

C13
Vadim Ivanov & Natalia Ivanov

6122 Sierra Leon, Austin, TX.

Owners of the Property ID 360722 (LOT 1 BLK A BARR II-B)

May 3, 2011

Zoning & Platting Commission

City Hall – Council Chambers

301 W. 2nd Street, Austin, TX 78701

Subject: Re-subdivision request C8-2010-0130.0A of Lot 15, Block A, Barr II-B located at 11619 Q Ranch Road, Bull/Walnut Creek Watersheds.

To whom it may concern,

This is to state that

- 1) Our property (ID 360722) is immediately adjacent to the lot being re-subdivided.
- 2) In general, our family does not object to the re-subdivision of the Lot 15, Block A, Barr II-B located at 11619 Q Ranch Road, Bull/Walnut Creek Watersheds which is to be re-subdivided into eleven (11) sub-lots.
- 3) Yet we feel very sensible concerns which we believe ought to be addressed by the developer of the land; the concerns are related to the following:
 - a. Our two small children will be at increased risk of sustaining severe nonfatal injuries originating from the cars moving in and out of the houses to be constructed on the new eleven sub-lots.
 - b. Potential disruption of sleep of our children caused by the noise of the passing cars. Noise can awaken a child or disrupt her sleep patterns. (It is known that children chronically exposed to noise during the sleep show impairments in attention, memory, problem-solving ability and learning to read.)
 - c. The inconveniences caused by the close construction site.
 - d. Loss of privacy and coziness
 - i. Note: At the present time our house is bordering very quiet wooded area frequently visited by deer. This configuration was one of the major influencing factors which made us purchase our house. After the re-subdivision takes place we are going to lose the comfort and tranquility projected by trees.
 - e. Potentially unfavorable perception (by future buyers) of the outward appearance of our older house as compared to more attractive appearance and/or design of the new house (or houses) located next to our house.
- 4) Our family has a set of particular requirements for the developer which will mitigate the above concerns.


We shall remove our objection to the Lot 15 re-subdivision plan if the developer of the land accepts the following restrictions and obligations:

(Please see the Diagram 1 in the Addendum A for the illustration of the points below.)

- 1) No driveways shall be constructed/built along the perimeter sections **[A-B]** and/or **[B-C]** and/or **[C-D]**.
In particular:
 - a. There shall be no through car traffic along the perimeter sections **[A-B]** and/or **[B-C]** and/or **[C-D]**.
 - b. Our property shall border the backyards of the houses to be erected on the sub-lot 24 and sub-lot 25.
 - c. A car driving towards the garage or a parking spot belonging to the house to be erected on the sub-lot 24 shall not be driving/moving along the perimeter sections **[D-C]** and/or **[C-B]**.
 - d. A car driving towards the garage or a parking spot belonging to the house to be erected on the sub-lot 25 shall not be driving/moving along the perimeter section **[A-B]**.
- 2) The house to be built on the sub-lot 24 (adjacent to our property and Sierra Leon)
 - a. shall be either one-storey or two-storey building and
 - b. shall not be higher/taller than our house.
- 3) A fence shall be erected along the perimeter sections **[A-B]** and **[B-C]**.
 - a. The fence shall be solid (no openings, holes, perforations of any kind) and made of concrete.
 - b. The concrete fence shall be erected adjoining the existing wooden fence which stretches along the sections **[A-B]** and **[B-C]**.
 - c. The existing wooden fence will be left standing in its present state.
 - d. The new concrete fence shall be built (completed) in full prior to the start of any house construction related work on the Lot 15.

The developer's consent to comply with the above restrictions and obligations shall be made in writing and shall become a legally binding document.

Sincerely,



Vadim Ivanov and Natalia Ivanov

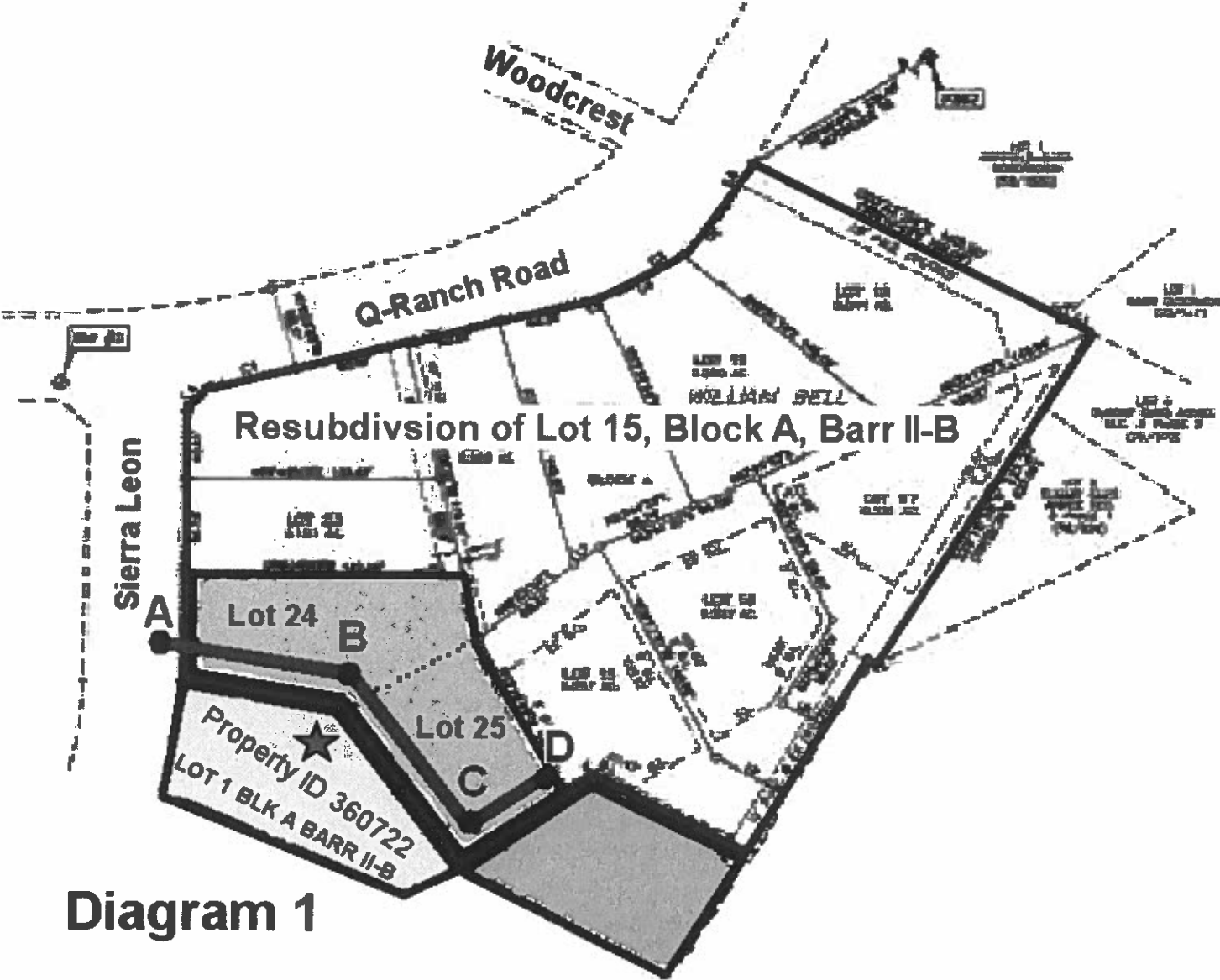


Diagram 1

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

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

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

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

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Case Number: C8-2010-0130.0A

Contact: Sylvia Limon, 512-974-2767 or

Cindy Casillas, 512-974-3437

Public Hearing: May 3, 2011, Zoning & Platting Commission

GERALD M. GILLIGAN

Your Name (please print)

11600 SIERRA NEVADA, AUSTIN, TX 78759

Your address(es) affected by this application

Jim Gilligan

Signature

Daytime Telephone: (512) 918 2826

Date

5/3/11

Comments: I REQUEST THAT THE DEVELOPER VOLUNTARILY RESTRICT THE HOUSE ERECTED ON LOT 25 TO A STORY.

I RESIDE ON LOT 14 AND CURRENTLY ENJOY A NICE VIEW OF WOODS FROM THE WINDOWS AT THE REAR OF THE HOUSE, WHERE WE SPEND MOST OF OUR TIME. WHILE I THINK THAT THE SO-FAR DEMONSTRATED TREE PRACTICES WILL STILL GIVE A NICE VIEW WITH A 1 STORY HOUSE ON LOT 25, I FEAR A 2 STORY HOUSE WOULD DEGRADE THE VIEW CONSIDERABLY. THANK YOU FOR YOUR CONSIDERATION.

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

City of Austin - Planning & Development Review Dept./4th Fl

Sylvia Limon

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C8-2010-0130.0A

Contact: Sylvia Limon, 512-974-2767 or

Cindy Casillas, 512-974-3437

Public Hearing: May 3, 2011, Zoning & Planning Commission

Lisa Williamson

Your Name (please print)

11805 Arabian Tr-1 Austin TX 78759

Your address(es) affected by this application

Lisa Williamson

Signature

Date

Daytime Telephone: 512-249-7158

Comments: We are happy to have more homes being built in our area. We only hope that every effort will be made to preserve the trees on the property. I realize they can't all be saved. The Barrs were family friends and I remember the charm of the trees from a very young age.

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Sylvia Limon

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C8-2010-0130.0A
 Contact: Sylvia Limon, 512-974-2767 or
 Cindy Casillas, 512-974-3437
 Public Hearing: May 3, 2011, Zoning & Planning Commission

Q Ranch, LLC.

Your Name (please print) *Q Ranch, LLC*
 1015 1, 2, 4, 6, 8, 9, 11, 14-18

☐ I am in favor
☒ I object

Your address(es) affected by this application

Sylvia Limon Signature *5/2/11* Date

Daytime Telephone: *512-715-0208*

Comments: *See attached letter and exhibit.*

If you use this form to comment, it may be returned to:
 City of Austin - Planning & Development Review Dept., 4th Fl
 Sylvia Limon
 P. O. Box 1088
 Austin, TX 78767-8810

May 2, 2011

To: City of Austin Staff and Planning Commission Members

Re: Barr II subdivision, Case no. C8-2010-0130.0A

To whom it may concern, my company, Q. Ranch, llc. recently developed the 17 lot residential subdivision directly across Q. Ranch street from the proposed Barr II subdivision. We want to be on record of objecting to the captioned subdivision for the following reasons.

During the review and platting of the Q Ranch Subdivision (C8-2007-0009) which is directly west of the Resubdivision of Lot 15, Block A, Bar II-B Subdivision (C82010-0130.0A), the City of Austin Watershed Management Department reviewed the existing downstream water quality/detention pond ("COA POND", highlighted in pink on Exhibit B). During the review it was determined that the COA POND was originally sized and constructed to capture and treat stormwater from our site at an assumed impervious coverage limit of 45%. The City mandated to us that to claim use of that COA POND—despite our site being limited to no more than 30% impervious cover— that we would be required to prove the COA POND met current design standards for detention and water quality as well as meet the Dam Safety Requirements that are now enforced and which, at the time the original COA POND was constructed, were not enforced. The Developer did not feel the safety concerns associated with the improvements that would be required to the existing COA POND to bring it into current compliance standards as well as meet the Dam Safety rules would allow him to modify the COA POND safely without putting the downstream neighborhood at some risk. We would like to request that Watershed Management provide a memo that states the COA POND as it sits today meets all current design standards for water quality, detention and dam safety, or have the developer provide a design report identifying what improvements need to be made to the COA POND to assure it will meet the new design standards, especially in light of the fact that many homes directly back up to the COA POND.

We were also required by the City staff to place a note on the plat that specifies what amount of impervious cover is allowed for each lot in the subdivision. This was required because the normal review by the residential permitting department will only look at the zoning which would lead them to believe the lots were limited to 45% impervious cover by zoning and not the 30% by watershed. The Barr II project should also be required to have a similar note limiting the impervious cover for each lot in the Bull Creek Watershed to not greater than 30%.

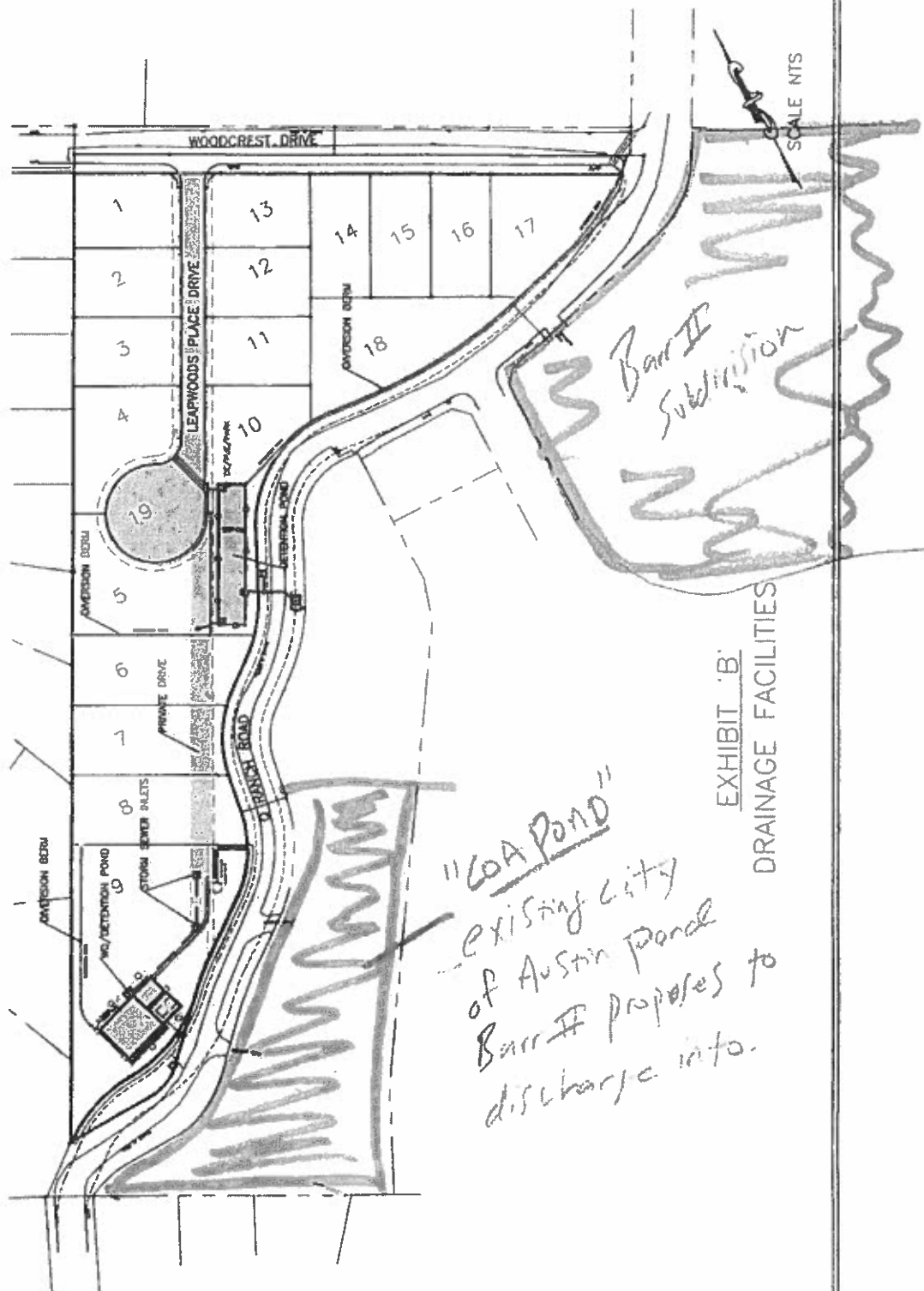
We feel that the City of Austin is utilizing a different set of standards in the review of these two neighboring projects. In the case of the Q. Ranch Subdivision, we were forced to install two on site ponds because the COA POND was deemed substandard. In addition, all of our lots are plat note restricted to 30% impervious cover and the Barr II project is not having to meet that same requirement. Hence, we see these differing set of review criteria as being damaging to our property interests.

I will not be able to attend the formal hearing but would like this letter introduced into the discussion as a directly adjoining neighbor with property interest.

Regards,



Seth Martin, Manager
Q. Ranch, LLC.



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Case Number: C8-2010-0130.0A
Contact: Sylvia Limon, 512-974-2767 or
Cindy Castillas, 512-974-3437
Public Hearing: May 3, 2011, Zoning & Platting Commission

Your Name (please print) Alan Dove
☒ I am In favor of subject

Your address(es) affected by this application 11600 Leased Place Austin, 78759

Signature [Signature] Date 5/2/11

Daytime Telephone: 426-0355

Comments: Too many lots in too small a space
Values will not be id live with my property and will hurt the value.

If you use this form to comment, it may be returned to:
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Sylvia Limon
P. O. Box 1088
Austin, TX 78767-8810