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ESTABLISHED 1926

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October 16, 2015

By Hand Delivery

Board of Adjustment
c/o Leane Heldenfelds
505 Barton Springs Road
Austin, Texas 78704

Re: Appeal of Decision to Approve Correction No. 12 to SP-2011-185C (R1) to authorize the Construction of a Disc Golf Course and an Outdoor Dog Park, 8901 West State Highway 71, Austin, Texas 78736 ("Property")

Dear Chairman Burkhardt and Members of the Austin Board of Adjustment:

This firm represents the Hill Country Estates Home Owners Association ("HCEHOA") and the Covered Bridge Property Owners Association, Inc. ("CBPOA") with respect to their appeal of the approval of Correction No 12 to site development permit SP-2011-185C (R1) ("Correction"). A copy of the Site Plan Correction Request for the Correction is enclosed.

CBPOA and HCEHOA and their members are aggrieved parties under Section 211.010(a)(1), Texas Local Government Code, because of the proximity of the Property to their respective neighborhoods and neighbors. CBPOA and HCEHOA meet the requirements of an interested party, as defined by the City Code. HCEHOA and CBPOA are registered neighborhood associations whose area of interest includes the Property. Copies of their Community Registries are enclosed. The Property is located within the boundaries designated on the Community Registry. The City does not mail notifications of the submittal of a site plan correction application. In fact, the first public notice that a site plan correction has been filed occurs after staff has decided to approve the correction. This initial public notice is placed on the City website; however, a copy of the application for a correction is not posted on the City's website until after staff has signed off on the requested correction. Therefore, it is impossible for CBPOA and HCEHOA to have communicated their interest in the Correction until after staff approved the Correction.

With respect to the Correction, the correction request was not posted on the City website until October 13, 2015. A copy of my email correspondence with Chris Johnson regarding the posting of the request for Correction No. 12 is enclosed.

To the extent they are available on the City website, the pages of the site plan that reflect the Correction are enclosed.

Mr. Mike Kirk is president of CBPOA and Paula Jones is the President of the HCEHOA. The contact information for Paula Jones is (512) 288-3827 and her mailing address is 9401 Summer Sky Drive, Austin, Texas 78736. The contact information for Mike Kirk is (512) 656-5099 and his mailing address is 8601 Foggy Mountain Drive, Austin, Texas 78736.

Please let me know if there are any questions.

Sincerely,

SNEED, VINE & PERRY, P.C.

By: 
Robert Kleeman

RJK:dm
Enclosures

Robert Kleeman

From: Johnson, Christopher [PDRD] <Christopher.Johnson@austintexas.gov>
Sent: Tuesday, October 13, 2015 8:23 AM
To: Robert Kleeman
Subject: RE: 8901 SH 71 West

Good morning Robert-

Just wanted to let you know that we got the correct paperwork for correction #12 uploaded into the database this morning.

Chris

From: Robert Kleeman [<mailto:rkleeman@sneedvine.com>]
Sent: Friday, October 09, 2015 3:39 PM
To: Johnson, Christopher [PDRD]
Subject: 8901 SH 71 West

Chris:

I am monitoring correction #12 submitted on September 22, 2015 to SP2011-185C. The specific permit number is 2015-114692 SC.

When I open the attachment for correction #12, the document relates to the application for correction #10 filed April, 2015.

Can you assist me in finding the paper work on correction #12?

Thanks.

Robert Kleeman
Sneed, Vine & Perry, P.C.
900 Congress Avenue, Suite 300
Austin, Texas 78701
(512) 476-6955 – main
(512) 494-3135 - direct
(512) 476-1825 – fax

This communication may be protected by the attorney/client privilege and may contain confidential information intended only for the person to whom it is addressed. If it has been sent to you in error, please reply to the sender that you have received the message in error and delete this message. If you are not

Community Registry

Community Information

Name: Covered Bridge Property Owners Association, Inc.

Planning Id: 1318

Organization Email Address: Board@coveredbridgeaustin.org

Organization Website: <http://www.coveredbridgeaustin.org/>

Organization Zip Code(s):

Number of Households: 340

Type of Organization: Neighborhood Association

Primary Contact Information

Name: Mrs. Sabrina A. Washburn

E-mail: SWashburn@stes.com

Phone:

Secondary Phone:

Address: 14050 Summit Dr. #113A ,Austin, TX 78728

Office Held: Property Manager

Secondary Contact Information

Name: Eli del Angel

E-mail: Not Displayed By User Request

Phone:

Secondary Phone:

Address: 7408 Covered Bridge Dr.
Austin, TX 78736

Office Held: President

Meeting Information

Annual meetings are held typically in March at the Travis County Community Center, 8656 Hwy 71 W

[Return to Community Registry](#)

Community Registry

Community Information

Name: Hill Country Estates Homeowners Assoc.

Planning Id: 639

Organization Email Address:

Organization Website: <http://None>

Organization Zip Code(s): 78736

Number of Households: 86

Type of Organization: Neighborhood Association

Primary Contact Information

Name: Mr David VanDelinder

E-mail: dovandelinder@gmail.com

Phone: 512-762-1519

Secondary Phone:

Address: 6800 Midwood Pkwy ,Austin, TX 78736

Office Held: OHAN Representative

Secondary Contact Information

Name: Mrs. Marlene Warner

E-mail: mdegallier@austin.rr.com

Phone: 512-632-9675

Secondary Phone:

Address: 7001 Midwood Pkwy
Austin, TX 78736

Office Held: Treasurer

Meeting Information

Residents homes at 7:00pm. 1/yr

[Return to Community Registry](#)

**CITY OF AUSTIN APPLICATION TO BOARD
OF ADJUSTMENT INTERPRETATIONS
PART I: APPLICANT'S STATEMENT
(Please type)**

STREET ADDRESS: 8901 State Highway 71 West, Austin, Texas 78736

LEGAL DESCRIPTION: 53.11 acres as described in a Restrictive Covenant recorded in Document No. 2011146026, Official Public Records of Travis County, Texas.

Subdivision – Lot (s) _____ Block _____ Outlot _____ Division _____

ZONING DISTRICT: RR

WE, Paula Jones, as President of the Hill Country Estates Homeowners Association, and Mike Kirk, as President of the Covered Bridge Property Owners Association, Inc. affirm that on the 15th day of October, 2015, hereby apply for an interpretation hearing before the Board of Adjustment.

Development Services Department interpretation is: a disc golf course and an outdoor dog park are permitted uses in the RR zoning district. A copy of the approved Correction No. 12 to site plan (SP-2011-185C (R1)) is attached.

We feel the correct interpretation is: a disc golf course and an outdoor dog park are classified as either a community recreation use or as an outdoor sports and recreation use. A community recreation use requires a conditional use permit in the RR zoning district. The outdoor sports and recreation use is prohibited in the RR zoning district.

NOTE: The board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable findings statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

1. There is a reasonable doubt of difference of interpretation as to the specific intent of the regulations or map in that:

According to the approved site development permit, the principal use of the property is religious assembly. Neither a disc golf course nor a dog park fall within the religious assembly use activities of religious worship or religious education in a building. Further, the definition of religious assembly in Section 25-2-6(B)(41) states that the religious assembly use does not include community recreation.

2. An appeal of use provisions could clearly permit a use which is in character with the uses enumerated for the various zones and with the objectives of the zone in question because:

The outdoor dog park and the disc golf course are not in character with the uses permitted in the RR zoning district, according to Section 25-2-491 of the City Code.

3. The interpretation will not grant a special privilege to one property inconsistent with other properties or uses similarly situated in that:

The approval of Correction No. 12 to the approved site plan grants special privileges to the subject property. The outdoor sports and recreation use is prohibited in the RR zoning according to Section 25-2-491 of the City Code. To the extent that the outdoor dog park and the disc golf course are deemed community recreation, a conditional use permit is required according to Section 25-2-491 of the City Code. The principal use of the property, religious assembly, cannot authorize community recreation uses or activities.

AGGRIEVED PARTY CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Printed Paula Jones

Mailing Address: 9401 Summer Sky Drive

City, State & Zip: Austin, Texas 78736 Phone (512) 288-3827

OWNER'S CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Printed _____

Mailing Address _____

City, State & Zip _____ Phone _____

AGGRIEVED PARTY CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Printed Mike Kirk

Mailing Address 8601 Foggy Mountain Drive

City, State & Zip Austin, Texas 78736 Phone (512) 656-5099

OWNER'S CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Printed _____

Mailing Address _____

City, State & Zip _____ Phone _____



Planning and Development Review Department

P.O. Box 1088, Austin, Texas 78767

One Texas Center, 505 Barton Springs Road

Telephone: (512) 974-6370 Fax: (512) 974-2423

Site Plan Correction Request

Site Plan Case #: SP-2011-0185C (R1) Correction #: 12 Expiration Date: 10-12-2015

Site Address: 8901 W. State Highway 71, Austin, Texas

Project Name: Promiseland West Church

- ☐ Site has a City of Austin Certificate of Occupancy.
☒ Site is under construction (*provide written verification from the Environmental Inspector*).
☐ Site is in an extra-territorial jurisdiction and has a Certificate of Compliance.

Brief /General Description of Correction:

Per COA code requirements - disc golf tee boxes, baskets & the dog park are now shown on the site plan.

Attach a detailed description of the proposed correction(s) in a memorandum or letter and one redline copy of the proposed correction(s) to a copy of a City of Austin approved site plan that includes the cover sheet.

I, Hence Distel, do hereby certify that I am the
(PRINT NAME)

☐ owner ☒ owner's agent (*to act as the owner's agent, written authorization from the owner must be provided*) of this described property, and in this capacity, submit this request for a site plan correction. The change(s) are considered "administrative correction(s)" pursuant to Chapter 25-5-61 of the Austin City Code.

Furthermore, I certify and acknowledge that:

1. The approval of this site plan correction request does not constitute authorization to violate any provisions of the Austin City Code or other applicable requirements.
2. I will be responsible and required to seal or certify the correction being made. In addition, a copy of a letter notifying the original consultant of the documents (engineer, architect, landscape architect, or designer) of the proposed corrections shall be submitted and attached to this request.

Hence Distel Date: 9-16-15
Signature of Requester

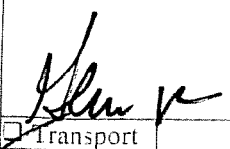
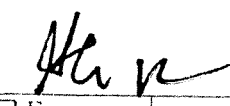
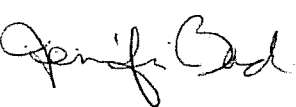


Address: 8333 Cross Park Dr. Austin, Texas 78754

Telephone: (512) 459-4734

Please indicate how you wish to receive a copy of the results of the review:

☐ FAX: _____ ☒ E-mail address: please provide e-mail address on other side of form

Departmental Use Only

Project Name:		Case Number:	Applicant Name:
		SP-2011-01852 (P1)	Hence Dstcl
<input checked="" type="checkbox"/> If Required	Reviewer	Date	Comments
<input checked="" type="checkbox"/> Site Plan		9.18.15	
			
<input checked="" type="checkbox"/> Transport		9.18.15	
			
<input checked="" type="checkbox"/> Engr		9-18-15	
			
<input checked="" type="checkbox"/> Environ		9/22/15	
			
<input checked="" type="checkbox"/> AFD	M. Lewis	9-18-15	
			
<input checked="" type="checkbox"/> AWU	BS	9/16/15	
<input checked="" type="checkbox"/> Plumbing	BS	9/16/15	N/A
<input checked="" type="checkbox"/> AE		9-18-15	N/A

☐ Approved

☐ Denied

☐ Determined to be a ☐ Revision ☐ New Project

Building permit required? ☐ Yes ☐ No ☐ N/A

Smart Housing Project? ☐ Yes ☐ No

Changes in Impervious Cover? ☐ Yes ☐ No

Qualifies for exemption per Section 25-5-2(____)

Check all that apply:

☐ Review Fee(s) Not Required

☐ Site Plan Correction/ Exemption Review Fee

☐ Change of Use Review Fee

☐ Phasing Review: _____ phases

☐ Landscape Inspection: _____ acres

☐ Shared Parking Review

Hanrahan • Pritchard Engineering, Inc.

8333 Cross Park Drive
Austin, Texas 78754

HPE

Phone: 512.459-4734
Fax: 512.459.4752
E-Mail: mail@hp-ng.com
TX PE Firm Reg. #416

September 16, 2015

City of Austin Planning and Development Review Department
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

Re: Promiseland West Church - SP-2011-0185C (R1)
Correction Request No. 12

We are respectfully requesting a correction to the above-mentioned project. This correction will be Correction #12 and shall consist of the following:

1. Per City of Austin Code – all public use facilities shall be shown on the site plan. We are now showing the existing disc golf tee boxes, disc golf baskets & the dog park.

Attached are red-stamped drawings showing the proposed changes in red; please contact our office if you have any questions or concerns.

Sincerely,



Hence Distel



Planning and Development Review Department

P.O. Box 1088, Austin, Texas 78767

One Texas Center, 505 Barton Springs Road

Telephone: (512) 974-6370 Fax: (512) 974-2423

Site Plan Correction Request Process

NOTE...

A request is reviewed the next business day after its submittal. If the request involves further research, the review will require additional time. The applicant should be informed of its results by electronic mail, fax transmittal, or telephone by the next business day. If you have not been informed within three business days of your submittal, please contact the Processing staff at (512) 974-2774 or 974-9747 for its status. **The processing staff cannot provide technical information; however, they will provide the status of the application in the review process and fee information.**

A Site Plan correction must be completed within **10 business days** from its approval date. If a correction is not completed within this timeframe, a new request must be submitted and may incur additional fees.

Denied requests are available for customer pick-up in the Development Assistance Center on the 1st floor of One Texas Center, 505 Barton Springs Road.

Correction appointments must be scheduled and will be held in the Development Assistance Center on the 1st Floor of One Texas Center.

Step 1...

Provide all information requested on the attached **Site Plan Correction Request** form. An incomplete request form will not be accepted. Specific or additional information regarding the correction may be attached as a memorandum or letter.

Step 2...

All correction requests are to be shown in red, overlaid on a City of Austin approved red-stamped copy of the originally approved site plan. All sheets affected by the proposed corrections and the cover sheet must be submitted for review.

If you do not have a red-stamped copy of an original site plan, obtain a copy from the Research Assistance section of the Development Assistance Center, located on the 1st floor of One Texas Center, 505 Barton Springs Road, prior to the submittal of your request. You may contact this section at (512) 974-6370.

Step 3...

Attach the completed request form to the redlined copy along with any other support materials and submit to the Development Assistance Center. Submittal hours are between 7:45 a.m. and 4:45 p.m., Monday through Friday. Requests will not be accepted outside of these times or at any other location.

If you have any questions regarding the Site Plan Correction request process, please contact the Processing staff at (512) 974-2774 or 974-9747, Monday through Friday, 7:45 a.m. to 4:45 p.m.

E-mail address: hence@hp-eng.com



City of Austin

Development Assistance Center

One Texas Center, 505 Barton Springs Road

P.O. Box 1088, Austin, Texas 78767

Telephone: (512) 974-6370 Fax: (512) 974-2423

Determination of a Site Plan Correction Request

Date: Tuesday, September 22, 2015

Number of pages including cover: 1

From: Sallie Correa

To: hence distel Hanrahan Pritchard Engineering, Inc.

Telephone: (512) 459-4734 FAX: (512) 459-4752

Project Name: _____

Address: Promiseland West Chruch SP-2011-0185C

Staff Contact: _____

Telephone: _____

Review Results	
Your request has been Approved .	
Fees Due	Cost
Site Plan Correction Review	176.80
Landscape Inspection:	
Shared Parking Review	
Phasing Review:	
Change of Use Review	
Commercial Exemption Review	
TOTAL COST:	176.80

Based on the following your request has been Approved (*see comments*):

Once the mylar set has bee pulled an associate will contact you to schedule a correction appointment

Comments:

