



MEMORANDUM

TO: Will Wynn, Mayor and Members of the
City Council

FROM: Greg Guernsey
Director, Neighborhood Planning and Zoning Department

DATE: November 28, 2007

RE: C14-2007-0211 (Clear Water) Postponement Request

The Neighborhood Planning and Zoning Department would like to request a postponement of the above mentioned case until January 10, 2008. The staff is requesting a postponement because the Zoning and Platting Commission postponed this case to December 18, 2007 to encourage the neighborhood and the applicant to conduct a meeting to discuss the proposed rezoning. On January 10, 2008, the staff will be able to bring the Commission's recommendation forward to the City Council for your review.

The postponement request was made in a timely manner and meets the City Council's policy.

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0211

Z.A.P. DATE: November 29, 2007
December 18, 2007

ADDRESS: 5701-5725 Diehl Trail

OWNER/APPLICANT: Milwood Land Acquisition, LP (Wayne Harris)

AGENT: Alice Glasco Consulting (Alice Glasco)

ZONING FROM: GO-MU-CO **TO:** MF-4 **AREA:** 17.078 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant MF-4-CO, Multi-Family Residence-Moderate-High Density-Conditional Overlay District, zoning. The conditional overlay will impose the following conditions on the site:

- 1) Development on the site shall be limited to less than 2,260 trips per day.
- 2) There shall be a 25-foot vegetative buffer (within the required compatibility setback) along the property line adjacent to the existing SF-2 zoning/single family residential uses to the north, west and east.
- 3) Residential development on the property shall be limited to 18 units per acre.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

11/20/07: Postponed to December 18, 2007 by the Zoning and Platting Commission (7-0, S. Hale-absent), J. Martinez-1st, K. Jackson-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped. The applicant is requesting Multi-Family Residence-Moderate-High Density District, zoning to develop a net of approximately 288 multifamily residential units on this tract of land. In the proposed rezoning request, the applicant is offering to limit multifamily density to 18 units per acre and to limit development on the site to 2,260 vehicle trips per day (as previously approved in zoning cases C14-00-2188 and C14-06-0131).

The staff is recommending MF-4-CO zoning for this site because the proposed zoning will allow the applicant to provide additional housing opportunities in an area of the city with numerous employment facilities. MF-4-CO zoning is consistent with the intent of the Golden Triangle Area Study, which previously zoned this property to MF-3 on March 13, 1986 (Golden Triangle Study Recommended Future Land Use Map & Recommended Zoning Map – Attachment A). The request MF-4 zoning will allow for a transition in uses from the SF-2 zoned properties to the north and west to the LI zoned tracts of land to the south and east.

The height and setback regulations for this property will be governed by Compatibility Standards that are required for all properties adjoining or across the street from a lot zoned or used as a SF-5 or more restrictive use. However, the staff is also recommending a 25-foot vegetative buffer (within the required compatibility setback) along the north, west, and east property lines to provide for additional screening from the existing SF-2 zoning/single family residential uses.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-MU-CO	Undeveloped
<i>North</i>	SF-2	Single-Family Residential
<i>South</i>	MF-3, GO-CO	Multifamily (Riata Apartments), Office/Warehouse
<i>East</i>	GO-CO, LI	Office/Warehouse (Highflex), Undeveloped
<i>West</i>	SF-2	Single-Family Residential

AREA STUDY: Golden Triangle Area Study

TIA: Waived

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

- 55 - Northwood Homeowners Association
- 313 - Parmer/Avery Island Neighborhood Association
- 742 - Austin Independent School District

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0131	GO-CO to GO-MU	7/18/06: Approved the staff's recommendation of GR-MU-CO zoning by consent (6-0, B. Baker, J. Gohil, J. Martinez-absent); M. Hawthorne-1 st , C. Hammond-2 nd . The conditional overlay will impose the following conditions on the site: 1) The property shall be restricted to 'LO' district development standards and regulations, with the exception of height limitations. 2) Development on the site shall be limited to less than to less than 2,260 trips per day. 3) There shall be a 25-foot vegetative buffer (within the required compatibility setback) along the property line adjacent to the existing SF-2 zoning/ single family residential uses to the north, west and east. 4) Residential development on the property shall be limited to	8/10/06: Approved GO-MU-CO zoning with building coverage increased to 60% and impervious coverage increased to 80%(7-0); all 3 readings

		18 units per acre. In addition, the applicant agreed to post fiscal for improvements at the intersection of Riata Vista West and Parmer Lane, Riata Vista East and Parmer Lane, and Delcour Drive and Parmer Lane in association with zoning case C14-00-2188.	
C14-01-0174	I-RR to LI-PDA	1/08/02: Approved staff's recommendation of LI-PDA by consent (9-0)	2/07/02: Approved LI-PDA on all 3 readings (6-0, Goodman-absent)
C14-01-0145	IP to P	11/13/01: Approved staff's recommendation of P zoning by consent. (8-0, J. Martinez-absent)	12/13/01: Approved P on all 3 readings (7-0)
C14-00-2188	MF-3 to GO	12/05/00: Approved staff's rec. of GO-CO w/ conditions (8-0): 40 foot height limit, 100 foot building setback from any single-family residential property, 'LO' development standards and regulations, and a 2,260 vehicle trip limit per day.	1/18/01: Approved PC rec. of GO-CO (6-0); all 3 readings
C14-98-0130	I-RR to LI-PDA I-RR to GR-MU	Approved initiation of rezoning from I-RR to GR-MU, LO-MU and IP (5-0-1, DS-abstain) Approved LI-PDA & GR-MU by consent (8-0-1)	Approved PC recommendation of LI-PDA (TR 1&3), GR-MU (TR 2A/2B) with conditions (6-0); all 3 readings
C14-96-0001	GR-CO to GR-MU	Approved alternate recommendation of GR-CO-MU (5-1)	Approved PC recommendation of GR-MU-CO w/ conditions (6-0), all 3 readings
C14-84-0022	Restrictive Covenant Amendment	Approved RCA with neighborhood and applicant agreement (6-0)	Approved RCA with conditions (5-0, WL/JG-absent)

RELATED CASES: C14-06-0131, C14-00-2188 (previous zoning cases)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Diehl Trail	64'	44'	Collector	South Side	No	No

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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

STAFF RECOMMENDATION

The staff's recommendation is to grant MF-4-CO, Multi-Family Residence-Moderate-High Density-Conditional Overlay District, zoning. The conditional overlay will impose the following conditions on the site:

- 1) Development on the site shall be limited to less than 2,260 trips per day.
- 2) There shall be a 25-foot vegetative buffer (within the required compatibility setback) along the property line adjacent to the existing SF-2 zoning/single family residential uses to the north, west and east.
- 3) Residential development on the property shall be limited to 18 units per acre.

BASIS FOR RECOMMENDATION

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

Multifamily residence moderate - high density (MF-4) district is the designation for multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. An MF-4 district designation may be applied to high density housing in a centrally located area near supporting transportation and commercial facilities, in an area adjacent to the central business district or a major institutional or employment center, or in an area for which moderate to high density multifamily use is desired.

2. *The proposed zoning should promote consistency, and orderly planning.*

The MF-4-CO zoning district would be compatible and consistent with the surrounding uses because there is existing office (GO-CO zoning) and multifamily uses (MF-3 zoning) to the south of this site. In addition, the proposed MF-4-CO zoning will create a transition in the intensity of uses from the SF-2 zoned properties to the north and west to the LI zoned tracts of land to the south and east.

3. *The proposed zoning should allow for a reasonable use of the property.*

The MF-4-CO zoning district would allow for a fair and reasonable use of the site because the multifamily district will allow the applicant to provide additional housing opportunities in an area of the city with numerous employment facilities. This zoning is appropriate for this location because it will be compatible with the surrounding residential, commercial and industrial land uses.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently undeveloped. The site is relatively flat and contains numerous trees. The properties to the north, east, and west are developed with single-family residences. To the south there are office/warehouse uses and an apartment complex. The tracts of land to the east, which are zoned for LI use, are currently undeveloped.

Impervious Cover

The maximum impervious cover allowed by the MF-4 zoning district would be 70 %. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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

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

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located over the Northern Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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

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

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

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

The trip generation under the requested zoning is estimated to be 30,204 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

The traffic impact analysis for this site was waived because the applicant agreed to post fiscal for improvements at the intersection of Riata Vista West and Parmer Lane, Riata Vista East and Parmer

Lane, and Delcour Drive and Parmer Lane in association with zoning case C14-00-2188. The site shall be limited through a conditional overlay to no more than 2,260 vehicle trips per day.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Diehl Trail	64'	44'	Collector	South Side	No	No

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, system upgrades, utility adjustments, and utility relocation. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.

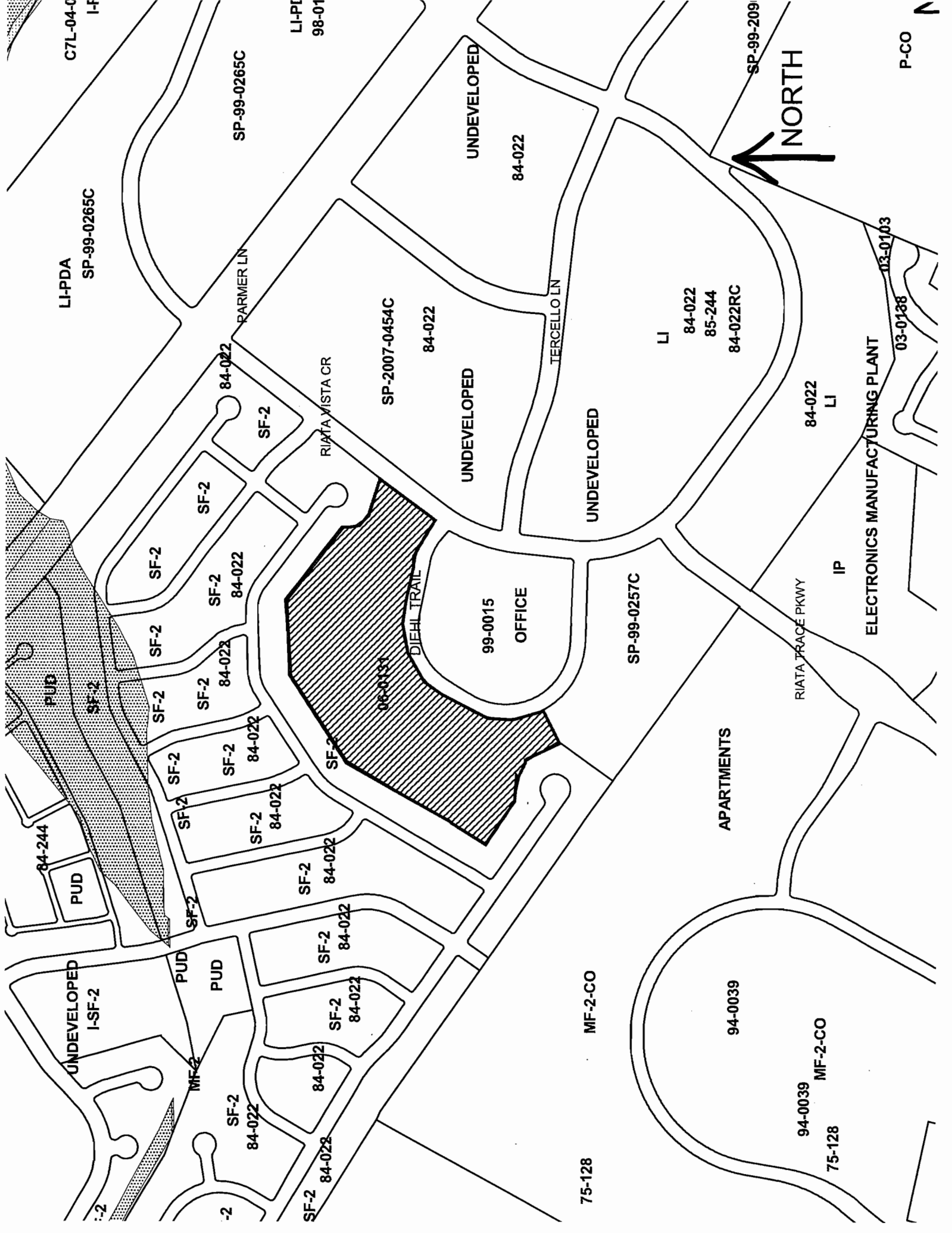
Stormwater Detention

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

Compatibility Standards

The site is subject to compatibility standards. Along the north, east, and west property lines the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.



C7L-04-C
I-F

LI-PDA
SP-99-0265C

LI-PI
98-01

SP-99-0265C

SP-99-209

NORTH

P-CO

SP-2007-0454C

84-022

84-022

UNDEVELOPED

UNDEVELOPED

LI
84-022
85-244
84-022RC

84-022
LI

ELECTRONICS MANUFACTURING PLANT

03-0138
03-0103

99-0015
OFFICE

SP-99-0257C

APARTMENTS

RIATA TRACE PKWY

IP

94-0039

94-0039
MF-2-CO

75-128

MF-2-CO

75-128

06-0131

DIEHL TRAIL

RIMTA VISTA CR

PARMER LN

84-244

PUD

UNDEVELOPED
I-SF-2

PUD

PUD

SF-2
84-022

84-022

SF-2
84-022

SF-2
84-022

SF-2
84-022

SF-2
84-022

SF-2
84-022

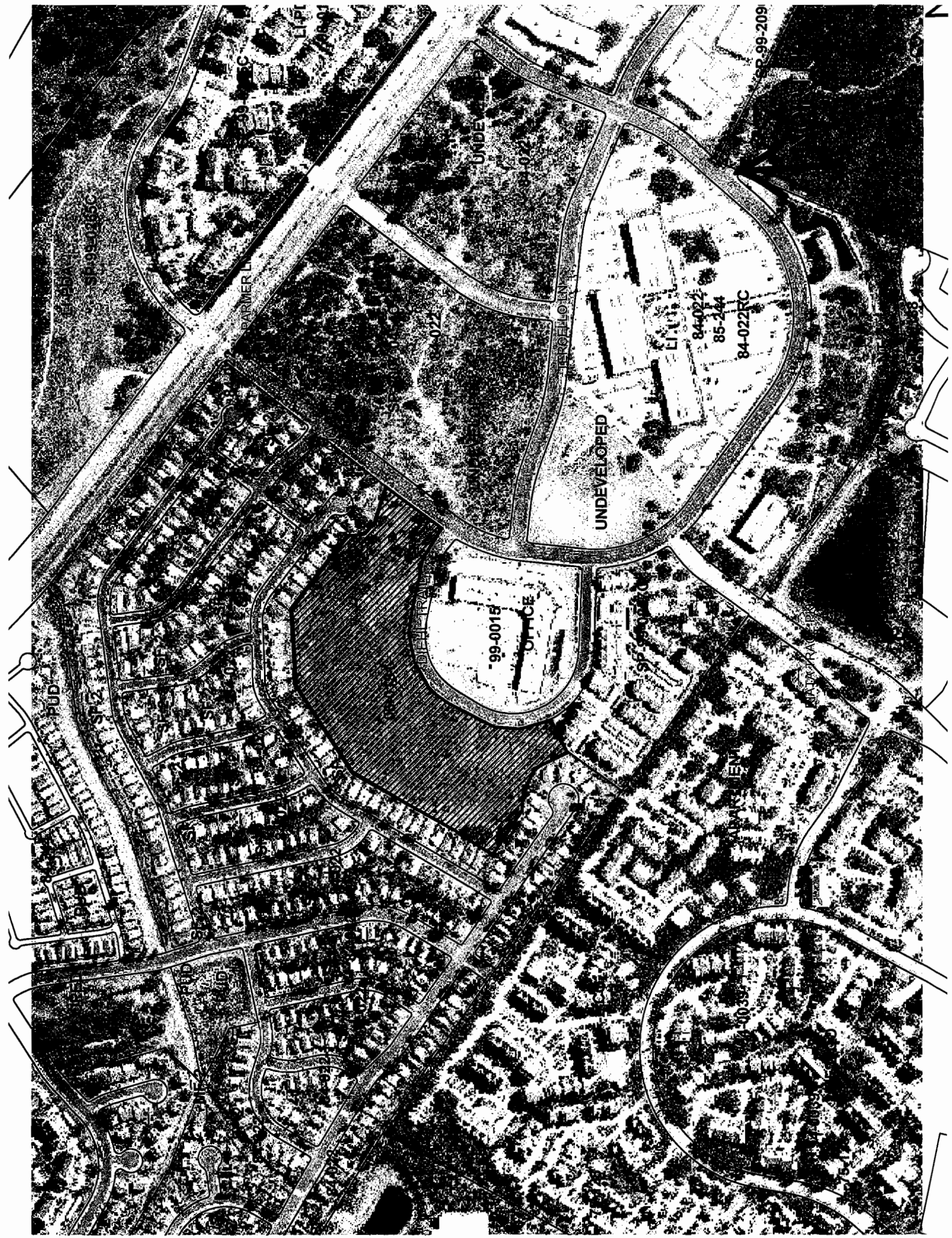
SF-2
84-022

SF-2
84-022

SF-2
84-022

SF-2





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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Pat Tipler

Your Name (please print)

12929 Covington Trail

Your address(es) affected by this application

Pat Tipler

Signature

11-12-07

Date

Comments:

*I don't want Apartments
lowering over My Back Yard!*

*I don't believe This will
Bring up Our Property Value
But Lower it.*

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting Commission

☐ I am in favor
☒ object

David P. Durham

Your Name (please print)

12914 Covington Trl Austin 78727

Your address(es) affected by this application

David P. Durham *11-11-07*

Signature

Date

Comments:

Attached copy of email sent to S. Sirwaitis of 2 pages

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

NP2d e

CI. Austin. TX-05

Thank you for your input. Your suggestions are an important part of the Austin City Connection. We will respond to your comment, question, or suggestion as soon as possible.

Here is your message:

Your Name: David R. Durham

Your e-mail address: [REDACTED]

Subject: Case #C14-2007-0211, 5701-5725 Diehl Trl.



Comments:

Dear Sherri Sirwaits:

I'm writing you to oppose the proposed zoning change for case number C14-2007-0211 which will be heard in public hearing by your dept. on November 20, 2007. I live on Covington Trail near the proposed project and within the 300ft limit. Since the notice of proposed zoning change doesn't include any description of what will be built there, other than multifamily residential, I can only assume the plans are for more 3 story apartments similar to the already existing Riata Apts nearby. I understand that multifamily residence zoning allows these type structures to be placed extremely close to the property line of adjacent property (within 10 or 15 ft?), which are single family homes, as opposed to General Office which requires at least a 50 ft setback from any adjacent property. I believe none of the residents on Covington Trail would approve of 3 story apts looming so close to and down into their bedrooms, dining rooms, and back yards. If the proposed complex is such then I am totally in opposition to it.

MF-4 zoning states that "...this district (MF4) is appropriate for moderate-high density housing in centrally located areas near supporting transportation and commercial facilities, in areas adjoining downtown Austin...". This area, Diehl Trl., does not fit into these zoning requirements.

First, this area is NOT centrally located, being appx. 12-13 miles from the central area of Austin.

Second, this area is not close to supporting transportation (other than personal automobile) facilities; the closest bus facility is the Pavillion Park and Ride and the closest bus stop is at Hwy 183 and Riata Trace which is a mile or more away. There are no "feeder" bus service routes servicing Riata or our neighborhood (Milwood Sect. 17) to the Pavillion Park and Ride nor is Parmer Lane serviced with Capital Metro service past Amherst Dr; appx 2-3 miles east on Parmer Lane. McNeil Dr has no bus service either nor does Milwood Section 17 neighborhood; which sits directly behind and to the North of the proposed apts.

Third, while there are several "corporate" type employers and similar "office" type buildings neighboring this area, it is nowhere near downtown; which is appx 15 miles south! There are very few "walkable" and residential type commercial business in the area of the proposed property; the closest HEB grocery store and other restaurants are over 1-2 miles away. These types of services and businesses residential developments need would require an automobile trip, most likely through my neighborhood and in front of my house; the quickest and shortest route to the HEB and surrounding restaurants, video stores, and other residential servicing businesses.

I also noticed from researching the application on your website, that a traffic impact study has been waived on this application. May I inquire as to why it was waived? The traffic on Riata Trace and Riata Vista Circle (formerly Huntsville) has steadily increased as commercial and multifamily residential

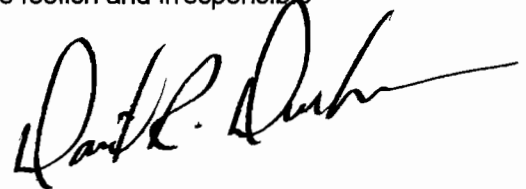
Riata Circle (formerly Harkerline) has steadily increased as commercial and medium density residential development has increased in this popular area. Much of the traffic is due to "pass through" traffic looking for short cuts from Hwy 183 and Parmer Ln. through the very large Riata commercial and residential development. However, the majority of traffic exists because of the already crowded residential and commercial developments currently existing in this area. We need additional traffic lights, sidewalks along Riata Cr. and Parmer Lane, crosswalks and stop lights on Riata Cr. (on both ends) across Parmer Lane, and additional traffic slowing mechanisms in this very busy area. During both rush hours (am. and pm.) traffic becomes very fast and heavy in this area. I would hate to see it made even worse due to hundreds or possibly thousands of residents, with more single occupant vehicles, moving into an already poorly served mass transit area and already overly congested streets. Many of these single occupant vehicles pass through and along Covington Trail looking for shortcuts; and many are traveling much too fast (appx 35 to 40mph) for this street and single family household neighborhood.

Also, this area of Parmer Ln has become extremely over stressed and crowded and is totally unfriendly and downright dangerous to any kind of pedestrian traffic. The city has allowed many residential and commercial complexes, with thousands of occupants and residents, to develop along west Parmer Ln; and with what seems to be little fore-thought or consideration to pedestrians or "car poor" people what so ever. They've been allowed to develop without additional Capital Metro services, additional sidewalks and crosswalks, or pedestrian safety considerations. Thousands and thousands of people live out here with out easy access to mass transit; I happen to know many people in this neighborhood and near without automobiles and without easy mass transit access.

In closing, to allow this residential development, or any additional residential development, in this area without addressing the issues of additional mass transit access (more feeder routes and weekend express service), pedestrian safety, or traffic control and slowing, would be foolish and irresponsible growth.

Thank you. Sincerely, David R. Durham

Return to the Austin City Connection



Austin City Connection - The Official Web site of the City of Austin

Contact Us: Send Email or (512) 974-6550.

[Legal Notices](#) | [Privacy Statement](#)

© 2007 City of Austin, Texas. All Rights Reserved.

P.O. Box 1088, Austin, TX 78767 (512) 974-2000

Sirwaitis, Sherri

From: Cliff Edwards [REDACTED]
Sent: Tuesday, November 13, 2007 5:46 PM
To: Sirwaitis, Sherri
Subject: FW: Opposition to Clearwater Zoning Change C14-2007-0211

Hi Sherri,

Thanks for talking with me today!

Please forward me the Petition Information.

Here is what I have drafted quickly:

City of Austin
Neighborhood Planning and Zoning Dept.
P.O.Box 1088
Austin, Texas
78767-1088
Sherri Sirwaitis (512) 974-3057
Chris Yanez (512) 974-1810

Case Number: C14-2007-0211

Public Hearing: November 20, 2007 Zoning and Platting Commission

I OBJECT to request Clearwater Zoning Change C14-2007-0211

The subject property backs to existing Residential Homes with all of the homes directly bordering the subject heights being only Single Story. I OBJECT to any construction being above the maximum height of the adjacent neighborhood zoning being 2 Stories. I further understand they are proposing Site Plans with 4 Story elevations that do not meet Commercial Zoning requirements.

7 Days is not enough to to allow for response to a Conditional Overlay or Zoning Change Letter to voice Favor or Objection. This what allowed the MU (Mixed Use) conditional overlay to not have a Very Vocal Opposition (short time to respond and lack of understanding of what this allowed and the effect on this community). This letter was mailed on a Friday, received on a Monday, and to be turned around in postal mail in time to be considered would need to be mailed by that Friday, to be received Monday or Tuesday the date of the Public Hearing. I do not feel there was enough time to Object to what this allowed. Many people do not have schedules flexible enough to attend a Public Hearing with only 1 weeks' notice. I was in favor of commercial GO-CO or LI-CO development (only) and no more than 2 Stories. I OBJECT to MU, MF-3, MF-4.

I feel that MF4 (or even MF-3) or anything over MF-2 would increase traffic count and population density to unacceptable levels and that would affect the desirability, potential negative effect on my investment and "Quality of Life" currently enjoyed at my affected address.

I am opposed to only a 50ft. building set-back and request 100ft. from existing Residential Homes and double the existing 15ft.(?) set-back for Parking Lot.

I request a "Green Barrier" be planted to block the view between the new construction and existing homes.

11/14/2007

There is only one property above MF-2 Zoning and I believe that is because of the limited amount of opposition from the limited amount of address's that it affected.

There is already a MU conditional overlay that was rushed through and had limited opposition because of time to respond and lack of understanding at the time to OBJECT; that currently allows construction of up to 60ft. height or effectively 4 Stories on ground substantially topographically higher than the surrounding One Story Residences.

I would ask for that MU Overlay to be REMOVED and this request for Zoning Change NOT to be Granted.

Name (Print):

Address Affected:

Signature:

From: Cliff Edwards [REDACTED]
Sent: Thursday, November 08, 2007 12:42 PM
To: 'chris.yanez@ci.austin.tx.us'
Subject: Opposition to Clearwater Zoning Change C14-2007-0211

City of Austin
Neighborhood Planning and Zoning Dept.
P.O.Box 1088
Austin, Texas
78767-1088
Chris Yanez (512) 974-1810
Sherri Sirwaitis (512) 974-3057
(Please Forward to any and all appropriate City of Austin Neighborhood Planning and Zoning Dept. ,
City Council or any appropriate City Dept. considering this change.)

To Whom this May Concern,

When the Clearwater Development asked for a Zoning Change to GO-CO I was a very vocal proponent in the neighborhood "For" this.

When I bought my home long ago 1993 before we were annexed into the City this land was zoned LI-CO which increased the desirability of the property on Covington I purchased.

When it was changed to Multi-Family I was very upset.

When it was changed back to a similar commercial zoning I was relieved.

When the Conditional Overlay MU (Mixed Use) was approved I felt duped (I don't think most people realized what this allowed – I did NOT) and was very upset with the "Free for All" of multi-family, retail, and commercial that this would allow.

The housing density will without a doubt lessen property value and diminish the value of my investment and quality of life I currently enjoy living here.

I would not have bought my home if it was zoned for Duplex or Apartments in my backyard.

I was very excited at the 2004 plans to have Highflex 2 in my backyard; even though it's plans were 2 story.

Like the high-tech counterparts on Riata Circle like Apple Computer and Sun Micro Systems they have been Good Neighbors and improved the area!

11/14/2007

This is what we had hoped for to eventually be built on Diehl Trail.

Now the developers do not want to comply with the G0-CO commercial zoning building standards and are applying for a zoning change to MF-4 (Moderate-High Density) which I pray as a interested party the are NOT granted!

From the Notice of Filing of Application for a Public Hearing on Rezoning

Mailing Date: October 25th 2007

Case Number:C14-2007-0211

MF-4 – Multifamily Residence (Moderate High Density) district is intended to accommodate multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. This district is appropriate for moderate high density housing in centrally located areas near supporting transportation and commercial facilities, in areas adjoining downtown Austin and major institutional or employment centers, and in other selected areas where moderate high density multifamily use is desirable.

The Riata development was a good neighbor in its green space barriers and MF-2-CO Zoning.

We DO NOT MF-3 or MF-4 Zoning! We do NOT want 3-4 story apartments in our backyard, changing our horizon, negatively effecting our property value, investment and quality of life!

The change back to GO-CO was welcome. Non-Multifamily would be welcome and wanted.

The conditional overly addition of MU that was hastily slipped in was NOT in this neighborhoods best interest.

4 Story apartments backing to existing residential in this area is unprecedented!

The unit density per acre is unreasonable this is not Central Austin as stated as appropriate in the Zoning request.

The short set back and lack of green barrier is not neighborhood friendly.

I personally have a retention pond on the back left corner of my fence and a building 4story's 60ft. in height (per the site plan) approximately 60ft at an angle from my back fence with a parking lot about 10ft from my fence! What do you think that would do to YOUR property value and "Quality of Life"?

If Multi-Family it is to be; then 2 Story's backing to Residential property is better of that scenario.

- 1.) The Density of rentals will saturate the area.
- 2.) The Density of occupants will increase the traffic.
- 3.) The Density of occupants coming and going on an elevated topography above residential homes will have noise and lights at night shining in, and would request less of this as possible, and green space barrier in between.
- 4.) The Density of occupants will increase the dumpster emptying traffic by truck which adds noise at those times and is a issue at night for the neighbors on the Eastern perimeter of Angus Valley.
- 5.) The Height of the dwellings will Tower over the existing skyline, rather than fit in.
- 6.) The run off that this development will produce will naturally run toward existing residential having retention ponds backing to the area's there are not buildings 50ft from our fence line.
- 7.) Parking lots as close to our fence lines as 15ft. is what it appears on the site plans; which at night will have lights shining directly into our homes if a green space barrier is not planted.
- 8.) The are other oppositions but in the essence of time I will send this letter and list those later...

Please DO NOT grant this Zoning Change request to MF-4, or to MF-3!

**Hopefully the height of the multi family development will be lowered to 2-story max and set-back with green barrier to better align with the existing neighborhood;
or better yet a commercial building plan instead to house high-tech might be developed as a viable business alternative!**

Thank You for Your Time and Consideration.

Cliff Edwards – Interested Party
Milwood Section 16 Lot 27
12819 Covington Trail
Austin, Texas
78727-7071

Please direct all updates and correspondence to this Email address (or my post office address above):

I will be asking other neighbors I have talked to that are in opposition to this and do not know what can be done; that do not have time to write their own letter or show up to the Zoning Meeting to add their signature, email and address IN OPPOSITION and the above reflecting their opinion as well to this below, and I will forward to appropriate persons.
I will encourage those who have time and inclination to write their own letters to hopefully find receptive parties when this is considered to stop this zoning change from being granted.

Name:

Email:

Address:

Signature:

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Jeff Randolph

Your Name (please print)

12706 Covington Trail

Your address(es) affected by this application

[Signature]

Signature

Date

11-16-07

Comments: NO MULTI-FAMILY

NO MORE THAN 2 STORY

50 FT. COMPATIBILITY SET-BACK

25 FT. GREEN LANDSCAPE BARRIER

100 FT. BUILDING SET-BACK

NO MU-MIXED USE CONDITIONAL

OVERLAY. ALL PROPERTIES THAT

BORDER THIS ARE SINGLE STORY

AND MANY ARE 6-10 FT. BELOW SUBJECT

GRADE.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

MUST BE
MAILED BY
FRIDAY
LATEST
TO MAKE SURE

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Dolores C Eufacio

Your Name (please print)

12712 Covington Trail, Austin TX 78727

Your address(es) affected by this application

Dolores C Eufacio 11/15/07

Signature

Date

Comments: NO MULTI-FAMILY
NO MORE THAN 2 STORY
50 FT. COMPATIBILITY SET-BACK
25 FT. GREEN LANDSCAPE BARRIER
100 FT. BUILDING SET-BACK
NO MU-MIXED USE CONDITIONAL
OVERLAY. ALL PROPERTIES THAT
BORDER THIS ARE SINGLE STORY
AND MANY ARE 6-10 FT. BELOW SUBJECT
GRADE.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

MUST BE
MAILED BY
FRIDAY
LATEST
TO MAKE SURE

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission



JENNIE EEFELAND
Your Name (please print)

12813 Covington Tr.

Your address(es) affected by this application

Jennie Eefeland
Signature

11-14-07
Date

Personal reasons:

Comments: I bought my property over 20 yrs ago w/ the understanding that my backyard abutted to light industry. I DO NOT relish having apartment dwellers able to look into my bedrooms or backyard!

Logistics? This area was set up for light industry. how will you handle extra traffic, infrastructure? Zip code 78758 has the highest percentage of high-tech industry.

If you use this form to comment, it may be returned to: in Austin, City of Austin An apartment complex DOES NOT Neighborhood Planning and Zoning Department Sit into this Sherri Sirwaitis Area of industry + high-tech. P. O. Box 1088 It would face commercial building Austin, TX 78767-8810 a back up to residential housing.

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: C14-2007-0211
Contact: Sherri Sirwaitis, (512) 974-3057
Public Hearing:
November 20, 2007 Zoning and Platting
Commission

☒ I am in favor
☐ I object

Your Name (please print)
SALLY B. YARVAD

12707 COUNGTOW TR

Your address(es) affected by this application

Sally Byrnes 11/14/07
Signature Date

Comments:

NO MF-3
NO MF-4
ZONING

"MU"
OVERLAY

NO MORE THAN 2 STORIES

100 ft. BUILDING SETBACK

GREEN BARRIER PLANTED

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

City of Austin
Neighborhood Planning and Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

THE OCEAN CONSERVANCY
ADVOCATES FOR WILD, HEALTHY OCEANS



Mr. Peter Hanke
5805 Avery Island Ave
Austin TX 78727-7003

ion

Signature

Date

Comments: NO MULTI-FAMILY
NO MORE THAN 2 STORY
50 FT. COMPATIBILITY SET-BACK
25 FT. GREEN LANDSCAPE BARRIER
100 FT. BUILDING SET-BACK
NO MU-MIXED USE CONDITIONAL
OVERLAY. ALL PROPERTIES THAT
BORDER THIS ARE SINGLE STORY
AND MANY ARE 6-10 FT. BELOW SUBJECT
GRADE.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

MUST BE
MAILED BY
FRIDAY
LATEST
TO MAKE SURE

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Your Name (please print): Patrick A. and Colleen A. Tyler

12929 Covington Trail

Your address(es) affected by this application

(Signature)

Signature

11-19-07

Date

Comments: NO MULTI-FAMILY
NO MORE THAN 2 STORY
50 FT. COMPATIBILITY SET-BACK
25 FT. GREEN LANDSCAPE BARRIER
100 FT. BUILDING SET-BACK
NO MU-MIXED USE CONDITIONAL
OVERLAY. ALL PROPERTIES THAT
BORDER THIS ARE SINGLE STORY
AND MANY ARE 6-10 FT. BELOW SUBJECT
GRADE.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

MUST BE
MAILED BY
FRIDAY
LATEST
TO MAKE SURE

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Darlene Chapa Benchoa

Your Name (please print)

5704 Avery Island Av.

Your address(es) affected by this application

Darlene Chapa

11/19/07

Signature

Date

Comments: NO MULTI - FAMILY
NO MORE THAN 2 STORY
50 FT. COMPATIBILITY SET-BACK
25 FT. GREEN LANDSCAPE BARRIER
100 FT. BUILDING SET-BACK
NO MU-MIXED USE CONDITIONAL
OVERLAY. ALL PROPERTIES THAT
BORDER THIS ARE SINGLE STORY
AND MANY ARE 6-10 FT. BELOW SUBJECT
GRADE.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

MUST BE
MAILED BY
FRIDAY
LATEST
TO MAKE SURE

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ Object

Billy Coab:ff

Your Name (please print)

12911 Covings ton Trail

Your address(es) affected by this application

Billy Coab:ff 11-11-07

Date

Comments:

**i don't want to live the
water shed / 61000 sq ft
that extends 15 ft
behind our property line
on have balconies facing
our homes. i have chdren
i don't want to live there
A.S.L.**

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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

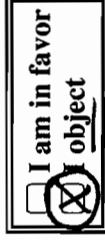
Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting Commission



Carl Waggener
Your Name (please print)

5815 Avery Island Ave
Your address(es) affected by this application

Carl Waggener
Signature

11-13-07
Date

Comments: Rata apts is behind my house already and is extremely loud with only an MF2 that has created much conflict and legal issues between them and our SF residents. To allow MF4 into this area is a recipe for further problems. Please lower it to MF2 and require noise barriers between our neighborhoods. Pls call if any questions. 249-5789

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

City of Austin
Neighborhood Planning and Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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: C14-2007-0211
Contact: Sherri Sirwaitis, (512) 974-3057
Public Hearing:
 November 20, 2007 Zoning and Platting
 Commission

☐ I am in favor
☒ I object

Sharon Ely
 Your Name (please print)

12723 Covington Trail Austin, TX 78727
 Your address(es) affected by this application

Sharon Ely 11-14-07
 Signature Date

Comments:

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

City of Austin
 Neighborhood Planning and Zoning Department
 Sherri Sirwaitis
 P. O. Box 1088
 Austin, TX 78767-8810

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Your Name (please print)

Your address(es) affected by this application

Signature

Date

Comments: NO MULTI-FAMILY
NO MORE THAN 2 STORY
50 FT. COMPATIBILITY SET-BACK
25 FT. GREEN LANDSCAPE BARRIER
100 FT. BUILDING SET-BACK
NO MU-MIXED USE CONDITIONAL
OVERLAY. ALL PROPERTIES THAT
BORDER THIS ARE SINGLE STORY
AND MANY ARE 6-10 FT. BELOW SUBJECT
GRADE.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

MUST BE
MAILED BY
FRIDAY
LATEST
TE MAKE SURE

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor
☒ I object

CLIFF EDWARDS & Felicia Baumgartner
Your Name (please print)

12819 COVENANT TRAIL
Your address(es) affected by this application

Felicia
Signature

11.18.07
Date

Comments: NO MULTI-FAMILY
NO MORE THAN 2 STORY
50 FT. COMPATIBILITY SET-BACK
25 FT. GREEN LANDSCAPE BARRIER
100 FT. BUILDING SET-BACK
NO MU-MIXED USE CONDITIONAL
OVERLAY. ALL PROPERTIES THAT
BORDER THIS ARE SINGLE STORY
AND MANY ARE 6-10 FT. BELOW SUBJECT
GRADE.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

MUST BE
MAILED BY
FRIDAY
LATEST
TO MAKE SURE

SEE ATTACHED - 8 PAGES & PHOTOS

City of Austin
Neighborhood Planning and Zoning Dept.
P.O.Box 1088
Austin, Texas
78767-1088
Sherri Sirwaitis (512) 974-3057
Chris Yanez (512) 974-1810

Case Number: C14-2007-0211

Public Hearing: November 20, 2007 Zoning and Platting Commission

I OBJECT to request Clearwater Zoning Change C14-2007-0211

Overview:

I have lived in my house since 1993. I am about 6-10ft below the grade of the land in back, (some of you towards Odie are even lower). They are proposing 60 ft. High 4 Story Apartments about 22 buildings from what I can see. Unprecedented in this area especially backing to existing homes on a higher elevation of land they would be the tallest structure in the area. My backyard for example: the site plan shows a parking lot about 25 ft. directly behind my fence, "Water Quality Pond" starting about 25ft from my fence to the left, and Building 19 about 60ft. from my fence on the right. Every house that borders this is a Single Story.

If you live on the side of Covington that does not back up to this proposed development, you will see somewhere around 3 stories or more of apartments over the top of the houses across the street from you. You will be subject to the increased traffic, lighting pollution, 24x7 coming and going with headlights in our backyard and noise etc. that this height and density will bring if this happens.

We all know something will be built on Diehl Trail. I have always been in favor of the GO-CO Commercial Zoning (1-2 story buildings) NOT - MU-Mixed Use (this was added last year again allowing MF & raised the building height from 40ft to 60ft). or MF-Multi Family currently being requested.

History:

I called to check the Zoning on the property on Diehl Trail in 1993 before I bought my home. I was given a verbal that it was LI-CO (I got no proof). This is what I wanted to hear. Evidently this was not the case. I was in favor of Offices or Commercial which would bring Good Paying Jobs to the area. This would enhance the property value. I was always opposed, and never bought on the border next to Multi-Family.

When the Zoning Request to change it to GO-CO I was pleased and talked to many of my neighbors and explained the benefits in my opinion and ask them at least to not object to it. No one I have talked to has ever favored Multi-Family at this location. When the property was re-zoned to GO-CO I think most people let their guard down; I know I did. I thought this was over and that the zoning was now in place to make sure we did not have to go through this again.

When the Highflex II building Site Plan was submitted it drew immediate opposition because it was 3 stories on the original concept. Many of my neighbors are still tired from that process where the developer as a Good Neighbor changed the plan to only 2 stories. I wish that had happened.

The Zoning Change Request last summer snuck past with short notice, and little opposition; most people did not know what it meant.

I saw in a press release that was found last week Capmark/Legacy Partner sent out in September 2006 less than 30 days from being granted the MU Conditional Overlay they had purchased Riata and a 17 acre tract.

If you look at the picture of the homes on the end of Avery Island you will see the For Lease sign in the front yard of what I believe most of the homes backing to this to now be rental properties. The picture shows 3 story apartments that are going downhill! It shows how it dwarfs the single story home in front of it. It shows what an approximately what a 50ft Building set-back looks like in real life - like it is almost attached to the single story home. (I wish I had a picture from the back yard.) Now imagine another 20ft higher and 4 stories and how you would feel if it were your home! (Even if it is 3 story building along the perimeter at 50 ft. and then 4 stories further in they are 22 buildings being proposed and it will change the Horizon for a lot more than 3 affected.)

Today:

I believe most people are frustrated and until now did not believe there was anything they could do since the MU Conditional Overlay has already been granted allowing MF and 60ft building heights and associated Set-Backs.

The Difference:

Commercial - would most probably be 1-2 stories, bring Good Paying Jobs to the area, and have primarily Monday through Friday Business Hours Traffic (8am to 6pm). The building would most probably be built in the middle of the tract away from the existing single story homes.

Multi-Family – they want to build as high up and as close to our existing single story homes as possible. The Density would increase the traffic on Riata and the stoplights at Parmer and Stop Sign on 183. The Traffic would be 24 Hours & 7 Days a week All Year Long. The vehicle lights at night would be shining directly into our back windows at all hours of the night. This would bring increased noise. Light Pollution. We already have drainage issues. This properties impervious cover would increase runoff into the Walnut Creek Watershed. The abundance of rental property would have an effect on our property's value. I was in Real Estate in the 1980's and saw the effect of over saturation of apartment building. It would affect the desirability of our homes – who want to have a 3 or 4 story building looming over their backyard. This property grade level is 6-10ft below where they are proposing to start the building. (maybe more on the downhill side) Would you like to walk out your back door and look up 4 stories maybe more if your property level is lower than what is being proposed to be built. Would that affect you Privacy and "Quality of Life". I have lived here 14 years and enjoy my home and location. Many people that border this property have lived here over 10 Years. Some are the Original Owners and have lived here since 1985!

The Reaction:

When I got the Notice last Monday I was frustrated on what this meant, the short time frame and what difference we could make.

There is only one sign of a Zoning Change Request and it was trampled on the ground on Diehl Trail.

Most of the neighbors I have talked to did not understand Mixed Use. Most of them did not know about the proposed 4 story apartments as close as 50ft from their property line.

Not One Person I have talked to thinks this is in the neighborhoods best interest.

Even people that are renting would like to have their Objection count. I have been told "I would not be renting here if there were 4 story apartments in my backyard". That is a sentiment by many - Owners as well.

I have collected over 35 Notices personally, out of approximately 152 properties affected; that I am hand delivering today Monday November 19, 2007 that Object to this Zoning Change and Object to any Multi-Family – All Hope this Can be Stopped! I am sure there will be more than 20% of the affected owners that will have objected before this hearing, even with this short of notice!

Closing:

I am very upset that the MU Conditional Overlay was granted I believe this was confusing and snuck past.

I OBJECT to ANY Multi-Family ever being built on the Diehl Tract.

Please consider the effect on our neighborhood as if you lived here and Deny this Request!

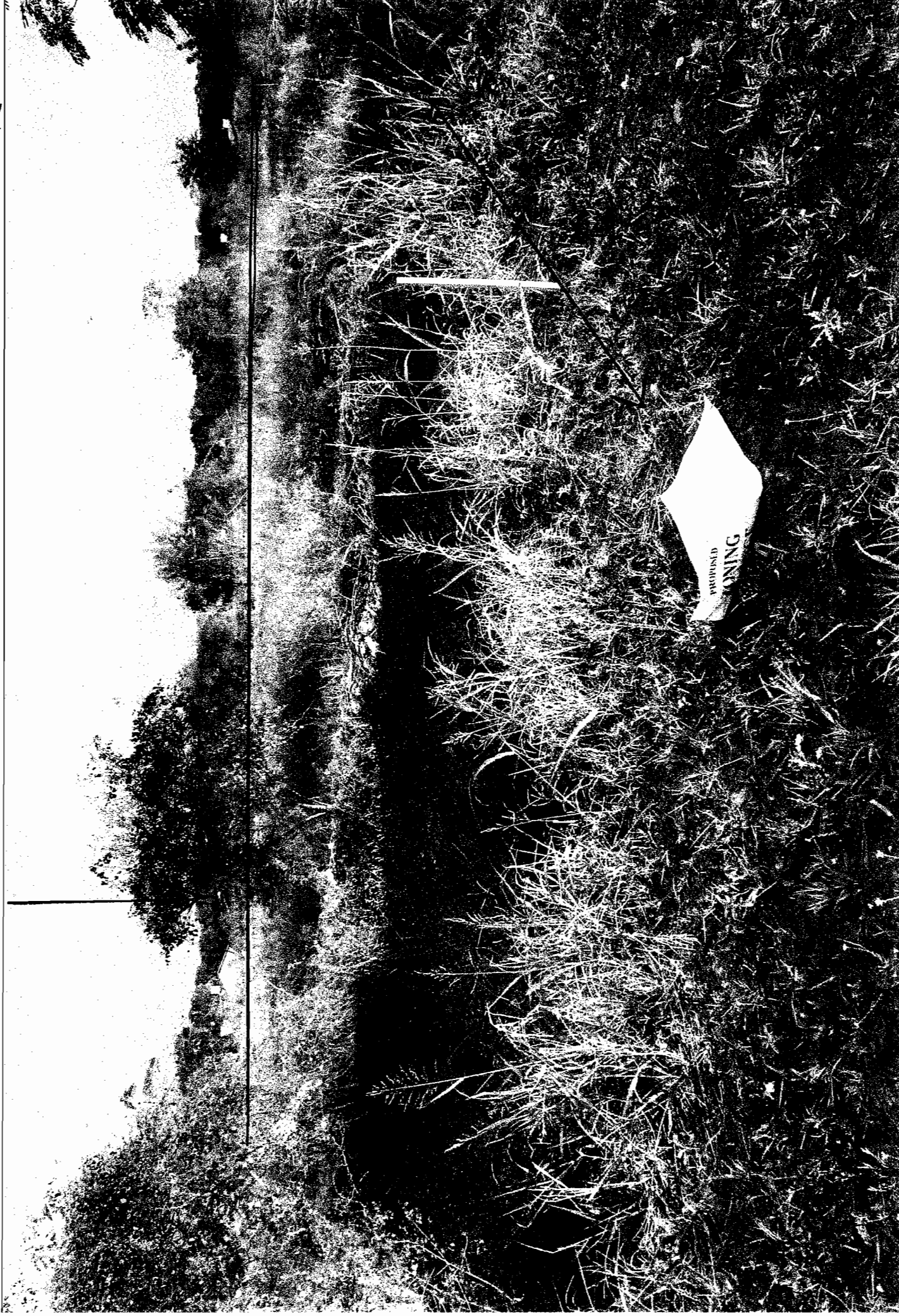
Sincerely,
Cliff Edwards

Owner Since 1993
12819 Covington Trail
Austin, Texas 78727

eMail: CliffEdwardsProd@austin.rr.com

MY HOME BELOW SUBJECT GRADE.

YDORIES WILL
APPEAR AS ALMOST (5) TO ME



THIS IS OUR NOTICE? AND A LETTER THAT "IF WE SEE IT
AND ACT GAVE US AT MOST 9 DAYS -



MY HORIZON: VIEW, SKY, ↑ BREEZE.

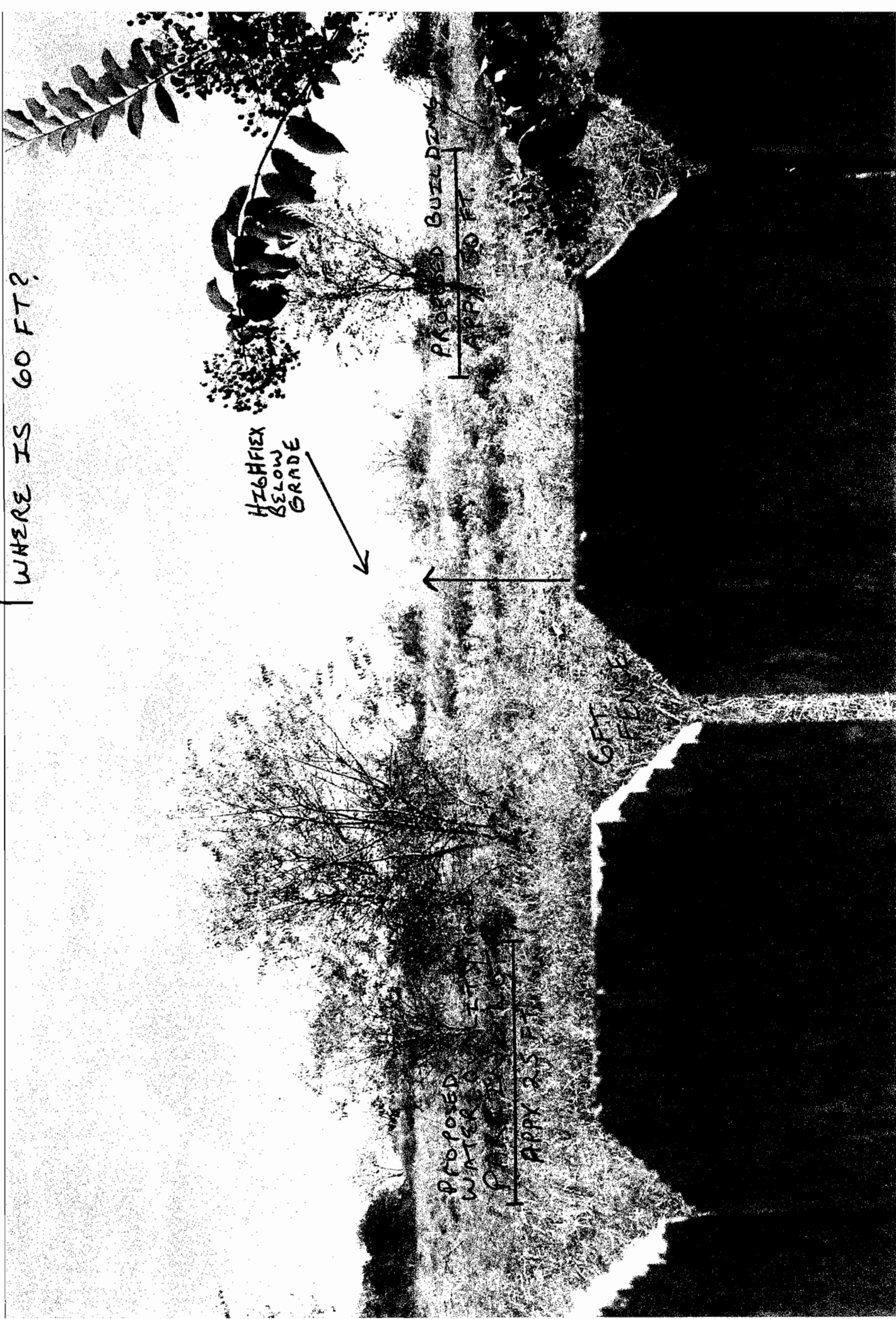
WHERE IS 60 FT?

HIGHWAY
BELOW
GRADE

PROPOSED BUILDING
APPRX 60 FT.

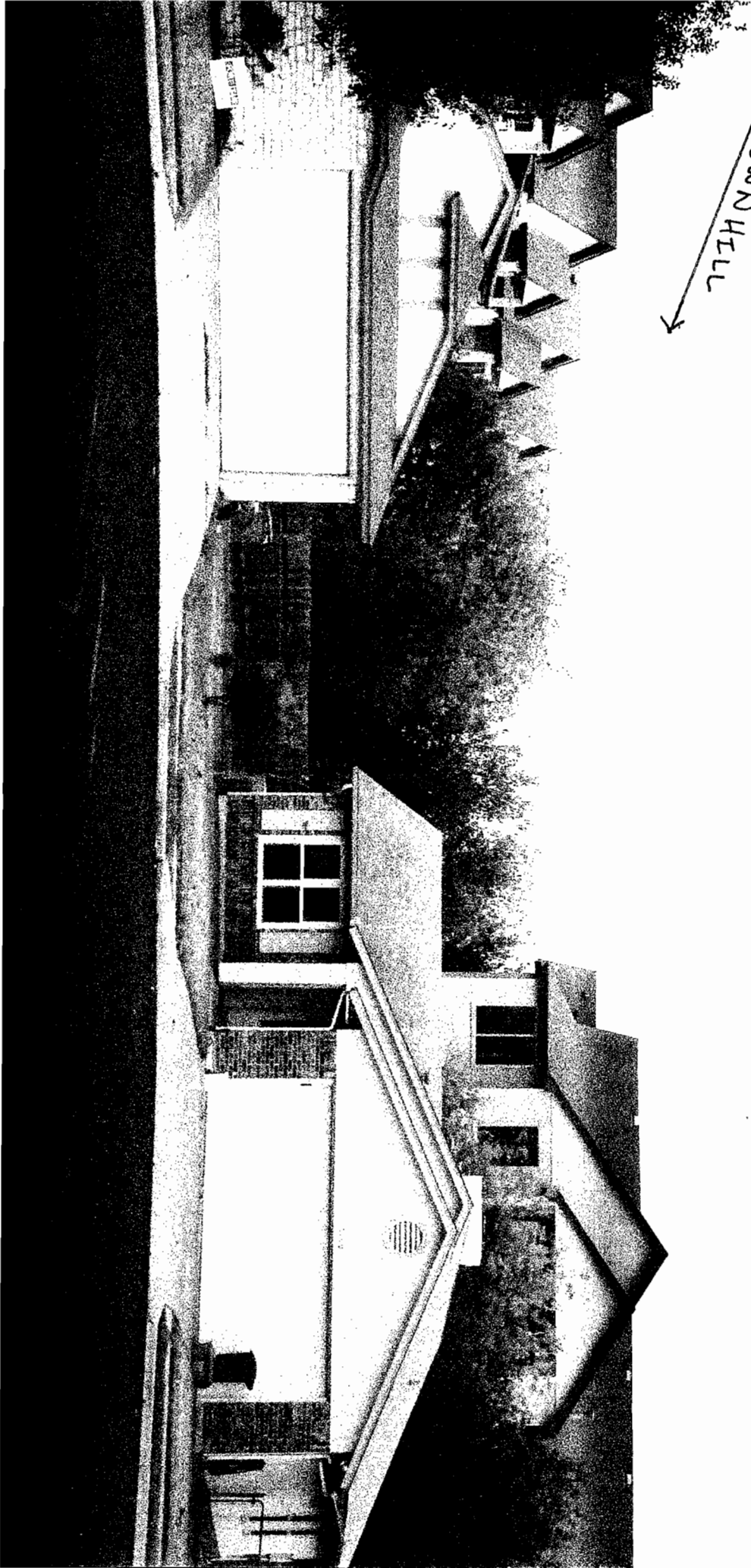
PROPOSED
WATER
PARK
APPRX 25 FT.

6 FT
FENCE



DOWN HILL
↓

WHERE IS GOFT?



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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

Clay Sanders
Your Name (please print)

13024 + 12900 Garfield
Your address(es) affected by this application

11/5/07
Date

Signature

Comments:

We strongly object to this re-zoning. There are plenty of apts in the area. More apts will lower the value of our properties in this wonderful area.

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

City of Austin
Neighborhood Planning and Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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: C14-2007-0211

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

November 20, 2007 Zoning and Platting

Commission

☐ I am in favor ☒ I object
--

Cheri Bergeron
Your Name (please print)

13024 Garfield + 12906 Garfield

Your address(es) affected by this application

Sherri Sirwaitis
Signature

11/15/07
Date

Comments:

I Strongly object to this rezoning proposal. There are already an abundance of apartments in this area including Riata & multiple on McNeil. Further apts will cheapen and degrade property values in this prime area.

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

City of Austin
Neighborhood Planning and Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810