 properties in this area. The 3 lots requesting the zoning change are only 60' wide. Allowing the change would double the capacity of the narrowest lots on East Drive.

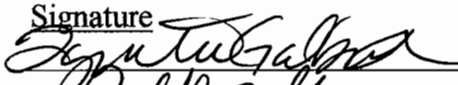
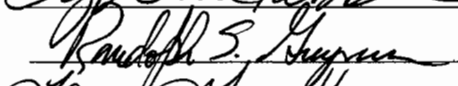
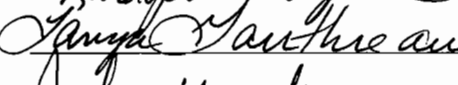
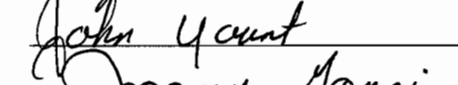
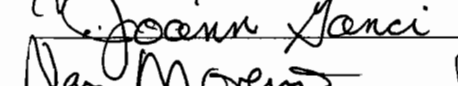
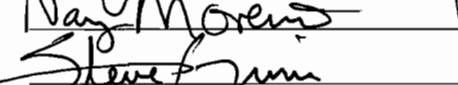

Reason # 2 – The change would concentrate too much density for the property and neighborhood. The request would allow 12 duplexes on the 3 narrow lots. Adding up to 24 cars will create danger and congestion on this narrow, unimproved street.

Reason # 3 – The surrounding area has an adequate amount of low-rent housing. 60% of this area is rental property priced below the affordable housing goals. The property requesting the zoning change is abutted to the east by an existing 840-unit apartment complex.

Reason # 4 – Potential for a negative environmental impact. The additional amount of impervious cover along this unimproved street will increase erosion on adjoining properties and may add to the pollution to Little Walnut Creek.

Reason # 5 - The property has a history of neglect, bad management, and violations of city ordinances. The lots have been mowed once in the past decade by the city. In 1991 the city forced the removal of 5 units that were rented out with no certificate of occupancy.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	Gynette Galbreth	8827 East Drive
	Randolph T. Guyner	8824 East Drive
	Tanya Gauthreaux	8832 East Drive
	John Yount	303 E. Home Place
	Joann Ganci	407 Capitol Dr.
	Nancy Moreno	304 E. Home Place
	Steve Grimes	8833 East Drive

Sarah 92 Sarah Gonzalez 305 E. Home Pl
Erica Hendrix 8901 East Dr.
Dan K. O'Neil 8910 EAST DR.
Rolando Garcia ROLANDO GARCIA 400 FLORENCE DR
Gerardo Ortuna 402 Florence Dr.
William Schallase^{WILLIAMS} 8908 EAST DR.
Victor Gomez 301 homeplace Victor Gomez
Joe Plummer Joe Plummer 508 CAPITAL DRIVE
Anna Soto Anna Soto 510 Capital Dr.
Rubice Prieg 500 Capital Dr.
Holly Guess 208 Florence Dr. Austin Tx 78753
Larry Harrison LARRY HARRISON 9510 North Creek Dr. Austin TX 78753

Date: August 1, 2007

Contact Name: Lyn Galbreth

Phone Number: (512) 799-2521

OWNERS OF AFFECTED PROPERTY PROTEST AGAINST A CHANGE: LIST OF PETITION SIGNERS

PROPERTY OWNER NAME	ADDRESS	PARCEL#	NOTE
GALBRETH LYNETTE M	8827 EAST DR	0238180207	512/799-2521
GUYNES RANDOLPH T	8824 EAST DR	0239170306	LIVES HERE
GAUTHREAUX TANYA	8832 EAST DR	0239170311	LIVES HERE
YOUNT JOHN & GINGER	E 303 HOME PL	0239170308	LIVES HERE
GANCI SALVATORE JR & JOAN	407 CAPITOL DR	0238180232	LIVES HERE
MORENO TOMAS REY & NANCY	E 304 HOME PL	239170435	LIVES HERE
GRIMES KENNETH S	8833 EAST DR	0238180226	LIVES HERE
GONZALEZ MARTIN H & SARAH A	E 305 HOME PL	0239170309	LIVES HERE
HENDRIX HOLLY M & ERICA M	8901 EAST DR	0238180111	LIVES HERE
O NEAL DANIEL K	8910 EAST DR	0239170432	LIVES HERE
GARCIA ROLANDO	400 FLORENCE DR	0237161105	LIVES HERE
ORTUNO GERARDO ORTIZ	402 FLORENCE DR	0237161104	LIVES HERE
DZENOWSKI SCHALOIASE D WILLIAMS	8908 EAST DR	0239170431	LIVES HERE
GOMEZ VICTOR A	E 301 HOME PL	0239170307	LIVES HERE
PLUMMER JOE LEE	508 CAPITOL DR	0238180131	LIVES HERE
MENDEZ GABINO & ISIDRO SOTO	510 CAPITOL DR	0238180130	LIVES HERE
VAZQUEZ MELITON	500 CAPITOL DR	0238180135	We are unsure if this signature is the property owner. There was a significant language barrier in this discussion.
GUESS HOLLY	208 FLORENCE DR	0237160801	
LARRY HARDISON	9510 NORTHCREEK DR..	N/A	President, NorthCreek/Georgian Acres Neighborhood Association



City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

Gina Copic, S.M.A.R.T. Housing Program Manager
 (512) 974-3180, Fax: (512) 974-3112, regina.copic@ci.austin.tx.us

May 16, 2007

S.M.A.R.T. Housing Certification East Drive Development

TO WHOM IT MAY CONCERN:

Ron Chitsey (development contact Rick Vaughn, 208-8891 (o); 619-7159 (m); rick@rvaughn.com) is planning to develop a **12 unit multi-family** development at **8837, 8839, 8841 East Dr.** Zoning fees for this development may be waived if the applicant has met (or has demonstrated a good-faith effort to offer to meet) with applicable neighborhood associations.

Subject to approval of the required zoning, NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 100% of the residential units will serve households at or below 80% Median Family Income (MFI), the development will be eligible for 100% waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees	Concrete Permit	Mechanical Permit
Building Permit	Electrical Permit	Plumbing Permit
Site Plan Review	Subdivision Plan Review	Zoning Verification
Construction Inspection	Regular Zoning Fee	Land Status Determination
Demolition Permit Fee		Building Plan Review

Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Austin Energy: Katie Jensen, 482-5407).
- ◆ Submit plans demonstrating compliance with accessibility and transit-oriented standards.

Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify accessibility and transit-oriented standards were met.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me at 974-3137 if you need additional information.

Maneesh Chaku
 Neighborhood Housing and Community Development

Cc:	Gina Copic, NHCD	Virginia Collier, NPZD	Javier Delgado, NHCD
	Danny McNabb, WPDR	Guy Brown, WPDR	
	Timothy Kisner, Austin Energy	Tim Langan, WPDR	Nannett Holweger, PW
	Robby McArthur, WWW Taps	Katie Jensen, Austin Energy	Lisa Nickle, WPDR
	Maureen Meredith, NPZD	Steve Barney, NHCD	Yolanda Parada, WPDR

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: C14-2007-0096.SH

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing:

August 7, 2007 Zoning and Platting Commission

Robert T. Acosta

Your Name (please print)

8841 Georgiay Dr. Aus. Tex

Your address(es) affected by this application

Robert J. Acosta 8/6/07

Signature

Date

Comments: Highly dense already
& changing zones will make
it worse. Not a good
objective for the land.

☐ I am in favor
☒ I object

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2007-0096.SH

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing:

August 7, 2007 Zoning and Platting Commission

Nancy Moreno

Your Name (please print)

304 E. Home Place

Your address(es) affected by this application

Ncy Moreno

Signature

Date

8-1-07

Comments: I strenuously object to the
zoning change. The added
traffid and parking due to the
limited space of the improved
& unguttered roads will
adversely affect our neighbors
quality of life. The inaccessibility
to main roads other than by residential
streets will also diminish my
neighborhood's integrity.

☐ I am in favor
☒ I object

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

City of Austin

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Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2007-0096.SH

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing:

August 7, 2007 Zoning and Platting Commission

☐ I am in favor
☒ I object

HOLLY HENDRIX

Your Name (please print)

8901 EAST DRIVE

Your address(es) affected by this application

Holly Hendrix

Signature

Date

7/29/07

Comments: 3 NARROW LOTS ONLY ACCESS IS TO STREETS WITH NO CURBS, GUTTERS OR SIDEWALKS. DISTRICT HAS OVER ABUNDANCE OF LOW INCOME HOUSING. OWNERS' HISTORY- RECENT LOTS HAVE NOT BEEN MOWNED OR FENCED. FAST- HOUSING ON PROPERTY DETERIORATED, CRIMINAL ACTIVITY INCREASED. IN THE END, WHAT WAS LEFT OF PROPERTIES WERE INHABITED BY TRANSIENTS AND HAD TO BE BULDOZED. DISTRICT NEEDS FAMILIES THAT OWN/LIVE IN SINGLE FAMILY HOMES. NOT- INVESTORS FROM OUT OF STATE THAT RENT TO ANYONE WITH CASH OR OWNERS THAT TAKE GOVERNMENT FUNDS BUT DO NOT PROVIDE QUALITY HOUSING FOR PEOPLE IN NEED.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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: C14-2007-0096.SH

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: or 8/14/2007 Planning Commission

August 7, 2007 Zoning and Platting Commission

☐ I am in favor
☒ I object

Lynette Galbreth

Your Name (please print)

8827 East Drive Austin, TX 78753

Your address(es) affected by this application

Sherri Sirwaitis

Signature

Date

8/1/07

Comments: Re zoning from SF3 to SF6 violates City of Austin zoning principles and land use planning principles as:

a) SF6 on this property will create an arbitrary development

pattern. It would be spot zoning that does not fulfill a public need but only constitutes a grant of special privilege to an absentee owner. Everything on this street is SF3.

b) SF6 would set an undesirable precedent for other properties in this neighborhood. This is a very serious concern for us.

c) SF6 is totally incompatible with adjacent uses - single family homes - and will result in irreparable damage to the neighborhood character.

d) SF6 is over zoning that cannot be supported by the existing street. If you use this form to comment, it may be returned to:

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dangerous amounts of traffic for especially the children and persons with disabilities that live very nearby.

Please do not trash out my home

Solely to enable this developer's profiteering. He doesn't even live in Austin.

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Case Number: C14-2007-0096.SH

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing:

August 7, 2007 Zoning and Platting Commission

Sally D. Scalzo

Your Name (please print)

8834 East Drive

Your address(es) affected by this application

Sally Scalzo

Signature

Date

7/31/09

Comments: The proximity of deteriorating apartment complexes bordering an community disturbs integrity. Recognizing & permit high density construction in an community will only serve to depress property values and increase the crime rate in our neighborhood. If you are concerned about the crime rate in our community you will reconsider this zoning change.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

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Case Number: C14-2007-0096.SH

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing:

August 14, 2007 Planning Commission

DANIEL K. O'NEIL

Your Name (please print)

8910 EAST DR.

Your address(es) affected by this application

Daniel K. O'Neil

Signature

Date

8/7/07

Comments: RE: CASE # C14-2007-0096, SH AUG. 14, 2007 SHERRI SIREWAITIS: CRIME IS NOW OUT OF CONTROL IN OUR NEIGHBORHOOD. A MULTI-UNIT STRUCTURE WITH ~~THE~~ ATTRACT AN ELEMENT OF UNDESIRABLE TENANTS WE DO NOT WANT THESE PEOPLE ON OUR STREET!

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

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: C14-2007-0096.SH

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing:

August 7, 2007 Zoning and Platting Commission

☐ I am in favor
☒ I object

DANIEL K. O'NEIL

Your Name (please print)

8910 EAST DR. AUSTIN TX. 78753

Your address(es) affected by this application

Daniel K. O'Neil

Signature

7/30/07

Date

Comments: REGARDING CASE # C14-2007-0096.SH
ZONING & PLANNING COMMISSION HEARING ON
AUG. 7TH, 2007. SHERRI SIRWAITIS, NO!

Comments:

THIS PROJECT WOULD GENERATE
APPROXIMATELY TWICE THE EXISTING
TRAFFIC ON OUR TWO BLOCK STREET.
WE HAVE 2 HANDICAPPED RESIDENTS
~~BEHIND~~ WITHIN 300 FT. OF THE PROJECT.
IS MR. CHITSEY WILLING TO PAY FOR
SIDEWALKS? WE ARE NOT!

Daniel K. O'Neil

Si usted usa esta forma para proveer comentarios, puede retornarlos

a: City of Austin

Neighborhood Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0096.SH

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing:

August 14, 2007 Planning Commission

Kiersten Lo + Eric Dracker

Your Name (please print)

406 Capitol Dr.

Your address(es) affected by this application

KSL

Signature

8/10/07

Date

Comments:

Will reduce quality of life in the neighborhood if doubling the occupancy rate to a 12-unit complex.

There is ~~not~~ NOT enough parking in the neighborhood, and traffic/parking issues will also increase noise level in neighborhood.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

August 14, 2007

Richard (Rick) Vaughn
Vaughn & Associates
707 West 10th Street
Austin, TX 78701

RE: Zoning Change Request for 8837, 8839, and 8841 East Drive

Dear Mr. Vaughn:

I, with my neighbors, represent the North Creek/Georgian Acres Neighborhood Association in the matter of your client Ron Chitsey's application to re-zone and develop the properties above.

We are resident homeowners of properties very close to Mr. Chitsey's property and are deeply interested in your client's plans for development of the property. We were pleased to read in the recent report by the city Neighborhood Planning and Zoning Department staff that you want to meet with the surrounding neighborhood associations.

Since the topic is the property development at 8837-8841, it makes the most sense to us to meet on site, thus enabling the best opportunity to illustrate and visualize your plans and thereby to enhance communication about them. The homeowner next door, at **8833 East Drive**, graciously offers us a comfortable home on site at which to meet.

We can make ourselves available to you at **your choice of 6:00 p.m. or 7:00 p.m. on August 23rd or 30th, or September 6th**. If these options are simply impossible for you, please contact me as soon as possible via email or telephone. My contact information is noted below. We can then work out a date and time that is good for everybody who shares our interest in this.

In summary, we are looking forward to discussing Mr. Chitsey's plans for the property in person with you and Mr. Chitsey if he chooses, and we can meet at 8833 East Drive at the time and date from the options above that you find most convenient. If these dates are impossible, please contact me as soon as possible to arrange one that will work for you and us.

Sincerely,



Lyn Galbreth
8827 East Drive
Austin, TX 78753
Email: lynlauffs@hotmail.com
Phone: 512/799-2521

CC: Larry Hardison, NCGANA President (339-4164) (larryhardison@sbcglobal.net)
Steve Barney, SMART Housing Project Coordinator, City of Austin NHCD/AHFC
Sherri Sirwaitis, Senior Planner, City of Austin NP&ZD
Tanya Gauthreaux
Richard Reneau
Steve Grimes
Rose Blanchard