SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2007-0067 - Clawson

REQUEST:
Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3608 and 3706 Clawson Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. First reading approved on October 11, 2007. Vote: 6-0 (Cole-off the dais). Applicant: City Staff: Robert Heil, 974-2330.

ISSUES:

A petition has been filed against this case representing 38% of the property within 200 feet.

OWNER/APPLICANT: Claria Riccobono, Richard Roberts and James Barnett. Agent: Jay Dupont.

AGENT: Jay Dupont and Brad Schubert

DATE OF FIRST READING: First reading approved on October 11, 2007. Vote: 6-0 (Cole-off the dais).

CITY COUNCIL HEARING DATE: November 29, 2007

CITY COUNCIL ACTION:
The public hearing was closed and the first reading of the ordinance for multi-family residence-low density-conditional overlay (MF-2-CO) with a 300 trip per day limitation was approved on Council Member Kim's motion, Council Member McCracken's second on a 6-0 vote. Council Member Cole was off the dais. The motion includes accepting the offer of green building, smart housing and water conservation made by the applicant.

CASE MANAGER: Robert Heil e-mail address: robert.heil@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0067

PC Date: June 26, 2007
July 10, 2007
July 24, 2007
August 14, 2007

ADDRESS: 3608 and 3706 Clawson

OWNER/APPLICANT: Clarita Riccobono, Richard Roberts, James Barnett

AGENT: Jay Dupont and Brad Schubert

ZONING FROM: SF-3 **TO:** MF-2-CO **AREA:** 2.223 acres

STAFF RECOMMENDATION:

Staff alternatively recommends approval of townhouse and condominium residence (SF-6) district zoning.

PLANNING COMMISSION RECOMMENDATION:

June 26, 2007: Postponed to July 10, 2007 at the request of staff.
July 10, 2007: Postponed to July 24, 2007 at the request of the neighborhood.
July 24, 2007: Postponed to August 14, 2007 at the request of the applicant

August 14. 2007: Forwarded to Council without recommendation. [Motion for staff recommendation for SF-6 failed 3-4, a second motion to deny the rezoning request failed 4-3. Five votes are required for a motion to pass.]

ISSUES:

A valid petition representing 38% of the property within 200 of the subject tracts has been filed in opposition to this zoning request.

DEPARTMENT COMMENTS:

The applicant disagrees with staff recommendation.

This site is three lots zoned family residence (SF-3). The request is to rezone these lots to multi-family residence low density – conditional overlay (MF-2-CO) combining district zoning. The conditional overlay would limit the development to no more than 300 daily vehicle trips.

The site is bordered on the north and west by apartments on MF-2 zoned land. The property immediately to the south zoned SF-2, and is developed with a single family

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0067

PC Date: June 26, 2007
July 10, 2007
July 24, 2007
August 14, 2007

ADDRESS: 3608 and 3706 Clawson

OWNER/APPLICANT: Clarita Riccobono, Richard Roberts, James Barnett

AGENT: Jay Dupont and Brad Schubert

ZONING FROM: SF-3 **TO:** MF-2-CO **AREA:** 2.223 acres

STAFF RECOMMENDATION:

Staff alternatively recommends approval of townhouse and condominium residence (SF-6) district zoning.

PLANNING COMMISSION RECOMMENDATION:

June 26, 2007: Postponed to July 10, 2007 at the request of staff.
July 10, 2007: Postponed to July 24, 2007 at the request of the neighborhood.
July 24, 2007: Postponed to August 14, 2007 at the request of the applicant

August 14. 2007: Forwarded to Council without recommendation. [Motion for staff recommendation for SF-6 failed 3-4, a second motion to deny the rezoning request failed 4-3. Five votes are required for a motion to pass.]

ISSUES:

A valid petition representing 34.09% of the property within 200 of the subject tracts has been filed in opposition to this zoning request.

DEPARTMENT COMMENTS:

The applicant disagrees with staff recommendation.

This site is three lots zoned family residence (SF-3). The request is to rezone these lots to multi-family residence low density – conditional overlay (MF-2-CO) combining district zoning. The conditional overlay would limit the development to no more than 300 daily vehicle trips.

The site is bordered on the north and west by apartments on MF-2 zoned land. The property immediately to the south zoned SF-2, and is developed with a single family

home. Further south on Clawson is a mix of MF-2, SF-3, SF-6 and SF-3 zoning, with a variety of land uses ranging in intensity from apartments to undeveloped. Across Clawson to the east are duplexes on SF-3 zoned land, and an undeveloped SF-6 tract.

Staff alternatively recommends approval of townhouse and condominium residence (SF-6) district zoning. The conditional overlay would not be needed as the SF-6 limit on development is already below the proposed 300 daily vehicle trips.

Staff initial recommendation was the approval of MF-2-CO zoning. This was based largely on the basis of the surrounding zoning and land use. The subject tracts are surrounded on three sides with properties zoned MF-2. Across the Clawson to the west there is a mix of SF-3 built out with duplexes and SF-6 zoning, currently undeveloped. The existing land use and zoning of the surrounding tracts was the basis for the initial recommendation of MF-2.

However, after further consideration of additional information, staff has revised its recommendation and now recommends approval of townhouse and condominium residence (SF-6) district zoning. .

The staff recommendation was revised based on new information regarding two aspects of the surrounding neighborhood - restrictive covenants on two pieces of nearby property and the status of the preliminary draft of the future land use map of the South Lamar neighborhood plan.

A small piece of property immediately to the north of the subject tract has a restrictive covenant which prohibits it from being developed with more than two residential units, despite the MF-2 zoning. Additionally, the properties to the south on 3906 Clawson has a restrictive covenant which mandates any multi-family use take access only to Valley View Road, not Clawson.

The South Lamar Combined neighborhood plan process is set to resume after a hiatus of several months. A preliminary draft of the future land use map from August of 2006 called for single family use on much of Clawson, including this tract. This preliminary draft also called for single family uses on several properties with multi-family zoning. Three versions of the draft future land use have been attached. In all three versions, the subject property is composed of three tracts, Tract 22, the tract to the north and the tract to the south.

Estimates of density under different base zoning districts.

Multi-family residential uses are assumed to generate 6.6 daily vehicle trips. If the property were rezoned to MF-2, with a conditional overlay limiting this development to a maximum of 300 daily vehicle trips, the project would be limited to a maximum of approximately 45 multi-family residential units. This represents a density of roughly 20 units per acre.

Townhouse uses can be typically built out with a maximum of roughly 12.4 units per acres. Assuming maximum build out of the site, SF-6 zoning could result in roughly 27 residential units.

SF-3 zoning requires a minimum site area of 5750 square feet, or 7000 square feet for the construction of a duplex. The site is 2.223 acres, or 96,834 square feet. If re-subdivided into 7000 square foot lots, the properties could be developed an estimated 13 lots or 26 residential units in 13 duplexes, with one additional residential unit, for a total of roughly 27 units.

It is important to note that these rough approximations of ultimate build out do not take into account site constraints, actual project layout, drainage requirements, or other limitations to full build out. As such the actual number of units that could be built is probably lower. A theoretical site plans drafted by the neighborhood would divide the properties into 10 duplex lots, and 1 additional lot, for a total of 21 residential units. The exact number of units cannot be determined until a formal site plan is prepared.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3	Single Family Homes
North	MF-2	Apartments
South	SF-3	Single Family Homes
East	SF-3 and SF-6	Duplexes and Undeveloped
West	MF-2	Apartments

AREA STUDY: This property lies within the South Lamar Neighborhood Plan Area.

TIA: 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]. A Neighborhood Traffic Analysis will not be required because this site because the applicant has agreed to limit development to a level that will generate no more than 300 daily vehicle trips.

WATERSHED: West Bouldin Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED COMMUNITY ORGANIZATIONS:

- South Lamar Neighborhood Association
- South Central Coalition
- Austin Neighborhoods Council
- Barton Oaks Neighborhood Association
- Barton Springs / Edwards Aquifer Conservation District
- Austin Independent School District

- Home Builders Association of Greater Austin

SCHOOLS:

Joslin Elementary School Covington Middle School Crockett High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Clawson Road	Varies	Approx. 25'	Collector	No	No	No

CITY COUNCIL DATE:	**ACTION:**
July 26, 2007	Postponed to August 21, 2007
August 21, 2007:	Postponed to September 25, 2007.
September 27, 2007	Postponed to October 11, 2007
October 11, 2007:	The public hearing was closed and the first reading of the ordinance for multi-family residence-low density-conditional overlay (MF-2-CO) with a 300 trip per day limitation was approved on Council Member Kim's motion, Council Member McCracken's second on a 6-0 vote. Council Member Cole was off the dais. The motion includes accepting the offer of green building, smart housing and water conservation made by the applicant.
November 8, 2007:	Postponed to November 29, 2007.
November 27, 2007	

ORDINANCE READINGS: **1st** **10/11/07** **2nd** **3rd**

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil **PHONE:** 974-2330
e-mail address: robert.heil@ci.austin.tx.us

Subject Tract

Zoning Boundary

Pending Cases

N

ZONING

CASE#: C14-2007-0067

ADDRESS: 3608 CLAWSON RD

SUBJECT AREA: 2.223

GRID: G19 INTLS: TRC

1" = 400' CASE MGR: W.WALSH

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.

CITY OF AUSTIN FOUNDED 1839

C14-2007-0067
3608 Clawson Road
From SF-3 to MF-2

SUMMARY STAFF RECOMMENDATION

Staff alternatively recommends approval of townhouse and condominium residence (SF-6) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*

   The property is surrounded on two sides with property zoned MF-2. However, the property to the west fronts on the much larger Manchaca Blvd. Aspects of the property most closely resembles the SF-6 zoned property across Clawson and would provide a transition of densities from the multi-family uses to the north and the single-family uses to the south.

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

   Townhouse and condominium residence district (SF-6) is the designation for a moderated density single condominium use. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multi family residential use.

Transportation

A Neighborhood Traffic Analysis will not be required because this site because the applicant has agreed to limit development to a level that will generate no more than 300 daily vehicle trips.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Clawson Road	Varies	Approx. 25'	Collector	No	No	No

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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 Desired Development Zone.

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

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 s.f. 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.

Site Plan

The site is subject to compatibility standards. Compatibility standards are applicable to all property adjoining or across the street from a lot zoned or sued as SF-5 or more restrictive, or within 540 feet from a lot zoned SF-5 or more restrictive. This property is located across the street from SF-3 properties.

Along the east property line, the following standards apply:

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the SF property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the SF property line.

Additional design regulations will be enforced at the time a site plan is submitted, including landscaping areas, required screening, and exterior lighting (as described in Subchapter E: Design Standards).

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 required. 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.

The following items were submitted by the neighborhood:

1) Calculations estimating the number of SF-3 flag lots that could be developed, given this size and rough shape of the subject properties.

2) A tree survey provided to the neighborhood by the applicant, with notes from the neighborhood (2 pages)

3) A draft site plan provided by the applicant, overlaid with the with comments from neighborhood.

4) An alternative site plan developed by the neighborhood overlaid with the tree survey, and with comments from the neighborhood.

LETTER OF INTENT

This Letter of Intent demonstrates the intent of The Clawson Road Partnership (Participant's Company Name) to complete the necessary requirements to achieve an Austin Energy Green Building Program (GBP) 2 Star Rating for a development / project that requires this rating.

Project Name: Clawson Road Development
Project Address: 3708 Clawson Road
Developer: Equilibrium Development, JSquared Architecture & J. Barnett

This Letter of Intent must be included with the Administrative Site Plan application for all projects requiring a Green Building Program Rating. Signing this Letter demonstrates knowledge of this requirement and the process necessary to achieve a Green Building Program Rating. For best results, meet with a GBP staff representative early in the design process. To achieve a GBP Rating:

I. Submit a **Participation Request** or **Completed "Project Team" and "Project Information" Tabs** within the **CGBP Packet** to a GBP representative prior to or within Schematic Design Phase.

II. Submit a completed and signed **GBP Conditional Approval** with the Building Permit application. The Green Building Program will issue a Conditional Approval upon satisfactory review of the project's construction documents, including plans, specifications, mechanical plans, Manual J calculation (applicable for multi-family and single family projects), and the GBP Rating.

III. Schedule GBP inspections (separate from City of Austin inspections) of the project with the GBP representative
   a) After interior mechanical equipment has been installed and prior to installation of insulation.
   b) At substantial completion of construction.

IV. Submit a completed and signed **GBP Final Approval** to receive the Certificate of Occupancy for this project. The Green Building Program will issue a Final Approval upon substantial completion of the project and satisfactory fulfillment of the GBP Rating, as described in Section 7 of the Building Criteria Manual.

This Letter of Intent is entered into by the parties, acting through their duly authorized representatives, effective as of the later of two signature dates entered below:

PARTICIPANT:

By: [signature]
Title: Partner
Phone Number: 512/751-0329
Date: 9/13/2007

AE GREEN BUILDING PROGRAM:

By: [signature] Katie Jensen
Title: Conservation Program Specialist
Phone Number: (512) 482-5407
Date: 9/14/07

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

9/24/2007

S.M.A.R.T. Housing Certification
Clawson Multifamily

TO WHOM IT MAY CONCERN:

The Clawson Partnership (development contact: Brad Schubert; 512-306-8981 (o), 512-328-3996 (f); 512-801-7384 (f); brad@eqdev.net) is planning to develop a **40 unit multi-family** development in the South Lamar Neighborhood Planning area at 3608 Clawson Road, 78704.

Subject to the applicant's attainment of the appropriate zoning, NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. The appropriate percentage of fee waivers will be determined following the conclusion of the zoning process.
Fee waivers are listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. Expected fee waivers include, but are not limited to, the following fees:

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

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 512-482-5407).
- 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 that accessibility and transit-oriented standards have been met.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards 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 512/974-3126 if you need additional information.

Steve Barney
Neighborhood Housing and Community Development

Cc:	Gina Copic, NHCD	Maneesh Chaku, NHCD	Yolanda Parada, WPDR
	John Umphress, Austin Energy	Danny McNabb, WPDR	Guy Brown, WPDR
	Robby McArthur, Austin Water Utility	Dick Peterson, Austin Energy	Lisa Nickle, WPDR
	Maureen Meredith, NPZD		

September 17, 2007

Robert Heil
Neighborhood Planning and Zoning Department
City of Austin
505 Barton Springs Rd., 5th Floor
Austin, Texas 78704

Re: Case C14-2007-0067
3608—3706 Clawson Rd. (Clawson Property)

Dear Mr. Heil:

As owner of the property located at 3604—3606 Clawson Rd., I write to express my unqualified support for the proposed zoning change for the properties located at 3608—3706 Clawson Rd. in the above-referenced case.

I understand that the proposed project will rezone the property from SF-3 to MF-2. I understand that traffic attendant to improvements on the property will not exceed 300 trips per day.

This project is consistent with my desired development for the area and will complement the existing and proposed land usages in the area. Indeed, during the ten years that I have owned my property in the area, I am proud to say that my tenants have proven to be excellent neighbors and positive additions to the neighborhood. Likewise, it is my belief that the owners and occupants of the recent development in the area, 3607—3609 Clawson Rd., have proven to be the same. I have no doubt that the proposed project will attract individuals that will further enhance the neighborhood.

It is my pleasure to support the zoning change for 3608—3706 Clawson Rd., and I do so enthusiastically. Please feel free to contact me should you have any questions.

Sincerely,

Robert S. Walt
(512) 694-2019

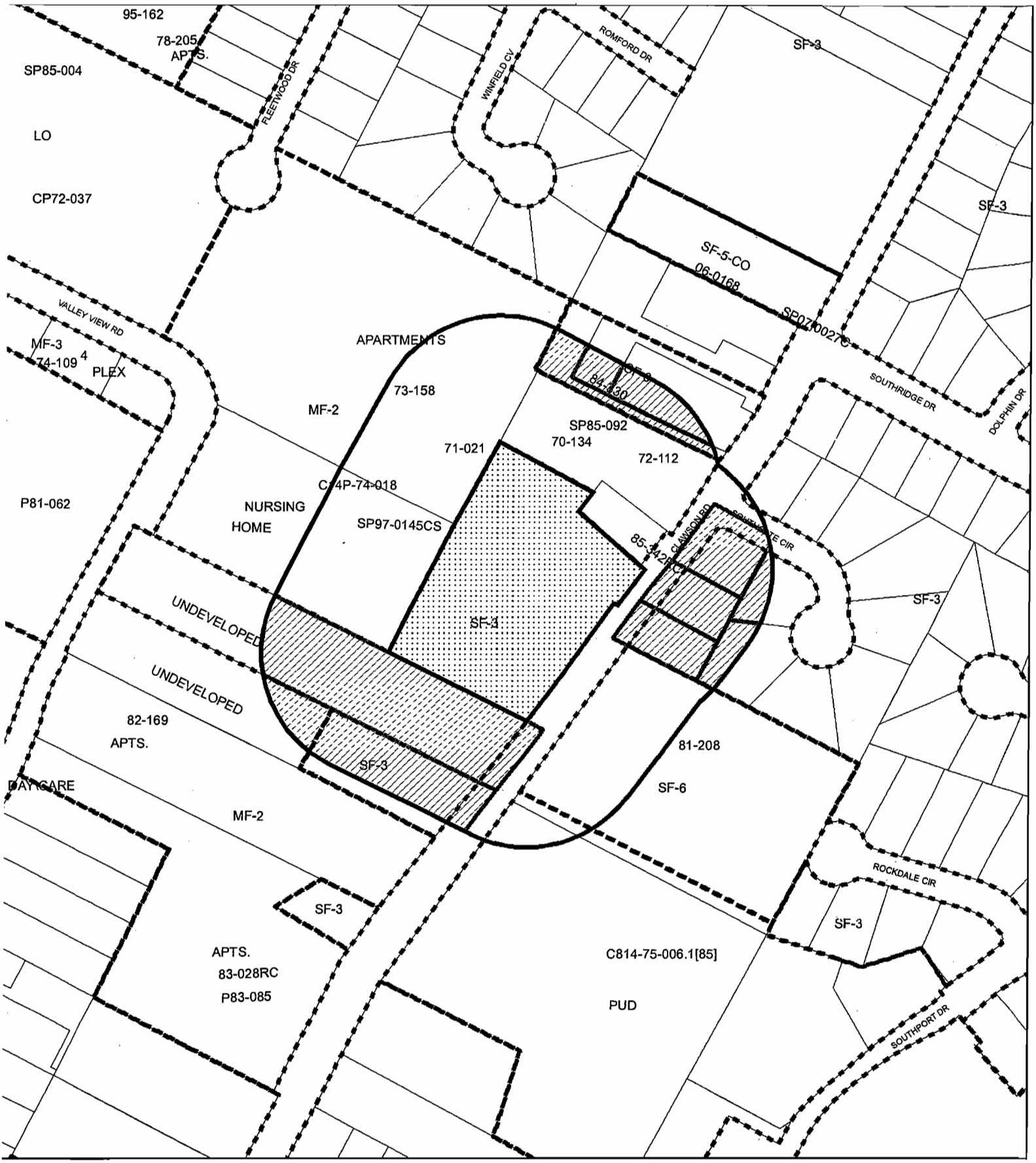
PETITION

Case Number: **C14-2007-0067** Date: Sept. 26, 2007

Total Area within 200' of subject tract: (sq. ft.) 375,823.96

1	04-0409-0184	FEIGHNER PETER C & JULIA A	3563.20	0.95%
2	04-0409-0185	FEIGHNER PETER C & JULIA A	7331.33	1.95%
3	04-0409-0186	FEIGHNER PETER C & JULIA A	7987.34	2.13%
4	04-0508-0430	NUNES SEAN A	12658.99	3.37%
5	04-0508-0431	KILGORE GARY L AND HICKMAN HOWARD	3943.89	1.05%
6	04-0508-1102 AND 04-0508-1103	MILLER MICHELLE POWERS AND FRIDAY LISL	10196.33	2.71%
7	04-0610-0210	CORSBIE WILLIAM LANCE JR	54,019.60	14.37%
8	04-0610-0211	JONES GORDON L	28416.91	7.56%
9	04-0508-1002 AND 04-0508-1003	GIBSON CASEY LYNNE AND HAMPTON JOHN A	10,094.88	2.69%
10	04-0508-0432	ZATOPEK LINDA E	4,604.70	1.23%
11				0.00%
12				0.00%
13				0.00%
14				0.00%
15				0.00%
16				0.00%
17				0.00%
18				0.00%
19				0.00%
20				0.00%
21				0.00%
22				0.00%
23				0.00%
24				0.00%
25				0.00%
26				0.00%
27				0.00%
28				0.00%

Validated By:	**Total Area of Petitioner:**	**Total %**
Stacy Meeks	**142,817.16**	**38.00%**



N

SubjectTract

PropertyOwner

Buffer

Zoning Boundary

PETITIONS

CASE#: C14-2007-0067
ADDRESS: 3608 & 3706 CLAWSON RD
GRID: G19
CASE MANAGER: W. RHOADES

1" = 200' OPERATOR: SM

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.

Closed Caption Log, Council Meeting, 10/11/07

Note: Since these log files are derived from the Closed Captions created during the Channel 6 live cablecasts, there are occasional spelling and grammatical errors. **These Closed Caption logs are not official records of Council Meetings and cannot be relied on for official purposes.** For official records or transcripts, please contact the City Clerk at 974-2210.

GUERNSEY: MAYOR AND COUNCIL, THANK YOU VERY MUCH. THEY GREAT DEAL GREATLY APPRECIATE THAT BECAUSE THEY DIDN'T KNOW HOW LONG A NIGHT WOULD BE. NEXT ITEM IS NO. 99, THIS THIS IS CASE C14, 2007, 0067, THIS THIS IS THE CLOS SO. ON PROPERTY LOCATED AT 3607 AND 3608. THIS IS A ZONING REQUEST, SF-3 DISTRICT ZONING TO MULTIFAMILY RESIDENCE LOW DENSITY, CONDITIONAL OVERLAY OR MF-2 C OO. COMBINED DISTRICT ZONING. A PLANNING COMMISSION FORWARDED THIS REQUEST TO YOU WITHOUT A RECOMMENDATION. THE INITIAL MOTION WAS FOR THE STAFF RECOMMENDATION OF SF-6 ZONING, WHICH IS THE TOWNHOUSE CONDOMINIUM RESIDENCE DISTRICT ZONING AND THAT FAILED ON A MOTION OF 3-4. MEANING 5 VOTES TO CONTINUE THE MOTION. A SECOND MOTION TO DENY THE ZONING REQUEST TO MAINTAIN THE SF-3 ALSO FAILED ON A VOTE OF 4-3, AGAIN PLANNING COMMISSION NEEDING A FAVORABLE VOTE OF 5 VOTES TO MAKE THE MOTION PASS. WE DO HAVE A VALID PETITION ON THIS PROPERTY REPRESENTED BY 39% OF THE LAND ADJACENT TO THIS PROPERTY WITHIN 200 FEET, TO KEEP THE PROPERTY ZONED SF-3. COPIES OF THE PETITION IN YOUR BACKUP BUT THEY NOTED THAT WHERE THE PROPERTY IS LOCATED ON HILLY NARROW STREETS OF CLOSSON THERE'S CONCERNS ABOUT TRAFFIC, ISSUES ABOUT STREET TOPOGRAPHY AND DRAINAGE CONSEQUENTLY NEIGHBORHOODS IN THE AREA THOUGHT THAT IT WAS NOT APPROPRIATE. AGAIN THE STAFF RECOMMENDS WAS FOR TOWNHOUSE CONDOMINIUM RESIDENCE DISTRICT ZONING. THE PROPERTY RIGHT NOW IS SURROUNDED ON TWO SIDES BY MULTIFAMILY TO THE NORTH AND TO THE WEST. THE PROPERTY TO THE SOUTH, IMMEDIATELY TO THE SOUTH IS SINGLE-FAMILY, AND SF-3. TO THE EAST IS SF-3, SINGLE-FAMILY AND ALSO SF-6, THE TOWNHOUSE CONDOMINIUM FOR AN UNDEVELOPED TRACT. FURTHER TO THE NORTH ARE SOME APARTMENTS THAT AS I MENTIONED, MF-2, AND SF-3 SF. AND IT'S LOCATED IN THE BOWL BOWL INDEPENDENT CREEK WATERSHED. WE'VE BEEN WORKING WITH THE NEIGHBORHOODS IN THIS AREA AND WE'RE GETTING CLOSE TO RESTARTING THE REPLANNING PROCESS. THERE WERE A COUPLE DIFFERENT DRAFTS OF THE NEIGHBORHOOD PLAN THAT WERE COMING FORWARD. THEY INDICATED THIS PROPERTY BEING SF-3. I WILL NOTE -- OR I SHOULD SAY SINGLE-FAMILY. I WILL NOTE THAT WE DID DISCOVER A MAP DURING THIS PROCESS WHEN IT WAS ORIGINALLY FILED. LOOKING AT OUR ZONING MAPS, THEY WERE DETERMINED THAT THE PROPERTY WAS MF-2 TO THE SOUTH. WE HAVE CORRECTED THAT. THE NEIGHBORHOOD IS AWARE OF THAT. THE PROPERTY OWNERS ARE AWARE OF THAT

AND I WANT TO BRING THAT TO YOUR ATTENTION BECAUSE YOU MAY HEAR THAT THE PROPERTY WAS SHOWN ON CITY MAPS INADVERTENTLY AS MF-2 ORIGINALLY. I THINK AT THIS TIME I'LL PAUSE. THE APPLICANT IS HERE. THERE ARE SEVERAL NEIGHBORHOOD REPRESENTATIVES HERE THIS EVENING THAT WOULD LIKE TO SPEAK TO THIS CASE. IT IS ONLY READY FOR FIRST READING TONIGHT.

MAYOR WYNN: THANK YOU, MR. GUERNSEY, AND I'LL NOTE THAT COUNCIL MEMBER COLE IS OFF THE DAIS FOR THE REST OF THE EVENING, THIS BEING A VALID PETITION CASE I THINK IT'S STILL APPROPRIATE FOR US IF WE CAN CONDUCT A PUBLIC HEARING AND EVEN IF WE WERE TO TAKE ACTION ON FIRST READING, MY UNDERSTANDING IS FROM LEGAL ADVICE IT WOULDN'T YET TRIGGER THE SUPER MAJORITY REQUIRED FOR ACTION. THANK YOU, MR. GUERNSEY, SO WITH THAT WE WILL TAKE UP THE APPLICANT PRESENTATION. OUR AGO, MR. RICHARD SUTTLE. RICHARD, YOU KNOW WE SET THE CLOCK FOR FIVE MINUTES. OPENING PRESENTATION, AND THEN WE HEAR FROM FOLKS IN SUPPORT OF THE ZONING CASE. 3 MINUTES A POP. THERE MINUTES FOR FOLKS IN OPPOSITION AND YOU HAVE REBUTTAL.

THANK YOU. MY NAME IS RICHARD SUTTLE. I'M HERE ON BEHALF OF THE APPLICANT TONIGHT. WE'LL TRY TO KEEP OUR PRESENTATION BRIEF FOR YOU. THIS IS A CASE THAT YOU'VE GOT THREE AMBITIOUS -- MY CLIENTS, THREE AMBITIOUS MEN THAT WANT TO BRING SOMETHING UNUSUAL IN A CASE TO YOU, AND THAT IS -- IT'S A CASE WHERE THEY'RE ASKING TO ACTUALLY DO URBAN INFILL MULTIFAMILY BUT ALSO INCLUDE ALL THE BENEFITS THAT SOMETIMES WE PICK ONE OR TWO FROM. THEY WANT TO PARTICIPATE IN THE SMART HOUSING PROGRAM, THEY WANT TO SUSTAIN A TWO-STAR GREEN BUILDING, THE TWO-STAR PLUS GREEN BUILDING, AND THEY WANT TO PARTICIPATE AND IMPLEMENT THE WATER CONSERVATION PLANS. AND TONIGHT WE'RE OFFERING THOSE AS PUBLIC BENEFITS FOR A SLIGHT INCREASE OF DENSITY OVER WHAT COULD BE THERE TONIGHT. THE CASE -- WE'RE ASKING FOR MF-2 DENSITY OR MF-2 ZONING BECAUSE THE SITE DEVELOPMENT REGULATIONS WILL ALLOW FLEXIBILITY IN THE SITE PLANNING. THIS TRACT IS HEAVILY WOODED, AS YOU CAN SEE. IT IS -- AS YOU KNOW, THIS TRACT IS ONE OF THE FEW THAT IS WEST OF I-35 AND NORTH OF BEN WHITE THAT IS GOING TO PARTICIPATE IN THE SMART HOUSING PROGRAM. IT'S HEAVILY WOODED. IT'S GOING TO REQUIRE A CREATIVE WAY, THE SITE PLAN OF MF-2 ZONING ALLOWS THAT BECAUSE YOU CAN DO YOUR SMALLER FOOTPRINTS, PARK UNDER SOME OF THE BUILDINGS, DECREASE YOUR IMPERVIOUS COVER, HANDLE YOUR WATER QUALITY AND DRAINAGE THROUGH NATURAL PONDING INSTEAD OF STRUCTURES. THE SITE IS SURROUNDED ON MOST SIDES BY MULTIFAMILY. IF YOU TAKE A LOOK AT THE MAP YOU'VE GOT APARTMENTS ESSENTIALLY ON THREE SIDES AND THEN ACROSS THE STREET YOU'VE GOT SF-6, BUT IT'S A UNIQUE SITE THAT, IN FACT, THE DENSITY IS ACTUALLY HIGHER THAN SF-6. UNBUILT BUT IT WILL BE HIGHER. WE FELT THAT THIS WAS AN APPROPRIATE LAND USE HERE BECAUSE WE'RE WILLING TO CAP THE TRIPS. WE'VE HEARD THAT THE

TRAFFIC ON CLAWSON IS THE ISSUE, AND YOU OFTENTIMES HEAR WE DON'T HAVE TO DO A TIA BECAUSE WE'RE ONLY LIMITED -- WE'RE GOING LESS THAN 2,000 TRIPS. WELL, THIS TRACT, INSTEAD OF LIMITING THE NUMBER OF UNITS AND KIND OF CREATING A WAY WHERE YOU CAN'T PICK ONE BEDROOM, TO BEDROOM, THREE BEDROOM, BECAUSE AS YOU KNOW THAT'S A GAME YOU PLAY ON THE UNITS. RATHER THAN DO ALL THAT WE'RE CAPPING THE TRIPS ON THIS SITE TO 300. 300 TRIPS, HONESTLY, ON THIS SITE, WILL EQUATE TO ROUGHLY 40 UNITS ON IT. BUT THE KEY IS 300 TRIPS CAP, WHAT THAT EQUATES TO IS APPROXIMATELY 100 MORE TRIPS PER 24-HOUR DAY THAT YOU COULD DO UNDER THE CURRENT ZONING OR WHAT THE CITY STAFF IS RECOMMENDING, AND IT'S REALLY ONLY ABOUT EIGHT PEAK HOUR TRIPS OVER WHAT THE STAFF IS RECOMMENDING. SO WE FELT THAT THE TRADE-OFF FOR INFILL AND A FEW MORE UNITS AND DENSITY WOULD UNABLE ENABLE YOU TO DO A PROJECT WHERE FAMILIES COULD AFFORD TO BUY THESE, BY THE WAY, THESE ARE FOR SALE -- FAMILIES COULD AFFORD TO LIVE THERE. THEY CAN BE IN A TWO-STAR GREEN BUILDING PROGRAM. THEY CAN HAVE THE WATER CONSERVATION MEASURES THAT THE TASK FORCE HAS RECOMMENDED THAT EVERYBODY WANTS THE WHOLE CITY TO GO TO, AND IT CAN BE A SMART HOUSING PROJECT. THE -- THERE IS A NUMBER OF PROTECTED AND HERITAGE TREES ON THIS SITE. THE DOLORS ARE..... DOLE DEVELOPERS ARE MAKING EVERY EFFORT TO SAVE ALL THESE TREES. I THINK WE'RE DOWN TO LOSING MAYBE A FEW OF THE PROTECTED TREES BUT NONE OF THE HERITAGE TREES. THAT'S PARTLY A RESULT OF THE FLEXIBILITY THAT MF-2 ALLOWS ON THE SITE PLANNING OF THIS. THE -- AS YOU HEAR -- AS WE GO THROUGH THE PUBLIC HEARING AND WE HEAR ABOUT THE TRAFFIC BEING AN ISSUE, REMEMBER THAT AS PART OF THIS WE WILL BE DEAD INDICATING RIGHT-OF-WAY ON CLAWSON, WHICH MANY OF THE CASES ALONG CLAWSON HAVE ALREADY HAD TO DO BECAUSE IN SOMEBODY'S MIND, I THINK PROBABLY IN PUBLIC WORKS OR PLANNING, AT SOME POINT YOU CAN SEE WHERE THE RIGHT-OF-WAY LINE JOGS, AND AT SOME POINT SOMEBODY IS GOING TO BESIDEN CLAWSON. IN THE INTERIM IF WE CAN WORK WITH STAFFER..... STAFF OR WORK WITH YOU, IF THERE'S AN IMPROVEMENT THAT CAN BE MADE TO THIS PROPERTY AND MAKE THE PROJECT THERE, SUCH AS STRIPING OR SIGNAGE TO MAKE THE PROPERTY SAFER WE'LL BE HAPPY TO DO THAT. SO TONIGHT WE'RE URGING THAT YOU APPROVE ON FIRST READING ONLY THIS EXCITING PROJECT THAT WILL HIT THE GOALS OF THE PUBLIC BENEFITS -- ALL OF THE GOALS OF PUBLIC BENEFITS THAT I'VE SEEN IN CASES, AND HOPE THAT WE CAN GET YOUR SUPPORT FOR THAT. WITH THAT I'LL BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

MAYOR WYNN: THANK YOU, MR. SUBTLE. QUESTIONS FOR THE AGENT? COUNCIL MEMBER MARTINEZ?

MARTINEZ: MR. SUBTLE, DO YOU HAVE A TOPO IMAGE -- OR MAYBE AN ELEVATION VIEW OF THE ACTUAL PROPERTY IN QUESTION? I WANTED TO SEE WHICH -- I KNOW THERE'S A STEEP HILL GRADE AND I WANTED TO SEE WHERE IT HITS BETWEEN YOUR

TWO DRIVEWAYS TO MAYBE CONSIDER A ONE-WAY DRIVEWAY, YOU KNOW, WHERE IT'S -- SO THAT --

IN ALL OF OUR DOCUMENTS I DON'T THINK WE HAVE A TOPOGRAPHIC SHOT, BUT IF -- BUT IF, IN FACT, A ONE-WAY DRIVEWAY WOULD MAKE IT SAFER ON CLAWSON, I THINK THAT'S SOMETHING THAT WE COULD CONSIDER.

MARTINEZ: WHEN I DROVE OUT THERE ON CLAWSON ROAD IT'S GOT THE LITTLE CURVE RIGHT BEFORE, ON THE NORTHERN SIDE, AND THEN IT DROPS DOWN ON A HILL THERE. AND SO JUST LOOKING AT YOUR SITE PLAN THE WAY YOU HAVE JUST TWO ENTRANCES, WHICH I THINK MINIMIZES, YOU KNOW, A LOT OF TRAFFIC COMING IN AND OUT OF MULTIPLE LOCATIONS, I WANTED TO SEE IF WE COULD CONSIDER JUST A ONE-WAY IN AND OUT TO TRY TO MITIGATE SOME OF THAT -- THE RISK OF HAVING A CAR ACCIDENT, BECAUSE I THINK COMING OVER THAT HILL, DEPENDING ON -- I DON'T EVEN REMEMBER WHAT THE SPEED LIMIT IS, BUT IT COULD BE A POTENTIAL HAZARD WITH CARS COMING IN AND OUT OF THERE.

YES, SIR, STOWBT CITY STAFF AND THEIR REVIEW I THINK WE COULD SURE DO THAT. INTERESTING WHEN YOU RAISE THE ISSUE ON TRAFFIC AND ACCIDENTS, ACCORDING TO A TRAFFIC COUNT THAT'S BEEN DONE, THE CLAWSON TRAFFIC TODAY IS APPROXIMATELY THE SAME AS IT WAS IN 1984, AND ACCORDING TO THE APD COLLISION DATABASE THAT WE CHECKED TO SEE ABOUT ACCIDENTS ON CLAWSON, THERE'S BEEN NO MAJOR ACCIDENTS IN THE LAST SEVEN YEARS, ACCORDING TO THEIR DATABASE. THERE'S BEEN THREE MINOR ACCIDENTS IN THE FIRST NINE MONTHS OF 2007 VERSUS AN AVERAGE OF 3.42 A YEAR OVER THE LAST SEVEN. SO WE FELT COMFORTABLE, THESE GUYS WOULDN'T WANT TO PUT HOUSING ON AN UNSAFE STREET. AND WE'LL BE HAPPY TO LOOK AT ANY OTHER OPTIONS THAT YOU MIGHT THINK WOULD BE APPROPRIATE.

MAYOR WYNN: FURTHER QUESTIONS FOR OUR AGENT? COMMENTS? IF NOT, WE WILL HEAR FROM FOLKS WHO ARE IN FAVOR OF THE ZONING CASE. LET'S SEE. IS JAMES BARNETT HERE? WELCOME, MR. BARNETT.

I'LL TELL YOU WHAT, WE'LL CUT IT OFF AND MOVE ON.

MAYOR WYNN: I SHOW JAMES BARNETT IN FAVOR OF THE ZONING AS IS BRAD SCHUBERT, JAY DUPONT AND LYNN CARLIE. SO NOW WE'LL GO TO FOLKS WHO ARE IN OPPOSITION TO THE ZONING CASE. OUR FIRST SPEAKER IS LORRAINEETTEER TON, SIGNED UP SPEAKING IN OPPOSITION. WE'LL NOTE THAT. BRIAN KEEN SIGNED UP. YOU BET YOU. SO BOB, WELCOME. AND LET'S SEE, IS LINDA THOMPSON STILL HERE? LINDA, WELCOME. JEFF JACKS SIGNED UP WANTING TO DONATE TIME TO YOU. I DON'T SEE MR. JACK. HOW ABOUT IS DAVID KOBOWISKI. SORRY IF I MISPRONOUNCE THAT,

DAVID? SIGNED UP WISHING TO DONATE. HOW ABOUT GARDNER SUMNER. OKAY. SO [INAUDIBLE]

MAYOR WYNN: FAIR ENOUGH. SO THAT WOULD BE SIX MINUTES, BOB. OKAY. SO WELCOME. YOU'LL HAVE SIX MINUTES.

NINE MINUTES.

MAYOR WYNN: SORRY?

I THOUGHT IT WAS THREE MINUTES APIECE.

MAYOR WYNN: YES, SIR. WHO ELSE IS DONATING TIME.

MYSELF.

MAYOR WYNN: I'M SORRY, YOU'RE RIGHT. 9. I APOLOGIZE. THANK YOU, MATT.

AND I HOPE THEY PASSED OUT HANDOUTS, AND THERE WAS ONE LOOSE SHEET WHICH IS A LETTER OF OPPOSITION. THERE ARE A NUMBER OF LETTERS IN OPPOSITION FROM NEIGHBORS THAT COULDN'T MAKE IT TONIGHT, AND I HOPE YOU'LL HAVE TIME TO LOOK AT THOSE. ON PAGE 1 OF THE HANDOUT, WHICH ARE NUMBERED IN THE UPPER RIGHT-HAND CORNER, IS A SUMMARY OF THE REASONS THAT WE FEEL THE ZONING REQUEST SHOULD BE DENIED, AND I'M NOT GOING TO DWELL ON THESE NOW BUT COME BACK AT THE END, AND IF SOMEBODY COULD PROMPT ME WHEN THERE'S ABOUT TWO MINUTES LEFT I WOULD APPRECIATE IT. THERE ARE MANY REASONS WHY THIS ZONING COULD BE DENIED, ANY OF WHICH SHOULD BE SUFFICIENT FOR THE DENIAL. IT INCLUDES THE FACT THAT IT'S COMPLETELY CONTRARY TO THE NEIGHBORHOOD PLANNING THAT WE'VE DONE SO FAR. IT'S INAPPROPRIATE BECAUSE OF THE TRAFFIC PROBLEMS ON CLAWSON AND BECAUSE OF THE DRAINAGE PROBLEMS ON CLAWSON, BECAUSE IT'S FEASIBLE TO DO A VERY NICE DEVELOPMENT UNDER THE SF-3 ZONING THAT'S PRESENTLY IN PLACE, AND BECAUSE WE HAVE ALMOST OVERWHELMING OPPOSITION FROM THE SF-3 NEIGHBORS IN THE AREA IN A VALID PETITION, AND BECAUSE DESPITE THE MISTAKEN STAFF IDENTIFICATION OF THE PROPERTY AS MF-3, WE STILL ACHIEVE A 4-3 PLURALITY TO SUPPORT THE SF-3 AT THE PLANNING COMMISSION. GOING TO PAGE 2, WHAT IS A POPULATION DENSITY TREND CHART. THIS IS BASED ON DATA THAT WE GOT FROM RYAN ROBINSON, THE CITY DEMOGRAPHER THAT WE'VE BEEN WANTING TO USE IN OUR NEIGHBORHOOD PLANNING PROCESS. THE POINTS I'D LIKE TO MAKE FROM THIS CHART ARE THAT THE SOUTH LAMAR NEIGHBORHOOD DENSITY IS ALREADY ABOUT TWICE THE DENSITY OF THE CITY AS A WHOLE, AND WE'RE GROWING MORE RAPIDLY THAN THE CITY AS A WHOLE. AND OUR PROJECTIONS ARE THAT SIMPLY THROUGH INFILL OF THE EXISTING CORE OF THE NEIGHBORHOOD WITH THE

EXISTING SF-3 ZONING, NO UP ZONING, AS WELL AS THE VMU AND MIXED USE ON THE PERIPHERY OF OUR NEIGHBORHOOD, WE'RE ON TRACK TO SURPASS THE GOAL THAT SID GALINDO SET FOR THE INITIATIVE WITHIN TEN YEARS, 20 YEARS SOONER THAN THE CITY AS A HOLD. SO OUR NEIGHBORHOOD HAS ALREADY EMBRACED DENSITY AND WE'RE DOING OUR SHARE TO SUPPORT DENSITY ON -- ON THE PERIPHERY OF THE NEIGHBORHOOD, BUT WE DO NOT FEEL THAT WE SHOULD HAVE TO UNDERGO UP-ZONING ON THE INTERIOR BECAUSE WE'RE ALREADY HAVING A LOT OF DENSITY INCREASE ON THE INTERIOR TO INFILL AT THE EXISTING ZONING LEVEL. GOING TO THE THIRD SLIDE IS OUR NEIGHBORHOOD FLUM DRAFT MAP. I WOULD LIKE TO POINT OUT ALL OF THE LARGE ORANGE PROPERTIES WHICH ARE MULTIFAMILY THAT WE HAVE ALREADY IN OUR NEIGHBORHOOD. WE'RE NOT SHORT ON MULTIFAMILY. 53% OF OUR HOUSING IS ALREADY MULTIFAMILY COMPARED TO ONLY A LITTLE OVER 40% FOR THE CITY AS A WHOLE. SO WE DO NOT NEED ADDITIONAL MULTIFAMILY ZONING IN OUR NEIGHBORHOOD. NOTICE ALL THE RED AROUND THE PERIPHERY. THOSE ARE OPPORTUNITIES FOR MIXED USE AND VERTICAL MIXED USE DENSITY GROWTH ON THE PERIPHERY OF THE NEIGHBORHOOD. OUR NEIGHBORHOOD PLAN ENVISIONS IT IN THE CORE OF THE NEIGHBORHOOD, WHICH IS THE YELLOW AREA, WHICH ENCOMPASSES CLAWSON ROAD, THAT WE WANTED TO PRESERVE THAT SINGLE-FAMILY ZONING. AND THIS TRACT IS ABSOLUTELY CRUCIAL. IT'S A LINCHPIN TRACT IN THE MIDDLE OF CLAWSON. IF WE'RE NOT ABLE TO PRESERVE THE SINGLE-FAMILY ZONING HERE, WE'RE PROBABLY NOT GOING TO BE ABLE TO PRESERVE IT ANYWHERE WITHIN OUR NEIGHBORHOOD AND OUR WHOLE NEIGHBORHOOD PLAN WILL BE SHOT DOWN. NOTE THE LARGE YELLOW TRACTS. THE FACT THAT THEY'RE LARGE MEANS THAT IN MANY CASES THEY'RE VERY UNDERDEVELOPED. A LOT OF THEM JUST HAVE A SINGLE SINGLE-FAMILY HOME ON THEM. THE LAND IS BEING BOUGHT. THOSE HOMES ARE BEING REPLACED BY DID.... DUPLEXES. THAT'S WHY WE'RE GETTING A LARGE POPULATION GROWTH WITHOUT ANY UP ZONING. THE LAST SLIDE --

I'M SORRY, I'LL STOP THE CLOCK. COULD YOU POINT OUT THE SITE, THE SUBJECT SITE AGAIN ON THE --

IF YOU LOOK AT NO. 22, THAT'S APPROXIMATELY NEAR WHERE THEIR SITE IS. NO. 22 AND THE TWO TRACTS SOUTH OF THAT, I BELIEVE.

MAYOR WYNN: THANK YOU VERY MUCH.

IF YOU GO TO THE SLIDE -- MY SLIDE 4, WHICH HAS A LOT OF GREEN COLORING ON IT, THEIR TRACT IS DARKLY OUTLINED THERE. ALL THE GREEN-COLORED TRACTS ARE PRESENTLY ZONED SF-3 THE KIND OF YELLOW GREEN TRACT IS THE ONE THAT CONTROVERSIALLY MISSED ZONE, AND DESPITE THAT MISSED ZONING THE PLANNING COMMISSION VOTED 4-3 TO PRESERVE SINGLE-FAMILY ZONING. THE PURPLE TRACTS TO THE IMMEDIATE NORTH HAS A RESTRICTIVE COVENANT ON IT. IT'S VAIKD LAND AND WILL HAVE TO REMAIN VACANT LAND. IT'S ESSENTIALLY THE SAME AS IF IT WAS SF-3. I

WOULD LIKE TO POINT OUT THAT THERE HAS BEEN NO RECENT CLAWSON UP ZONING SINCE THE 1980S, AND WHEN NO -- NO MF ZONING GRANTED SINCE THE 1980S, AND IN THE 1980S WHEN THE PROPERTIES THAT YOU SEE HERE IS MF WERE ZONED, IT WAS VERY CONTROVERSIAL BECAUSE EVEN THEN CLAWSON WAS A BADLY TRAFFICKED STREET AND ALL OF THESE MF PROPERTIES HAD BEEN DENIED ACCESS TO CLAWSON BECAUSE OF THAT FACT WITH THE ONE EXCEPTION OF THE SMALL APARTMENT UNIT SOMEWHAT TO THE NORTH OF THE SUBJECT TRACT. THEY HAVE GATED DRIVEWAYS, WHICH ARE ONLY ACCESSIBLE TO FIRE VEHICLES IN THE EVENT OF AN EMERGENCY. BUT IT'S NOT POSSIBLE TO DENY CLAWSON ACCESS TO THIS TRACT SO IT WOULD BE COMPLETELY INAPPROPRIATE TO GIVE THEM MF ZONING. ALSO NOTE AT THE TOP OF THIS SLIDE THE RED CROSSHATCHED DUAL INDRIVE SUBDIVISION AREA. THIS IS AN EXAMPLE OF HOW ATTRACT OF THEIR SIZE, AND THESE TWO TRACTS ARE ABOUT THE SAME SIZE, COULD BE FEASIBLY DEVELOPED AS SF-3. THE DEVELOPERS HAD TOLD US IT WOULD BE INFEASIBLE BUT THAT'S SIMPLY INCORRECT. IF YOU GO TO THE NEXT SLIDE, 5, THIS IS AN ILLUSTRATION OF THE TRAFFIC ON CLAWSON. THE LOWER LINE IS THE DESIRABLE LEVEL OF TRAFFIC ON A NEIGHBORHOOD COLLECTOR STREET OF LESS THAN 30 FEET WIDTH. [INAUDIBLE]

OUR PRESENT TRAFFIC LEVEL IS ABOUT 250% OF THE DESIRABLE LEVEL, AND SO THAT'S ANOTHER REASON NOT TO DO THE ZONING. NO. 6 SLIDE SHOWS WHAT CLAWSON ROAD LOOKS LIKE. AT THE TOP OF THE HILL, AS YOU GO DOWN TO THE RIGHT YOU'D BE --

BOB, YOU HAVE TWO MINUTES LEFT.

YOU'D BE GOING IN FRONT OF THEIR PROPERTY. THERE ARE SEVERE VISIBILITY ISSUES. THE PEOPLE THAT WOULD BE EXITING FROM THE LEFT AND TRYING TO TURN LEFT CAN'T SEE TO MAKE THE TURN AND THEY'VE BEEN TOLD IF THEY DON'T COMPLETE THEIR TURN IN FOUR SECONDS, THAT THEY WOULD BE IMPACTED. YOU CAN SEE BELOW WHAT IT LOOKS LIKE COMING FROM THE BOTTOM OF THE HILL. NEXT SLIGHT, NO. 7, BECAUSE OF THE LIMITED SITE, CROSSING THE ROAD IS EXTREMELY UNSAFE. THIS IS WHAT IT WOULD LOOK LIKE COMING OUT OF THEIR PROPERTY TRYING TO TURN LEFT. IT DOESN'T MAKE ANY SENSE TO PUT DENSER UNITS THAN THE PRESENT ZONING WOULD SUSTAIN ON A STREET LIKE THIS. THERE HAVE BEEN FATAL ACCIDENTS ON THIS STREET. PEOPLE HAVE BEEN KILLED AND MANY OF THE LETTERS AT THE REAR OF THE PACKET WILL GO TO THAT. THE NEXT SLIDE SHOWS THE DRAINAGE PROBLEMS, WATER PUDDLING IN THE ROAD AND EROSION. ON SLIDE 8. SLIDE 9 ARE THREE BLIND ALLEYS THAT THE DEVELOPER SENT US REASONS WHY IT WOULDN'T BE REASONABLE TO DO THE DEVELOPMENT. I'LL SKIP OVER SLIDE 10. SLIDE 11 SHOWS HOW THE DEVELOPMENT COULD BE DONE FEASIBLY WITH A DULIN DRIVE TYPE SUBDIVISION, AND USING THEIR TREE SURVEY WE SAVED ABOUT HALF THE TOTAL TREES AND ALL THE SIGNIFICANT TREES. SLIDE 12 SHOWS THE DEVELOPERS PLAN THAT THEY PRESENTED TO OUR NEIGHBORHOOD FOR A 28-UNIT

TWO-STORY, TWO-UNIT PROPERTIES. THEY ONLY SAVED HALF OF THE SIGNIFICANT TREES AND ABOUT A SIXTH OF THE TOTAL TREES. SLIDE 13 SHOWS THE COMPARATIVE UNIT COUNTS THAT YOU COULD GET UNDER SF-3, SF-6 AND MF-2. THE BOTTOM LINE IS THAT BECAUSE OF THE SITE DEVELOPMENT RESTRICTIONS YOU COULD REALLY ONLY DO ABOUT 8 DUPLEXES OR UNITS SF-3, MUCH LESS THAN YOU COULD DO UNDER SF-6 AND MUCH LESS THAN UNDER MF-2. IF YOU GO TO SLIDE 15, THIS IS THE VALLEY PETITION MAP AND YOU CAN ALL THE GREEN AREAS ARE THE LOCATIONS OF THE PEOPLE THAT SIGNED THE VALID PETITION. I WOULD ASK YOU TO RESPECT THE VALID PETITIONERS. I WOULD ASK YOU TO RESPECT OUR NEIGHBORHOOD PLAN BECAUSE IT WILL BE LISTENING TO HOW YOU VOTE, AND IF YOU SAY THAT OUR NEIGHBORHOOD PLAN CANNOT BE HONORED IN A CASE LIKE THIS, IT RAISES SERIOUS QUESTIONS ABOUT WHY WE'RE FOOLING AROUND WITH THE NEIGHBORHOOD PLANNING PROCESS. THIS IS THE WEAKEST ZONING CASE THAT I'VE SEEN COME BEFORE OUR NEIGHBORHOOD. IT WAS SO MUCH BAGGAGE ON TRAFFIC, DRAINAGE AND CONTRARY TO THE NEIGHBORHOOD PLAN, WE WOULD ASK YOU TO DENY THE ZONING.

MAYOR WYNN: THANK YOU, BOB. SO RYAN, DO YOU WANT TO BE NEXT? ANTONIO GONZALES, WELCOME. AND ANDY TAYLOR HERE? ANTONIO, YOU'LL HAVE THREE MINUTES. WELCOME.

THANK YOU, MAYOR, COUNCIL MEMBERS, ACM, CITY ATTORNEY. THE APPLICANT IS REQUESTING MF-2 ZONING BECAUSE THE TRACT IS SURROUNDED BY MF-2 ZONED PROPERTIES AND THEY WANT TO BE CONSISTENT WITH THEIR NEIGHBORS. NEIGHBORS. THERE IS ONLY ONE MF-2 PROPERTY THAT IS CONSISTENT WITH THEIR TRACT THAT HAS FRONTAGE AND ACCESS TO CLAWSON ROAD. THAT ZONING CASE WAS APPROVED IN 1972. AS PART OF THAT ZONING PROCESS THE PLANNING COMMISSION CHAIR, MR. CINSER, WHO MOVED FOR THE MOTION TO BE APPROVED, STAYED THAT..... STATED THAT DESPITE INADEQUATE STREET FACILITIES WE SHOULD NOT DENY THE ZONING BECAUSE IT WOULD BE UNFAIR TO THE DEVELOPER. I WOULD LIKE YOU TO NOTE THAT THE INADEQUATE STREET FACILITY AS MR. CINSER WAS REFERENCING WAS THE EXACT SAME ROAD TODAY. IT HASN'T CHANGED. THE SAME ROADWAY. EVERY OTHER MF-2 PROPERTY THAT HAS FRONTAGE ON CLAWSON HAS ACTUAL ACCESS ON ANOTHER STREET AND EMERGENCY ONLY ACCESS TO CLAWSON. THE STAFF BASIS FOR THE SF-6 ZONING RELIES ON THREE POINTS. ONE, THE SF-6 PROPERTY ACROSS CLAWSON THAT SUPPOSEDLY RESEMBLES THE TRACT, BUT THERE'S A PROBLEM THERE. THERE'S TWO DIFFERENT ISSUES. THAT PROPERTY HAS ACCESS TO BOTH CLAWSON AND ROCK DALE CIRCLE AND IT IS LIMITED, I BELIEVE MR. SUBTLE SAID IT WAS A HIGHER DENSITY BUT IT'S LOWER, 8.42 UNITS PER ACRE, WHICH IS MORE CONSISTENT WITH SF-3 ZONING. THE SECOND BASIS FOR THE SF-6 RECOMMENDATION IS THAT IT'S CREATING A TRANSITION BETWEEN THE MULTIFAMILY ZONING AND THE SF-3 ZONING. IT'S ACTUALLY GOING TO BE LOCATED BETWEEN MF-2 ZONING AND SF-3 ZONING, BUT IT'S GOING TO BE ELIMINATING EXISTING SF-3 ZONING

AND USES. THE THIRD POSITION IS THAT SF-6 ZONING IS APPROPRIATE IN AN AREA WITH LARGE LOTS THAT FRONT A STREET OTHER THAN A MINOR RESIDENTIAL STREET. CLAWSON IS CLASSIFIED AS A COLLECTOR AND FUNCTIONS AS A COLLECTOR, BUT ITS PAVEMENT IS APPROXIMATELY 25 FEET WIDTH, WHICH IS MUCH LESS THAN MOST MINOR RESIDENTIAL STREETS. WE BELIEVE THIS WAS AN ISSUE THAT WAS OVERLOOKED IN THE STAFF RECOMMENDATION AND SHOULD HAVE BEEN TAKEN INTO CONSIDERATION FOR THE FOLLOWING REASONS. THE DESIRABLE LEVEL FOR A STREET WITH PAVEMENT WIDTH OF 25 OR 30 OR LESS FEET IS 1200 VEHICLE TRIPS PER DAY. THE JANUARY 22, 2003 TRAFFIC COUNT ON CLAWSON WAS 2,536 TRIPS. THAT'S MORE THAN DOUBLE THE DESIRABLE OPERATING LEVEL. THE APPLICANT AGREED TO LIMIT DEVELOPMENT TO 300 TRIPS PER DAY, NOT MUCH OF AN AGREEMENT SINCE THEY COULDN'T GET ENOUGH UNITS TO MUCH EXCEED THAT ANYWAY. HOWEVER AN INCREASE OF 300 TRIPS WHEN YOU ALREADY HAVE A SITUATION WHERE THE OPERATING LEVEL IS ALREADY BEING EXCEEDED BY MORE THAN DOUBLE IS NOT A GOOD THING. IN ADDITION, WE ARE CONCERNED THAT THIS WILL SET A PRECEDENT AND ENCOURAGE OTHER LANDOWNERS IN THE AREA TO REQUEST SF-6 AND MF-2, AND SECTION 256141 A OF THE LDC STATES THAT THE COUNCIL MAY DENY AN APPLICATION IF THE TIA, WE DON'T HAVE IT BUT WE KNOW THE TRAFFIC COUNT -- DEMONSTRATES THAT THE DEVELOPMENT WILL OVERBURDEN THE STREET SYSTEM. IF I MAY HAVE A COUPLE SECONDS JUST TO CLOSE OUT.

MAYOR WYNN: JUST TO CONCLUDE, PLEASE.

THANK YOU. WE HAVE MULTIPLE STATEMENTS, AND IF YOU WOULD LOOK AT PAGES 49, 50 AND 51 OF YOUR SUPPORT MATERIAL, FROM STAFF, PLANNING COMMISSION AND EVEN AGENTS, EXTENDING ALL THE WAY BACK TO 1970, THAT ACKNOWLEDGE THE CLAWSON ROAD WAS AND IS NOT CAPABLE OF HANDLING SIGNIFICANT AMOUNTS OF TRAFFIC. DESPITE THAT, IN '72 AND EARLY '80S WE HAD A COUPLE CASES APPROVED BUT SINCE THEN EVERYTHING HAS BEEN LIMITED TO EMERGENCY ACCESS. OUR HOPE TONIGHT IS THAT THE COUNCIL WILL NOT ONLY ACKNOWLEDGE THAT THIS FACT EXISTS BUT THAT THEY WOULD USE THIS TO SUPPORT THEIR DECISION TO DENY THE REQUESTED MF-2 ZONING AND THE ALTERNATE SF-6 RECOMMENDATION BY STAFF. I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE AND IF NOT THANK YOU FOR YOUR TIME.

MAYOR WYNN: THANK YOU, MR. GONZALES. WHO WANTS TO BE NEXT? OSCAR? WELCOME.

THANK YOU, COUNCIL, BRIAN KING. I'M HERE AS A MEMBER OF THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION, ALSO A MEMBER OF THE LEADERSHIP TEAM, THE PRECURSOR TO THE PLAN TEAM FOR OUR NEIGHBORHOOD PLAN. FIRST OFF I'D LIKE YOU TO KNOW THAT I LIVE CLOSE TO THE SITE, LESS THAN A QUARTER OF A MILE. TRAFFIC IS AN HUGE ISSUE. WE CALL THAT ROAD ROLLER COASTER ROAD. IF YOU'VE

DRIVEN DOWN IT, COUNCIL MEMBER MARTINEZ SAID HE WAS OVER TO VISIT THE SITE. IT'S A ROLLER COASTER. I CAN TESTIFY TO THE SERIOUSNESS OF THIS BECAUSE I HAD AN ACURA UPSTAIRS UPSIDE DOWN WEDNESDAY NIGHT SHE HAD TO CRAWL OUT AND ELMS HAULED HER OFF EMS HAULED HER OFF. IT'S A CUT THROUGH BETWEEN LAMAR AND BEN WHITE. WHEN YOU CUT OFF, CLAWSON IS THE CUT THROUGH STREET TO GET THROUGH OUR NEIGHBORHOOD. ALSO BE AWARE THAT PLANNING COMMISSION DID SEND THIS TO YOU WITH A MAJORITY VOTE TO LEAVE THIS AT SF-3. DIDN'T PASS THE TEST OF 5 TO BRING THE RECOMMENDATION HERE BUT THE MAJORITY WAS LEAVE SF-3. MF-2 FAILED, SF-6 FAILED. THE MAJORITY VOTE WAS LEAVE IT AT SF-3. AS A MEMBER OF THE PLAN TEAM WE'VE GONE THROUGH MANY FLUM ITERATIONS LOOKING AT THE NEIGHBORHOOD. OUR PROCESS HAS STALLED OUT BUT WE DEVELOPED THE THREE PRIMARY FLUMS. WE HAVEN'T AGREED ON THEM YET, BUT WHAT'S COMMON ON ALL THREE FLUMS IS THEY ALL AGREE THE SITE SHOULD REMAIN SINGLE-FAMILY. THE AREA OF THAT NEIGHBORHOOD IS SINGLE-FAMILY. ALL OF THE MF-2 PROPERTY THAT FRONTS CLAWSON DOES NOT TAKE ACCESS FROM CLAWSON. IT TAKES ACCESS FROM THE ROADS ON THE OPPOSITE SIDES OF THAT PROPERTY. SO MF-2 IS NOT THE NATURE OR CHARACTER OF THAT. THE SF-6..... SF-6 PROPERTY THAT'S ACROSS THE STREET IS UNDEVELOPED. IT HAS ISSUES. WE'LL SEE WHERE IT GOES. SURROUNDING IT, SF-3. SO OUR DESIRE IS TO LEAVE IT AS SF-3. IT CAN BE DEVELOPED. MR. THOMPSON'S SITE PLAN INDICATED, WITH A HUGE INCREASE IN DENSITY. THE ONLY TWO HOUSES ON THESE THREE LOTS NOW, AND IT CAN GO UP MANY, MANY, MANY FOLD, SO EXCEPTING DENSITY WE WANT TO DEVELOP IT SF-3 SITE DEVELOPMENT GUIDELINES AND LEAVE IT ZONED AS IT IS. APPRECIATE IT IF YOU DENY THIS CASE TONIGHT AND LEAVE IT ALONE. SF-3 IS A DANDY AND WE CAN ADD SOME DENSITY IN OUR NEIGHBORHOOD. THANK YOU VERY MUCH.

MAYOR WYNN: THANK YOU, MR. KEEN. OSCAR? WOULD YOU LIKE TO ADDRESS THIS? IS JASON LYNNCHEW HERE?

HE'S GONE.

MAYOR WYNN: THREE MINUTES, OG OSCAR.

THANK YOU. I WON'T MAKE YOU CAR SICK AGAIN. OSCAR WITH THE SOUTH LAMAR NEIGHBORHOOD ASSOCIATION. THANK YOU FOR WAITING FOR US SO LONG. I DON'T THINK I WILL USE ALL OF MY THREE MINUTES. I WILL TELL YOU THAT AT OUR LAST NEIGHBORHOOD ASSOCIATION ZONING COMMITTEE MEETING WE WERE KIDDING AMONGST OURSELVES. WE WERE THINKING, AND NOW I WILL BORROW FROM RICHARD SUTTLE'S LANGUAGE. I'LL SAY THAT THERE ARE SOME AMBITIOUS PEOPLE IN OUR NEIGHBORHOOD AS WELL, AND WE WERE THINKING THAT IF THIS ZONING GOES THROUGH, THEN YOU'RE PROBABLY GOING TO SEE ALL OF THE OFFICERS AND ZONING COMMITTEE MEMBERS OF SOUTH LAMAR NEIGHBORHOOD ASSOCIATION

COME BEFORE YOU FOR UP ZONINGS. BECAUSE WE'RE GOING TO DO THE SAME THING. WE'RE GOING TO ASK FOR MF-2. THIS IS JUST LIKE BOB TOLD YOU. THIS IS THE WORST CASE IN OUR NEIGHBORHOOD, EVER. IF THIS ONE GOES THROUGH, THEN WE'RE ALL GOING TO COME BEFORE YOU AND ASK YOU FOR MF-2. MY LOT, UNDER SF-3, I HAVE ONE HOUSE, IT'S ABOUT A THIRD OF AN ACRE, AND MINE IS A SMALL ONE. MOST OF THEM ARE ONE ACRE AND TWO ACRES WITH ONE LITTLE HOUSE SITTING ON THEM. SO I'M JUST REMINDING YOU, WE ARE DOING OUR PART OF THE INFILL THAT -- THAT THE GROWTH OF AUSTIN REQUIRES US, ALL OF US, TO PARTAKE IN, TO SHARE IN. AND JUST WITH THE NORMAL INFILL UNDER EXISTING ZONING, WE'RE GOING TO DOUBLE AND TRIPLE. SO I WILL REMIND YOU THAT WE ARE -- OUR NEIGHBORHOODS AFFORDED VMU. WE WANT TO CONTRIBUTE. WE WANT TO DO OUR SHARE. WE DO. WE DO BELIEVE IN IT, BUT WE WANT IT IN THE CORE. WE WANT THE DENSITY TO BE CONCENTRATED ON THE CORE TRANSIT CORRIDORS. WE'RE ASKING YOU TO PLEASE RESPECT THE NEIGHBORHOOD'S VISION FOR ITSELF AND LEAVE THE SF-3 IN THE MIDDLE WHERE IT'S SUPPOSED TO BE. THANK YOU SO MUCH.

MAYOR WYNN: OSCAR? ALSO NOTE THAT KEVIN LEWIS SIGNED UP NOT WISHING TO SPEAK, ALSO IN OPPOSITION. SO COUNCIL, THAT'S ALL OF OUR FOLKS WHO SIGNED UP IN OPPOSITION. MR. SUBTLE NOW GETS A THREE-MINUTE REBUTTAL. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS.]

WHAT THIS PLAN REPRESENTS IS ESSENTIALLY A 100 TRIP INCREMENTALLY, 100 MORE TRIPS THAN YOU COULD DO UNDER THE LOWER DENSITY THAT HAS BEEN SUGGESTED AND REALLY ONLY EIGHT MORE TRINZ OF THE PEAK HOUR TRIPS ALONG CLAWSON. AS WE COME THROUGH, WE WILL BE ASKED AND WILL GLADLY DEDICATE RIGHT-OF-WAY ALONG CLAWSON AS HAVE MANY OF THE PROPERTY OWNERS ALONG THERE N SOMEBODY'S PLAN, LAW CLAU SON WILL -- CLAWSON WILL ULTIMATELY BE EXPANDED. WITH THAT I THINK I'LL CLOSE AND BE HAPPY TO ANSWER ANY QUESTIONS.

Mayor Wynn: GOES MR. SUTTLE OR ANYBODY ELSE? COUNCILMEMBER KIM.

Kim: MR. SUTTLE, THIS PHOTO HERE THAT THE NEIGHBORHOOD PRESENTED TO WUSS THE BUSH, THESE TREES IN THE ROAD, WHOSE PROPERTY IS THAT? BECAUSE IT LOOKS LIKE IT'S THE RIGHT-OF-WAY AND SEEMS TO BE BLOCKING THE VIEW AS CARS ARE COMING AROUND.

I DON'T KNOW WHOSE IT IS, BUT I CAN ASSURE IN OUR PLAN DOING THE DRIVEWAY, WE'LL MAKE SURE THAT THE SIGHT DISTANCES ARE ADEQUATE AND NOT OBSTRUCTED BY THE VEGETATION. AND WITH COUNCILMEMBER MARTINEZ'S SUGGESTION THAT WE LOOK FOR A ONE WAY IN AND OUT, WE CAN CERTAINLY DO THE LANDSCAPE THRG TO MAKE IT A SAFE APPROACH INGRESS AND EGRESS.

Kim: IT LOOKS LIKE THERE MAY SOMEBODY PROBLEMS WITH THIS ROAD AND THIS ABILITY -- IF IT'S SOMEBODY'S PRIVATE PROPERTY, PUBLIC WORKS NEEDS TO TAKE A LOOK AT IT TODAY BECAUSE IT LOOKS LIKE IT'S A HAZARD RIGHT NOW. SO MS. HUFFMAN CAN SOMEONE TAKE A LOOK AT THIS AND THIS IS SOMETHING WE CAN PROBABLY TAKE CARE OF RIGHT AWAY. I WAS JUST WONDER FG YOU KNEW WHOSE PROPERTY IT WAS.

I DON'T. WE CAN CERTAINLY DO THAT. IF IT'S SOMETHING THAT WE CAN CONTROL OR HAVE OUR NEIGHBORS DO, WE CAN DO OR WE CAN HAVE THE CITY LOOK AT IT AS WELL.

Kim: AND TELL US WHAT YOU'RE DOING ABOUT SMART HOUSING WITH THIS PROPERTY.

UNTIL A COUPLE OF WEEKS AGO WE WERE WRESTLING A AFFORDABILITY. AND AT THE SUGGESTION OF SOME, WE WENT -- THE GUYS WENT AND VISITED WITH THE SMART HOUSING DEPARTMENT AND THEY WERE VERY RELUCTANT BECAUSE EVERYBODY WAS KIND OF AFRAID OF GETTING INTO THE SMART HOUSING PROGRAM, BUT BY THE END OF THE MEETING THEY WERE CONVINCE THAT HAD ACTUALLY IT'S A GOOD AND WORKABLE PROGRAM AND THEY'RE GOING TO PARTICIPATE IN THE SMART HOUSING PROGRAM, WHICH I BELIEVE IS 10% OF -- AND IT'S PERPETUAL. SO IT'S 10% AFFORDABILITY IN PERPETUITY.

Kim: OKAY. THANK YOU.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? MAYOR PRO TEM.

Dunkerley: REALLY THIS IS FOR THE STAFF. I THINK IN ADDITION TO THE BLIND DRIVEWAYS THAT COUNCILMEMBER KIM MENTIONED THAT THE ENTIRE ROAD IS A TWO-LANE ROAD, BUT THERE ARE A LOT OF CURVES AND A LOT OF LITTLE HILL, ETCETERA. AND I REALLY WOULD LIKE TO HAVE PUBLIC WORKS LOOK AT THAT WHOLE STRETCH FROM WHEREVER IT STARTS TURNING. IS IT'S LIGHTSEY MAYBE. AND SEE IF THEY CAN COME UP WITH SOME DIFFERENT SIGNAGE, WHETHER IT'S SIGNS FOR CURVES OR SLOW OR SOMETHING LIKE THAT UNTIL THEY CAN GET THAT PROJECT TO WIDEN THE ROAD IN THE FUTURE. JUST HAVE THEM LOOK AT THAT BEFORE WE COME BACK FOR SECOND AND THIRD READING.

Mayor Wynn: COMMENTS, QUESTIONS? COUNCILMEMBER KIM.

Kim: I'M READY TO MAKE A MOTION. I MOVE THAT WE GRANT THE APPLICANT'S REQUEST FOR MF-2-CO WITH A LIMIT OF 300 DAILY VEHICLE TRIPS. AND THE REASON WHY I'M SUPPORTING THIS IS BECAUSE IT'S A WAY TO ALLOW FAMILIES TO BE IN AUSTIN. IT'S ONLY ABOUT 40 TO 45 UNITS. AND THE APPLICANT IS GOING TO WORK

WITH US IN LOOKING AT JUST MAYBE ONE ROAD VERSUS TWO. THAT'S GOING TO MAKE IT SAFER. IT DEPENDS, OF COURSE, ON WHAT THEY DECIDE IS BEST FOR A BALANCE OF SAFETY AS WELL AS THE FEASIBILITY OF THE PROJECT. BUT I REALLY APPRECIATE YOUR WILLINGNESS TO CONSIDER THAT. AND THERE ARE -- IT'S HARDER FOR PEOPLE TO LIVE INSIDE THE CITY, TO FIND OWNERSHIP OPPORTUNITIES. I THINK THIS IS ONE THAT'S GOING TO BE GOOD FOR THE NEIGHBORHOOD IN TERMS OF FAMILIES THAT CAN LIVE THERE. AND WE JUST HAD ANOTHER CASE BEFORE US THAT HAD INVOLVED (INDISCERNIBLE). SO THERE ARE FAMILIES THAT WANT TO BE THERE AND THIS WILL ALLOW THEM TO DO THAT. PARTICIPATING IN THE SMART HOUSING PROJECT IS A GOOD THING. THERE WILL BE AFFORDABLE HOUSING IN PERPETUITY. THAT IS NOT COMMON THAT YOU WOULD SEE THAT IN PERPETUITY. AND THAT'S VERY RARE. SO I APPRECIATE YOUR DOING THAT.

Mayor Wynn: SO MOTION FROM COUNCILMEMBER KIM TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY -- I'M SORRY. I GUESS THAT WOULD BE MF-2-CO. SO IT'S NOT STAFF RECOMMENDATION OR PLANNING COMMISSION RELIGIOUS. RELIGIOUS. FURTHER COMMENTS, THOUGHTS? MOTION AND A SECOND ON FIRST READING ONLY. COUNCILMEMBER LEFFINGWELL.

Leffingwell: MAYOR, THIS IS FOR STAFF. I'M SURE YOU COVERED IT AT ONE POINT. WHAT'S THE DIFFERENCE IN THE NUMBER OF UNITS BETWEEN MF 6 AND MF 2?

I DIDN'T CALCULATE IT SPECIFICALLY ON THIS PROPERTY, BUT GENERALLY DENSITY IS 12.4 UNITS PER ACRE A AND IF YOU TOOK A 50/50 MIX OF ONE BEDROOM, TWO BEDROOM APARTMENTS FOR MF-2 IT'S ABOUT 19 UNITS PER ACRE.

...

Leffingwell: ABOUT HALF THE DENSITY OF SF-12346.

IT'S MORE THAN CERTAINLY SF-6. I WOULDN'T SAY IT'S 50% MORE, BUT IT'S CLOSE TO THAT.

Leffingwell: OKAY. THANKS.

Mayor Wynn: FURTHER THOUGHTS, COMMENTS? I WILL SAY THAT I START FROM A PRETTY RELUCTANT SPOT ON THIS. I WILL RECOGNIZE THE FIRST READING NATURE OF THIS VOTE, BUT THE FUTURE LAND USE MAP OF THE INTERIOR OF THAT NEIGHBORHOOD STRIKES A BIG NERVE WITH ME FKS..... WE HAVE SEEN -- WE'VE CERTAINLY SEEN THE ZONING CASES. YOU CAN DRIVE DOWN AND SEE SOME OF THE END RESULT OF WHAT I CONSIDER TO BE, WITH ALL THINGS CONSIDERED, GOOD PERIMETER DENSIFICATION ON THIS NEIGHBORHOOD, UTILIZING THE CORE TRANSIT CORRIDOR CONCEPT. I'M RELUCTANT BECAUSE OF THE NATURE OF CLAWSON, THE

STATUS. I PRESUME AT SOME POINT IT GETS EXPANDED, BUT IT HASN'T IN A LONG TIME. SO I GUESS I'LL RELUCTANTLY GO ALONG WITH THE FIRST READING VOTE, BUT I GUESS IT'S A LITTLE BIT AFTER SIGNAL WITH THE VALID PETITION THAT IT'S GOING TO HAVE TO BE A WELL THOUGHT OUT ANALYSIS TO GET MY VOTE ON THIRD READING. COUNCILMEMBER MCCRACKEN.

McCracken: YEAH. AND IN GENERAL OBVIOUSLY I SHARE THE SAME OPINION THE MAYOR DOES. I'M PERSUADED THAT THIS IS THE RIGHT WAY TO GO THAT'S BEFORE US BECAUSE IT'S RIGHT THERE AMONG A LOT OF MULTI-FAMILY. SO I THINK IT DOES SPEAK IN YES OR.....GENERAL THAT AS YOU LOOK AT THE CONTEXT WHERE THIS DEVELOPMENT IS TAKING PLACE, IT IS IN THE MID.... MIDST OF MULTI-FAMILY. I AGREE WITH THE MAYOR THAT IT WOULD NOT BE THE RIGHT TYPE OF DEVELOPMENT BECAUSE WE ARE FOCUSING DENSITY ON THE PERIMETERS. SO THIS APPEARS TO BE A POCKET OF MULTI-FAMILY. THE SECOND REASON I'M PERSUADED IS AS A MULTI-FAMILY DEVELOPMENT THIS IS AN COMPENSATION ALI HIGH QUALITY DEVELOPMENT. IT IS VERY MUCH SINGED UP WITH OUR COMMUNITY VALUES OF GREEN BUILDING, TWO STAR PLUS, SMART HOUSING. I DON'T RECALL SEEING SO MANY OF OUR COMMUNITY RALZ INCLUDED IN A SINGLE DEVELOPMENT COME BEFORE US IN A LONG TIME. SO THE IMI.... COMBINATION THAT WHILE IN GENERAL THIS WOULD NOT BE THE RIGHT PLACE TO PUT A MULTI-FAMILY, IT IS IN THE CONTEXT OF WHERE IT IS NOW AND ALSO THE FACT THAT IT BRINGS SO MANY OF OUR COMMUNITY VALUES UP. THAT'S WHY I'M SUPPORTING THIS.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? MR. GUERNSEY?

I WANT A CLARIFICATION. I UNDERSTOOD THE MOTION WAS MF-2, THE CONDITIONAL OVERLAY 300 TRIPS? WERE WE ALSO ACCEPTING THE OFFER BY THE APPLICANT REGARDING, I GUESS, THE TWO STAR? I'M LOOKING OVER AT THE APPLICANT. WAS IT SMART HOUSING? ALTHOUGH WE CANNOT MAKE THAT A CONDITION, WE UNDERSTAND THAT THAT'S SOMETHING THEY'RE OFFERING. AND WATER CONSERVATION?

[INAUDIBLE - NO MIC].

....

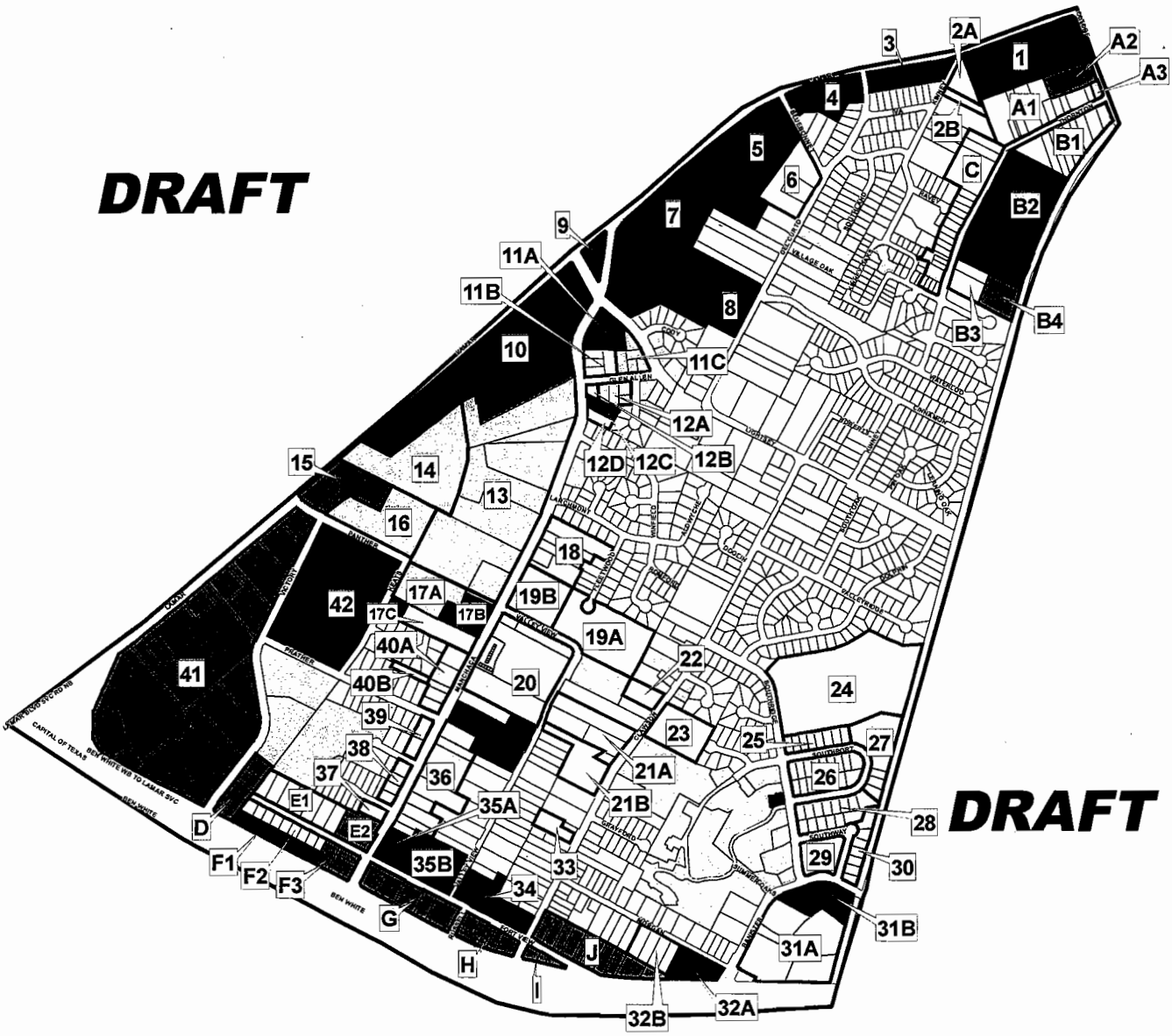
I WAS JUST GETTING CLARIFICATION THAT WAS PART OF THE MOTION, RECOGNIZING THAT SMART HOUSING IS A GESTURE, BUT IT'S NOT PART OF THE REQUIREMENT OF IT. BUT THE OTHER ITEMS WE CAN CERTAINLY WORK WITH.

Mayor Wynn: ACKNOWLEDGMENT ABOUT THE GREEN BUILDING, SMART HOUSING AND THE WATER CONSERVATION. FURSES COMMENTS, THOUGHTS? COUNCILMEMBER LEFFINGWELL.

Leffingwell: I JUST FEEL I HAVE TO SAY I'M GOING TO SUPPORT THIS JUST TO SEE WHAT HAPPENS WHEN IT COMES BACK, PRIMARILY BECAUSE OF THE GREEN BUILDING COMPONENT AND THE WATER CONSERVATION PART, BUT I'M VERY CONCERNED ABOUT THE DENSITY IN EFFECT DOUBLE WITH THE MF-2 OVER THE SF-6, WHICH WAS THE STAFF RECOMMENDATION. SO I'M GOING TO SUPPORT IT AT THIS TIME, BUT I WANT TO TAKE A VERY MUCH A CLOSER LOOK ON SUBSEQUENT READING.

Mayor Wynn: FURTHER QUESTIONS, THOUGHTS? MOTION AND A SECOND ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO, FIRST READING ONLY. THANK YOU ALL. SO, MR. GUERNSEY, THAT'S THE LAST OF OUR --

THAT CONCLUDE OUR ZONING AGENDA ITEMS THIS EVENING.


DRAFT
DRAFT
1
2A
2B
3
4
5
6
7
8
9
10
11A
11B
11C
12A
12B
12C
12D
13
14
15
16
17A
17B
17C
18
19A
19B
20
21A
21B
22
23
24
25
26
27
28
29
30
31A
31B
32A
32B
33
34
35A
35B
36
37
38
39
40A
40B
41
42
A1
A2
A3
B1
B2
B3
B4
C
D
E1
E2
F1
F2
F3
G
H
I
J
LOOP 1
BEN WHITE
CAPITAL OF TEXAS
BEN WHITE WB TO LAMAR SVC
LOOP 1 BEN WHITE SVC RD WB
PLEASANT VALLEY
PANTHER
PLEASANT
VIRGINIA
GLENHAVEN
LAUDERDALE
WHITED
MEADOWCROFT
CLOUGH
ROSEWOOD
VILLAGE OAK
OAKCREST
OAKCREST
OAKCREST

September 24, 2007

Austin City Council
c/o Robert Heil
Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, TX 78767-8810

RE: Zoning Case File Number **C14-2007-0067**
3608-3706 Clawson Road
Austin, Texas 78704

Dear Sirs:

Attached are additional Petitions of Opposition to the requested zoning change described in the referenced file, from property owners within 200 feet of the subject property. Petitions are attached from the following property owners:

(9)	Casey L. Gibson	3609A Clawson Road
(10)	John Hampton	3609B Clawson Road
(11)	Linda E. Zatopek	1603 Southgate Circle

The original copy of the Casey L. Gibson petition was submitted previously, but was not "counted" or "validated", because the owner of the "B" side of the property had not yet signed the petition. Now that he has signed, both petitions should now be eligible for validation. And in addition the petition from Linda Zatopek should also be eligible, since she owns the entire property listed.

Also attached is a copy of a recent prior Petition Map, upon which handwritten numbers have been added to note the locations of the above listed properties. If additional Petitions of Opposition are received, they will be submitted later. If there are questions or if further information is needed, please advise.

Sincerely,

Bob Thompson

Bob Thompson (512) 693-2545
South Lamar Neighborhood Association

(9)

PETITION

Date: 9-17-07
File Number: C14-2007-0067

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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.

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Casey G. Gibson	Casey G. Gibson	3609A CLAWSON ROAD, AUSTIN, TX 78704 & 7606 Beinville Cv. Austin Tx 78749

Date: 9-17-07

Contact Name: BOB THOMPSON
Phone Number: 693-2545

PETITION

Date: SEPT. 22, 2007
File Number: C14-2007-0067

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
[illegible]	John Hampton	3609 B Clawson RD

Date: 9-22-07

Contact Name: BOB THOMPSON
Phone Number: 693-2545

PETITION

Date:
File Number: C14-2007-0067

Address of Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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.

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Linda E Zatopek
Signature

Linda E. Zatopek, property owner of 1603 Southgate Circle, Austin, TX 78704
Printed Name Address

Linda Zatopek
PO Box 262
Silver City, NM 88062

Date: September 19, 2007 Contact Name:

Phone Number: 505-313-5608

September 18, 2007

Austin City Council
c/o Robert Heil
Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, TX 78767-8810

RE: Zoning Case File Number **C14-2007-0067**
3608-3706 Clawson Road
Austin, Texas 78704

Dear Sirs:

Attached are Petitions of Opposition to the requested zoning change described in the referenced file, from property owners within 200 feet of the subject property. Petitions are attached from the following property owners:

(1)	Billy Corsbie	3708 Clawson Road
(2)	A.L. Jones	3800 Clawson Road
(3)	Sean Nunes	1609 Southgate Circle
(4)	Michelle Miller	3607A Clawson Road
(5)	Lisl Friday	3607B Clawson Road
(6)	Howard A. Hickman	1605B Southgate Circle
(7)	Gary Kilgore	16005A Southgate Circle
(8)	Peter Feighner	3510 Clawson Road
(9)	Casey L. Gibson	3609A Clawson Road

Also attached is a copy of a recent prior Petition Map, upon which handwritten numbers have been added to note the locations of the above listed properties. If additional Petitions of Opposition are received, they will be submitted later. If there are questions or if further information is needed, please advise.

Sincerely,

Bob Thompson

Bob Thompson (512) 693-2545
South Lamar Neighborhood Association

95-162
78-205
APTS.
SP85-004
LO
CP72-37
FLEETWOOD DR
WINFIELD CV
ROMFORD DR
SF-5-CO
06-0168
SP07-0027C
SF-3
VALLEY VIEW RD
MF-3
74-109
PLEX
APARTMENTS
MF-2
84-330
SP85-092
71-021
72-112
71-134
74-018
NURSING
HOME
SP97-0145CS
73-158
85-142RC
CLAWSON RD
SOUTHGATE CIR
SOUTHRIDGE DR
DOLPHIN DR
P81-062
UNDEVELOPED
UNDEVELOPED
SF-1
82-109RC
APTS.
SF-3
81-208
SF-6
DAYCARE
MF-2
ROCKDALE CIR
SF-3
APTS.
83-028RC
P83-085
C814-75-006.1[85]
PUD
SOUTHPORT DR

N

SubjectTract
PropertyOwner
Buffer
Zoning Boundary

PETITIONS

CASE#: C14-2007-0067
ADDRESS: 3608 CLAWSON RD
GRID: G19
CASE MANAGER: R. HEIL

CITY OF AUSTIN
FOUNDED 1839

PETITION

Date: 8/23/07
File Number: **C14-2007-0067**

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Billy Corsbie	Billy Corsbie	3708 Clawson, Austin 78704

Date: 8/23/07

Contact Name: Bob Thompson
Phone Number: 693-2545

PETITION

Date: 22 AUG 07
File Number: **C14-2007-0067**

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
[illegible]	A.L. JONES	3800 CLAWSON

Date: 8-22-07

Contact Name: BOB THOMPSON
Phone Number: 693-2545

PETITION

Date: 8-22-07
File Number: C14-2007-0067

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Sean Nunes	Sean Nunes	1609 Southgate Circle

Date: 8-22-07

Contact Name: BOB THOMPSON
Phone Number: 693-2545

PETITION

Date: 8-22-07
File Number: **C14-2007-0067**

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
[illegible]	Michelle Miller	3607A Clawson Rd.

Date: 8/22/07

Contact Name: Michelle Miller
Phone Number: 779-6100

PETITION

Date: Sept 19, 2007
File Number: **C14-2007-0067**

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Lisl Friday	Lisl Friday	3607 B. Clawson 78704

I also ~~own~~ own the following two properties on Morgan Lane: 1503 + 1403 Morgan Lane

Date: Sept 19, 2007

Contact Name: Lisl
Phone Number: 731-7875
494-6237

PETITION

Date: 8-22-07
File Number: C14-2007-0067

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Howard A. Hickman	Howard A. Hickman	1605 B Southgate Circle Austin, Tx 78704

Date: 8/22/07

Contact Name: HOWARD HICKMAN
Phone Number: 448-0115

PETITION

Date: 9-16-07
File Number: C14-2007-0067

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Gary Kilgore	Gary Kilgore	1605A Southgate Cir. Austin, TX 78704

Date: 9-16-07

Contact Name: BOB THOMPSON
Phone Number: 693-2545

PETITION

Date: 9-15-2007
File Number: C14-2007-0067

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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 .

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
[illegible]	Peter Feighner	3510 Clawson Rd.

Date: 9/15/07

Contact Name: BOB THOMPSON
Phone Number: 693-2545

(9)

PETITION

Date: 9-17-07
File Number: C14-2007-0067

Address of
Rezoning Request: 3608-3706 Clawson Road
Austin, Texas 78704

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.

The reasons for this protest are that this property is located on a hilly, narrow street, Clawson Road, which already carries more traffic than is deemed safe for such a neighborhood collector street. Likewise, because of the steep topography, drainage from this property and in the general area is already stressing the existing drainage infrastructure. Consequently, more intensive zoning is completely inappropriate. Moreover, our neighborhood values the lower impervious cover and the single family ownership culture of SF-3 property, and wishes to preserve it in the core of the neighborhood, including this property and others along Clawson Road, as shown on the latest draft Future Land Use Maps.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Casey G. Gibson	Casey G. Gibson	3609A CLAWSON ROAD, AUSTIN, TX 78704 & 7606 Bei-ville Cv. Austin Tx 78749

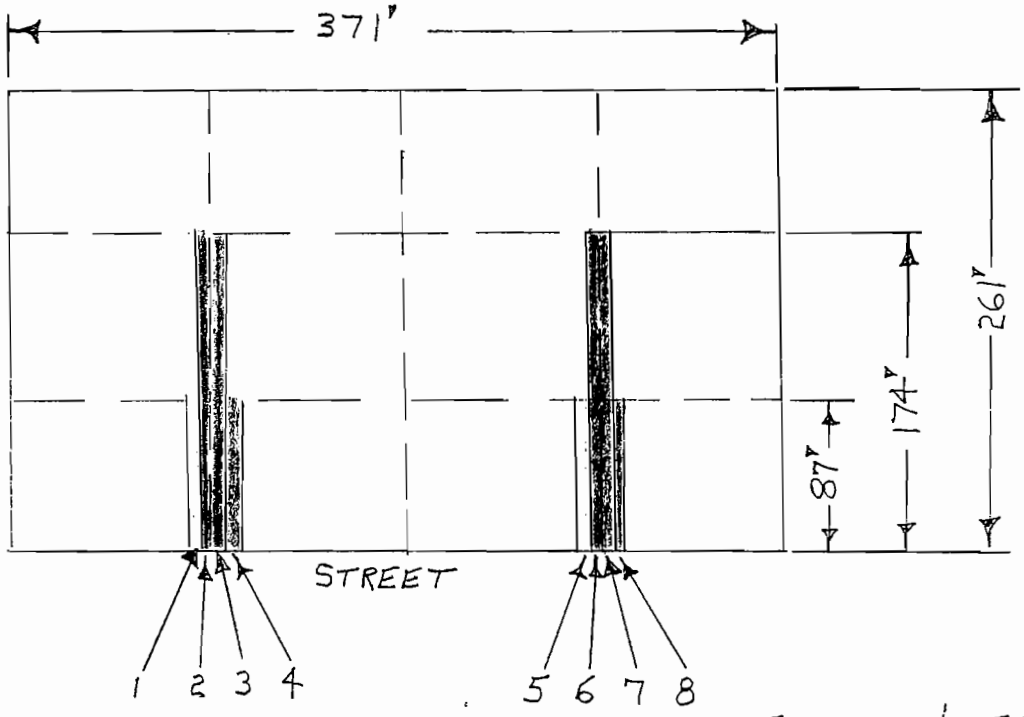
Date: 9-17-07

Contact Name: BOB THOMPSON
Phone Number: 693-2545

Surrounding Zoning

This exhibit and the following example photographs were provided by the applicant

IDEALIZED ESTIMATION OF NUMBER OF DUPLEXES PERMITTED UNDER SF3 ZONING ON 2.223 ACRES



FLAGPOLES TO PROVIDE ACCESS TO INTERIOR LOTS
(MINIMUM WIDTH = 15 FT.)

TOTAL AREA = 371' × 261' = 96,831 SQ.FT. = 2.223 ACRES

AREA OF 8 FLAGPOLE DRIVEWAYS } = 4 × 15' × 87' + 4 × 15' × 174' = 15,660 SQ. FT. = 16.2% × TOT. AREA

VS. 14.3-15% ESTIMATED BY J. BARNETT

REMAINING NON-FLAGPOLE AREA ≈ 81,171 SQ. FT.

MAXIMUM NUMBER OF SF3 DUPLEXES } = $\frac{81,171 \text{ SQ.FT.}}{7,000 \text{ SQ.FT./DUPLEX}}$ = 11.6 → 11 DUPLEXES

(BEFORE SITE PLAN RESTRICTIONS, WHICH MAY REDUCE THE NUMBER)

TREE LEGEND		
TREE NO.	DIAMETER (IN.) / TRUNK NO.	TREE TYPE
6001	8 / SINGLE	CEDAR
6002	10 / SINGLE	CEDAR
6003	4,8,9 / TRIPLE	CEDAR
6004	8 / SINGLE	CEDAR
6007	8,8,3,6 / QUAD	CEDAR
6008	13 / SINGLE	HACKBERRY
6009	8 / SINGLE	CEDAR
6011	4,11 / TWIN	CEDAR
6012	14 / SINGLE	CEDAR
6013	4,10 / TWIN	HACKBERRY
6015	3,7 / TWIN	CEDAR ELM
6016	8 / SINGLE	HACKBERRY
6017	10 / SINGLE	HACKBERRY
6018	8,9 / TWIN	HACKBERRY
6020	3,5,8 / TRIPLE	CEDAR
6022	8 / SINGLE	CEDAR
6023	4,8 / TWIN	CEDAR
6025	21 / SINGLE	LIVE OAK
6026	7,8,10 / TRIPLE	CEDAR
6027	8 / SINGLE	CEDAR
6028	8,10 / TWIN	CEDAR
6029	11 / SINGLE	CEDAR
6032	10 / SINGLE	CEDAR
6034	8 / SINGLE	CEDAR ELM
6037	15 / SINGLE	CEDAR
6038	7,3,3,6 5 / MULT	LIGUSTRUM
6039	14 / SINGLE	LIVE OAK
6040	4,7 / TWIN	CEDAR
6041	8 / SINGLE	CEDAR
6042	11 / SINGLE	CEDAR
6043	4,4,4,3,3 / MULT	CEDAR
6044	4,8 / TWIN	CEDAR
6045	4,8 / TWIN	HACKBERRY
6046	7,3,4,5 / QUAD	CEDAR
6048	3,8 / TWIN	HACKBERRY
6057	13,14 / TWIN	LIVE OAK
6058	4,7 / TWIN	CEDAR
6060	11 / SINGLE	CEDAR
6061	6,6,6,6 5 / MULT	CEDAR
6062	14 / SINGLE	CEDAR
6063	8 / SINGLE	HACKBERRY
6064	14 / SINGLE	HACKBERRY
6065	8 / SINGLE	HACKBERRY
6067	8 / SINGLE	RED OAK
6068	8 / SINGLE	CEDAR
6069	4,7,7 / TRIPLE	CEDAR
6071	8 / SINGLE	CEDAR
6072	10 / SINGLE	CHINABERRY
6073	6,3,4,3 / QUAD	CEDAR
6078	6,8,3,3 / QUAD	CEDAR
6082	9 / SINGLE	HACKBERRY
6083	8,8 / TWIN	HACKBERRY
6084	8 / SINGLE	LIVE OAK
6085	11,6,3,3,6 / MULTI	CEDAR
6088	7,8 / TWIN	HACKBERRY
6089	8 / SINGLE	HACKBERRY
6090	11 / SINGLE	HACKBERRY
6091	8 / SINGLE	CHINABERRY
6125	10 / SINGLE	LIVE OAK
6127	14 / SINGLE	LIVE OAK
6128	8 / SINGLE	LIVE OAK
6129	11 / SINGLE	LIVE OAK
6130	14 / SINGLE	LIVE OAK
6131	15 / SINGLE	LIVE OAK
6133	11 / SINGLE	LIVE OAK
6134	13 / SINGLE	LIVE OAK
6135	3,4,5 / TRIPLE	LIGUSTRUM
6136	3,7,7 / TRIPLE	HACKBERRY
6138	6,6 / TRIPLE	HACKBERRY
6140	14 / SINGLE	CEDAR
6141	12,13 / TWIN	LIVE OAK
6142	12 / SINGLE	HACKBERRY
6143	27 / SINGLE	LIVE OAK
6144	7,10 / TWIN	CEDAR
6145	8 / SINGLE	HACKBERRY
6146	7,11 / TWIN	HACKBERRY
6147	3,7,8 / TRIPLE	CEDAR
6148	8 / SINGLE	HACKBERRY
6149	10,11 / TWIN	LIVE OAK
6151	11 / SINGLE	HACKBERRY
6152	8,10 / TWIN	CEDAR
6153	8 / SINGLE	HACKBERRY
6154	6,8,7,3 / QUAD	CEDAR
6155	8,11 / TWIN	CEDAR
6158	7,11 / TWIN	CEDAR
6159	8 / SINGLE	CEDAR
6159	11 / SINGLE	CEDAR
6163	20 / SINGLE	CEDAR
6181	5,7,9 / TRIPLE	CEDAR
6182	17 / SINGLE	LIVE OAK
6184	5,5,3,9 / QUAD	LIGUSTRUM
6185	8,10,12 / TRIPLE	LIVE OAK

TREE LEGEND		
TREE NO.	DIAMETER (IN.) / TRUNK NO.	TREE TYPE
6186	14 / SINGLE	LIVE OAK
6187	13 / SINGLE	LIGUSTRUM
6189	7,11 / TWIN	HACKBERRY
6190	3,5,8 / TRIPLE	HACKBERRY
6191	7,8 / TWIN	HACKBERRY
6192	13,14 / TWIN	CHINABERRY
6194	13 / SINGLE	HACKBERRY
6196	8 / SINGLE	HACKBERRY
6197	8 / SINGLE	HACKBERRY
6198	11 / SINGLE	CEDAR
6200	8 / SINGLE	HACKBERRY
6201	11 / SINGLE	HACKBERRY
6235	13 / SINGLE	LIVE OAK
6236	11 / SINGLE	RED OAK
6245	12 / SINGLE	CEDAR
6296	12,15,17 / TRIPLE	LIVE OAK
6297	10 / SINGLE	CEDAR
6298	3,5,8 / TRIPLE	LIVE OAK
6328	7,8 / TWIN	LIVE OAK
6330	8,7 / TWIN	LIVE OAK
6331	5,8,7 / TRIPLE	CEDAR
6339	3,6,4 / TRIPLE	CEDAR
6341	10 / SINGLE	RED OAK
6342	8,10 / TWIN	CHINABERRY
6345	8,10 / TWIN	CEDAR ELM
6349	8 / SINGLE	HACKBERRY
6350	3,7,8,7,3,3 / MULTI	HACKBERRY
6351	1,12 / TWIN	LIVE OAK
6370	10,15 / TWIN	LIVE OAK
6371	8 / SINGLE	CHINABERRY
6372	7,7 / TWIN	HACKBERRY
6373	4,7 / TWIN	HACKBERRY
6376	9 / SINGLE	LIVE OAK
6377	8 / SINGLE	LIVE OAK
6378	9 / SINGLE	LIVE OAK
6380	4,4,4,3,3 / MULTI	LIGUSTRUM
6381	11 / SINGLE	LIVE OAK
6382	8 / SINGLE	HACKBERRY
6383	9 / SINGLE	LIVE OAK
6384	10 / SINGLE	HACKBERRY
6386	8 / SINGLE	HACKBERRY
6387	8,8 / TWIN	HACKBERRY
6388	9 / SINGLE	CHINABERRY
6389	3,7,8 / TRIPLE	HACKBERRY
6391	8,7 / TWIN	HACKBERRY
6392	8 / SINGLE	HACKBERRY
6393	11,13,13 / TRIPLE	LIVE OAK
6394	14 / SINGLE	HACKBERRY
6395	12 / SINGLE	AMERICAN ELM
6396	6,8 / TWIN	HACKBERRY
6397	3,10 / TWIN	HACKBERRY
6398	9 / SINGLE	HACKBERRY
6406	10 / SINGLE	HACKBERRY
6423	13 / SINGLE	LIVE OAK
6424	8 / SINGLE	CHINABERRY
6425	4,8,7 / TRIPLE	LIVE OAK
6427	8 / SINGLE	HACKBERRY
6428	8 / SINGLE	HACKBERRY
6429	8 / SINGLE	CEDAR
6430	8 / SINGLE	HACKBERRY
6431	11 / SINGLE	HACKBERRY
6432	23 / SINGLE	AMERICAN ELM
6433	4,8 / TWIN	HACKBERRY
6434	12 / SINGLE	HACKBERRY
6437	24 / SINGLE	AMERICAN ELM
6438	8,11,12 / TRIPLE	CHINABERRY
6439	14 / SINGLE	AMERICAN ELM
6455	8,3,3,6,4 / MULTI	CEDAR
6456	13 / SINGLE	CEDAR
6457	11 / SINGLE	CEDAR
6458	4,2,4,6,3,3 / MULTI	CEDAR
6479	8 / SINGLE	LIVE OAK
6485	8 / SINGLE	HACKBERRY
6486	11 / SINGLE	HACKBERRY
6487	12 / SINGLE	HACKBERRY
6488	17 / SINGLE	AMERICAN ELM
6490	11 / SINGLE	CHINABERRY
6491	2,7,8 / TRIPLE	HACKBERRY
6505	10 / SINGLE	CEDAR ELM
6507	14 / SINGLE	CEDAR
6514	14,18 / TWIN	LIVE OAK
6516	19 / SINGLE	LIVE OAK
6517	18 / SINGLE	CEDAR ELM
6518	13 / SINGLE	CEDAR
6519	12 / SINGLE	CEDAR
6520	13,14 / TWIN	LIVE OAK
6521	20 / SINGLE	CEDAR ELM
6522	17 / SINGLE	CEDAR ELM
6523	2,10 / TWIN	HACKBERRY
6550	12 / SINGLE	CEDAR
6551	11 / SINGLE	CEDAR
6552	10 / SINGLE	CHINESE TALLOW
6553	11 / SINGLE	CHINESE TALLOW
6626	7,7 / TWIN	LIVE OAK
6695	8 / SINGLE	HACKBERRY
6696	7,10 / TWIN	HACKBERRY
6697	8,7 / TWIN	HACKBERRY
6698	6,7 / TWIN	HACKBERRY
6699	4,10 / TWIN	HACKBERRY

TREE LEGEND		
TREE NO.	DIAMETER (IN.) / TRUNK NO.	TREE TYPE
6701	12 / SINGLE	CEDAR ELM
6702	21 / SINGLE	HACKBERRY
6703	18 / SINGLE	HACKBERRY
6746	23 / SINGLE	AMERICAN ELM
6748	22 / SINGLE	AMERICAN ELM
6764	19 / SINGLE	AMERICAN ELM
6766	8 / SINGLE	AMERICAN ELM

TREE #	SIZE (IN.)		TREE SIZE RANK
1	6025	-- 21 -- SINGLE -- LIVE OAK	6
2	6141	-- 12,13 -- TWIN -- LIVE OAK	D2
3	6143	-- 27 -- SINGLE -- LIVE OAK	1
4	6160	-- 20 -- SINGLE -- CEDAR	C
5	6296	-- 12,15,17 -- TRIPLE -- LIVE OAK	T1
6	6393	-- 11,13,13 -- TRIPLE -- LIVE OAK	T2
7	6432	-- 23 -- SINGLE -- AMER. ELM	3
8	6437	-- 24 -- SINGLE -- AMER. ELM	2
9	6521	-- 20 -- SINGLE -- CEDAR ELM	7
10	6702	-- 21 -- SINGLE -- HACKBERRY	H
11	6746	-- 23 -- SINGLE -- AMER. ELM	4
12	6748	-- 22 -- SINGLE -- AMER. ELM	5
13	6514	-- 14,18 -- TWIN -- LIVE OAK	D1

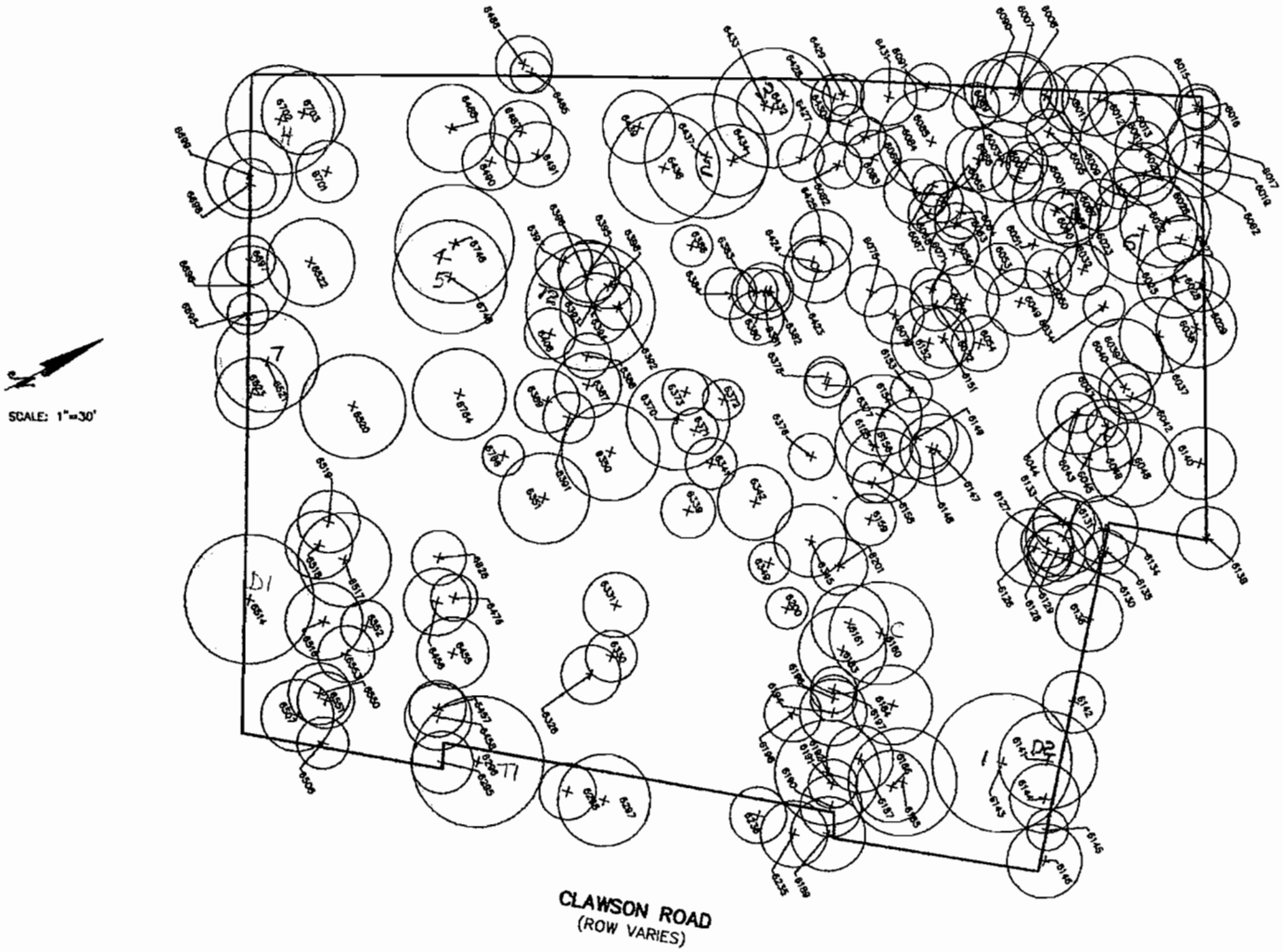
205 TREES TOTAL

eileen merritt's ATS Engineers Inspectors & Surveyors
www.ats-engineers.com
4911 BEE CAVES ROAD, STE 200
AUSTIN, TEXAS 78746
(512) 328-6988
FAX: (512) 328-6988

4611 Bee Caves Rd., Ste 200

TREE SURVEY
CLAWSON ROAD

MOST SIGNIFICANT 13 TREES OUTLINED / 205 TREES TOTAL



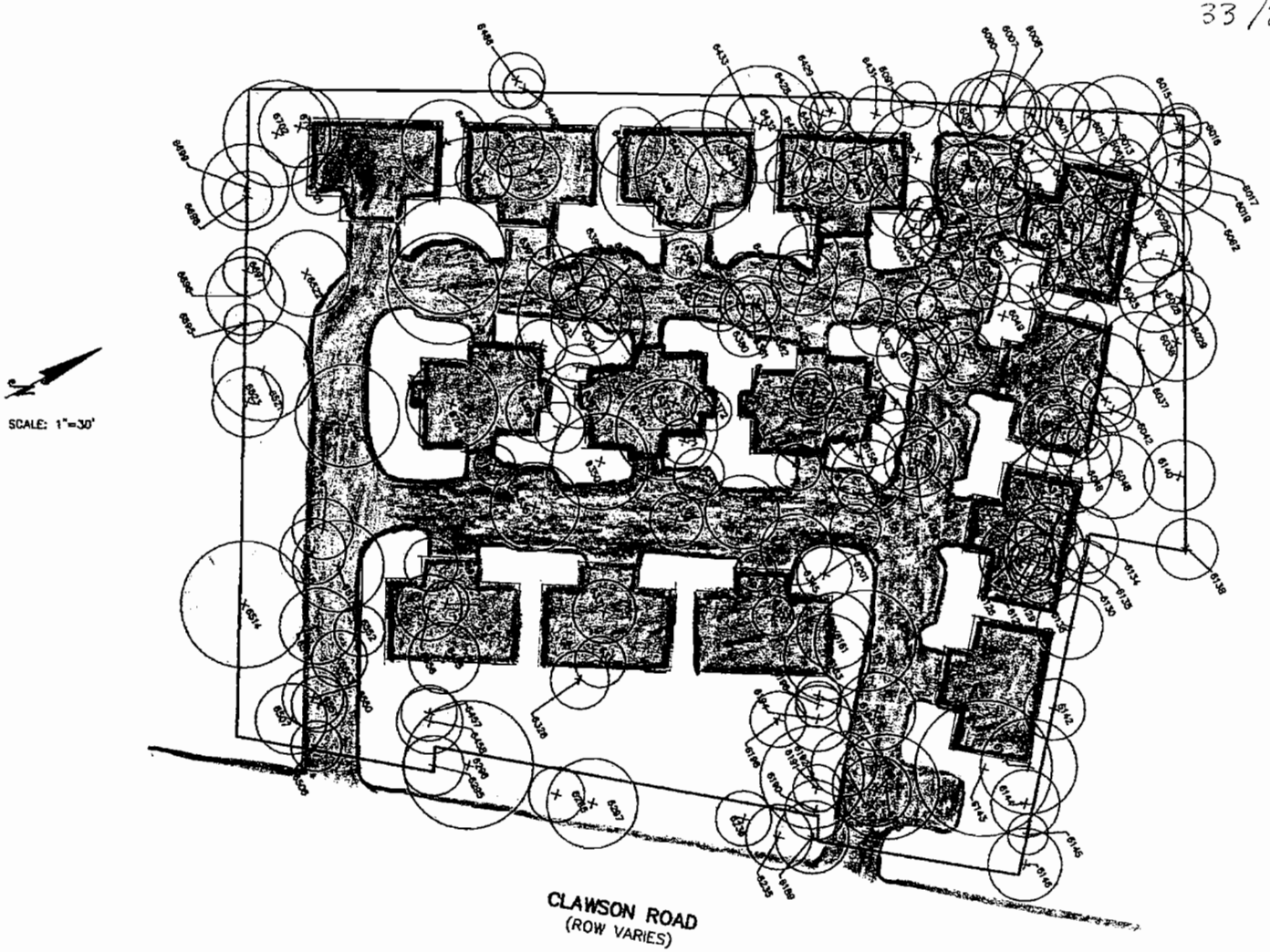
eileen merritt's ATS Engineers Inspectors & Surveyors
www.ats-engineers.com
4911 BEE CAVES ROAD, STE 200
AUSTIN, TEXAS 78746
(512) 328-6995
FAX: (512) 328-6996

TREE SURVEY
CLAWSON ROAD

TREES SAVED

7/13 SIGNIFICANT

33/205 TOTAL



28 UNITS PRELIMINARY* SITE PLAN

* WITHOUT WATER DETENTION

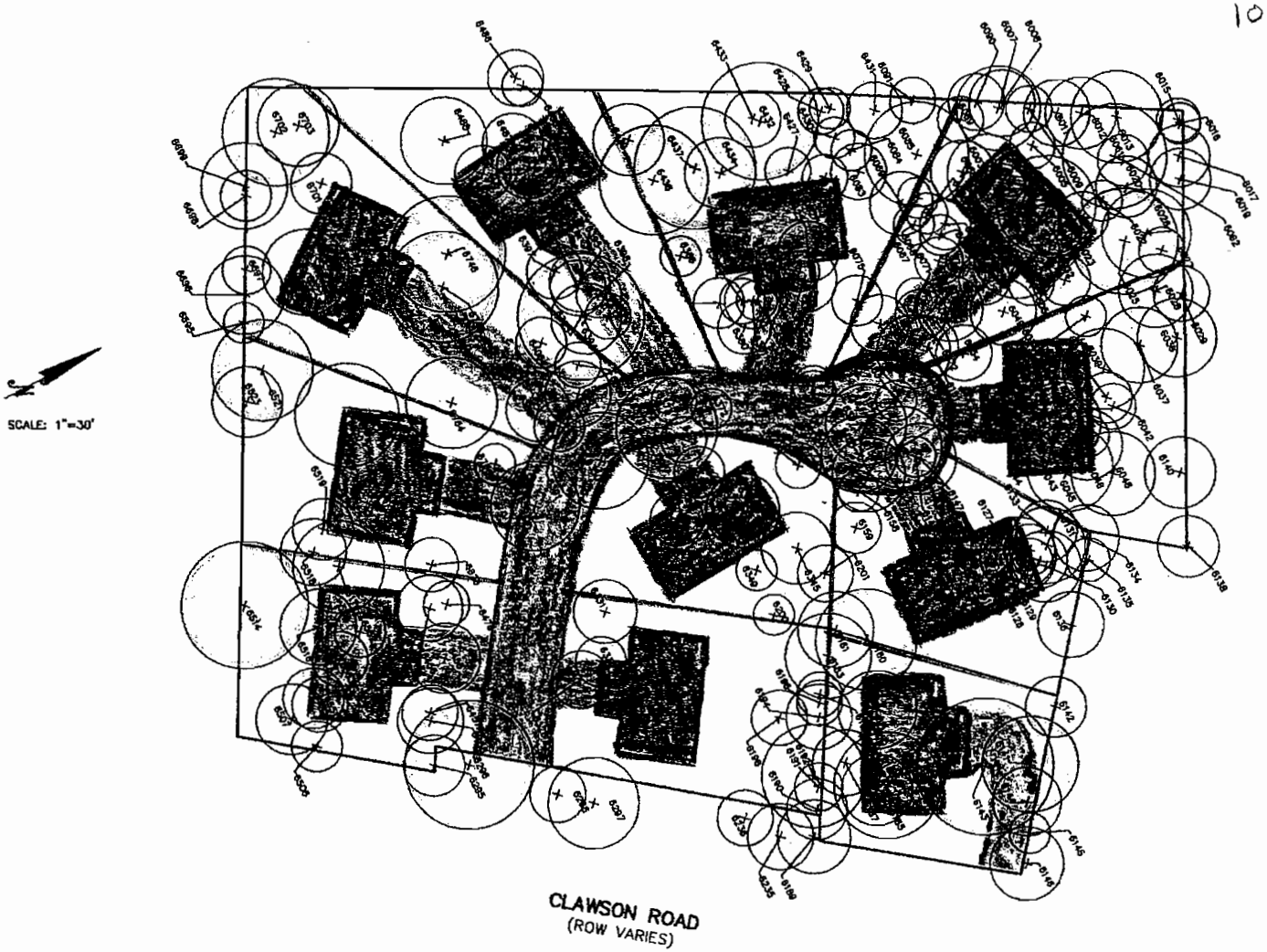
eileen merrill's ATS Engineers Inspectors & Surveyors
www.ats-engineers.com
4811 BEE CAVES ROAD, STE 200
AUSTIN, TEXAS 78746
(512) 328-0888
FAX: (512) 328-0889

TREE SURVEY
CLAWSON ROAD

TREES SAVED

13/13 SIGNIFICANT

100/205 TOTAL



22 UNIT PRELIMINARY* DUPLEX SF-3 SITE PLAN

* WITHOUT WATER DETENTION

ATS
Engineers Inspectors & Surveyors
www.ats-engineers.com
4811 BEE CAVES ROAD, STE 200
AUSTIN, TEXAS 78746
(512) 328-6992
FAX: (512) 328-6899

BILL CORSBIE, P.C.
3708 CLAWSON ROAD
AUSTIN, TEXAS 78704-7802
Attorney and Counselor at Law
Board Certified: Administrative Law Texas Board of Legal Specialization
WEBSITE http://hometown.aol.com/bilcorsbie/myhomepage/index.html
PHONE 512/443-3199 FAX 512/443-9807 E-MAIL bilcorsbie@aol.com

June 1, 2007

Mr. Robert Heil
CITY OF AUSTIN
NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT
505 Barton Springs Road, 5th Floor
Austin, TX 78704

re: Case Number C14-2007-0067

Dear Mr. Heil,

This letter is a follow-up to the voice mail I left with for you today at 974-2330. I have contacted you in response to a letter dated May 31, 2007, copy attached. My home/residence is on the 2 acre lot that I own due south of the 2.223 acre tract at 3608 Clawson Road that has requested a zoning change from SF-3 to MF-3. My home is a frame house build in the 1930's by a Mr. Overall, who died here. I bought the property from his estate in 1974, and have lived here ever since. In the 1970's, I had several dairy goats here with me on the property. I have an office in what was Mr. Overall's workshop/garage, but it is just for phones, files, and computers, no one comes here on business.

I am opposed to the requested zoning change. I have two major concerns, traffic, and flooding.

Regarding traffic, Clawson Road is very hilly and narrow, and it is not appropriate to allow re-zoning that will generate more traffic.

Regarding flooding, the subject tract is up-hill from my property, and I am very concerning about any development there increasing the stormwater flow across my property. The tract immediately north of me now has a duplex. That should not be changed in my opinion.

Please enter my opposition to this matter in the City's records, and provide me constitutionally appropriate due process for communicating my concerns to the appropriate decision makers. I would appreciate it if my opposition could be noted under PROCESS AND NOTES on the enclosed page from the City's web page.

Your attention to this matter is appreciated. Please contact me by phone or email regarding how I should proceed in making my opposition known, and please let me know

whenever this matter will be considered by the Land Use Commission and the City Council.

Sincerely,

Bill Corsbie

BC/wp
enc.
xc w/enc.
Ms. Diana Minter
CITY OF AUSTIN
LEGAL DEPARTMENT
P.O. Box 1088
Austin, Texas 78767-8865

Ms. Sue Welch
CITY OF AUSTIN
LAND USE REVIEW
505 Barton Springs Road, 4th Floor
Austin, TX 78704

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: C14-2007-0067
Contact: Robert Heil, (512) 974-2330
Public Hearing:
June 26, 2007 Planning Commission

☐ I am in favor
☒ I object

Dave Blevins
Your Name *(please print)*

1801 Lightsey Rd
Your address(es) affected by this application

Dave Blevins — 6/17/07
Signature — Date

Comments:
Much too dense.
Dave Blevins

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
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: C14-2007-0067
Contact: Robert Heil, (512) 974-2330
Public Hearing:
June 26, 2007 Planning Commission

☐ **I am in favor**
☒ **I object**

Bernard J. Natho
Your Name *(please print)*

1601-B Southgate Circle
Your address(es) affected by this application

Bernard J Natho — 6-18-2007
Signature — Date

Comments: MF-2 will increase traffic on Clawson Rd, which is just a 2-lane road with no turning lanes. Also the location on Clawson has very limited visibility making very dangerous for anyone or traffic accessing Clawson.

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
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: C14-2007-0067
Contact: Robert Heil, (512) 974-2330
Public Hearing:
June 26, 2007 Planning Commission

☐ I am in favor
☒ I object

Dan Bereczki
Your Name *(please print)*

3212 Clawson Rd.
Your address(es) affected by this application

Signature: [signature] Date: 7.2.07

Comments:
With the lot in question being greater than two acres, the zoning change could potentially add 50 units to Clawson Rd. Clawson already has too much traffic, adding those units will only worsen the existing problem.

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810