

A U S T I N C I T Y C O U N C I L
AGENDA

Thursday, November 02, 2006

Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 58**

Subject: C14-06-0174 - Channel Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1719 Channel Road, Unit B (Lake Austin Watershed) from Lake Austin residence (LA) district zoning to single-family residence-standard lot (SF-2) district zoning. *Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation. To deny single-family residence-standard lot (SF-2) district zoning.* Applicant and Agent. David Peterson. City Staff Jorge E. Rousselin, 974-2975. A valid petition has been filed in opposition to this rezoning request

Additional Backup Material

(click to open)

Staff Report**For More Information:**

ZONING REVIEW SHEET**CASE:** C14-06-0174**Z.A.P. DATE:** September 19, 2006
October 3, 2006**ADDRESS:** 1719 Channel Road Unit B**OWNER/AGENT:** David Peterson**REZONING FROM:** LA (Lake Austin residence)**TO:** SF-2 (Single-family residence- Standard lot)**AREA:** 1 728 Acres**ZONING AND PLATTING COMMISSION RECOMMENDATION:***October 3, 2006****DENIED STAFF'S RECOMMENDATION AND REQUEST FOR SF-2 ZONING.******RECOMMENDED THAT THE ZONING REMAIN LA ZONING.******[C.HAMMOND, J.MARTINEZ 2ND] (7-0) K.JACKSON, J.PINNELLI – ABSENT*****ISSUES:**

A valid petition has been filed at 58 75% opposition. The original request for this case was from LA to SF-3. At the Zoning and Platting Commission public hearing on October 3, 2006, the applicant amended his application on the record to request SF-2 zoning.

SUMMARY STAFF RECOMMENDATION:

Staff recommends SF-2 (Single-family residence – standard lot) district zoning.

DEPARTMENT COMMENTS:

The subject rezoning area is a 1 728 acre site fronting Channel Road zoned LA. The site was annexed into the City of Austin under full purpose jurisdiction on June 15, 1968 and is currently undeveloped land. The applicant proposes to rezone the property to SF-3 for the development of four lots and single family residences. Three access points are proposed off Channel Road and one off Laguna Drive. This area falls under the Lake Austin Study and has been subjected to various rezonings in 1983. Most of the properties abutting Lake Austin were rezoned as part of the Lake Austin Study which rezoned residential properties from "A," Residence, and Interim "LA," Lake Austin Residence to "AA," Residence 1st Height and Area District. When the City of Austin initiated the Land Development Code Conversion in 1984, the new zoning districts were adopted as part of such conversion. Thus, the current zoning equivalent to "AA," Residence 1st Height and Area District is SF-2 (Single-family residence – standard lot) as depicted in Exhibit "A." Impervious cover and density shall be addressed as per Environmental comments.

The Staff recommendation of SF-2 (Single-family residence – standard lot) district zoning based on the following considerations:

- 1) The recommended zoning classification is compatible with the existing surrounding single-family residential uses,
- 2) The recommended zoning classification will not infringe on the residential character of the established neighborhood, and
- 3) The recommended zoning classification will result in equal treatment of similarly zoned properties within the area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LA	Undeveloped land
<i>North</i>	SF-2	Undeveloped land / Single family residences
<i>South</i>	LA	Undeveloped land
<i>East</i>	SF-2	Single family residences
<i>West</i>	SF-2	Single family residences

AREA STUDY: Lake Austin**TIA:** N/A (See Transportation comments)**WATERSHED:** Lake Austin**DRINKING WATER PROTECTION ZONE:**
Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

434--Lake Austin Business Owners

511--Austin Neighborhoods Council

605--City of Rollingwood

786--Home Builders Association of Greater Austin

SCHOOLS:

Eanes Independent School District

- Bridge Point Elementary School
- Hill Country Middle School
- Westlake High School

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

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
Channel Road	45'	Varies	Local	No	No	No
Laguna Lane	25'	Varies	Local	No	No	No

CITY COUNCIL DATE

November 2, 2006

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Jorge E Rousselin, NPZD

PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us

Lake Austin

1719 -B Channel Road
C14-06-0174

Legend

- Zoning
- Base
- Center Line

0 60 120 180 Feet

C14-06-0174

97-0149
CR-CO

97-0149
CR-CO

83-003-16

STAFF RECOMMENDATION

Staff recommends SF-2 (Single-family residence – standard lot) district zoning. The recommendation is based on the following considerations:

- 1.) The recommended zoning classification is compatible with the existing surrounding single-family residential uses;
- 2.) The recommended zoning classification will not infringe on the residential character of the established neighborhood; and
- 3.) The recommended zoning classification will result in equal treatment of similarly zoned properties within the area.

BASIS FOR RECOMMENDATION

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

§ 25-2-56 SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT DESIGNATION
Single-family residence standard lot (SF-2) district is the designation for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. An SF-2 district designation may be applied to a use in an existing single-family neighborhood that has moderate sized lots or to new development of single-family housing on lots that are 5,750 square feet or more.

The proposed rezoning meets the purpose statement of the district sought. The subject property exceeds 1.72 acres and will accommodate four lots exceeding an approximate area under half an acre.

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

The proposed rezoning will integrate with existing, adjacent residential uses and existing SF-2 zoning.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area is a 1.728 acre site fronting Channel Road zoned LA. The site was annexed into the City of Austin under full purpose jurisdiction on June 15, 1968 and is currently undeveloped land. The applicant proposes to rezone the property to SF-3 for the development of four lots and single family residences. Three access points are proposed off Channel Road and one off Laguna Drive. This area falls under the Lake Austin Study and has been subjected to various rezonings in 1983.

Transportation

1. No additional right-of-way is needed at this time. Additional right-of-way will be required at the time of subdivision.

- 2 The trip generation under the requested zoning is estimated to be 150 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)
3. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]
- 4 Capital Metro bus service is not available within 1/4 mile of this property.

Environmental

- 1 The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Lake Austin Watershed of the Colorado River Basin, and is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

2. Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain, and must have a minimum lot size of 2 acres
- 3 According to flood plain maps, there is flood plain in the project location. Based upon the close proximity of the flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone shall be limited to 18%.
- 4 The site is not located within the endangered species survey area.
- 5 Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment
- 6 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
- 7 Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention
- 8 At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements

Water and Wastewater

1. The landowner does not intend to serve the site with City of Austin water and wastewater utility service. The landowner should provide written evidence that the site has an approved water supply and approved means of wastewater disposal adequate for the land use.

Compatibility Standards

- 1 The site will not be subject to compatibility standards.

SUMMARY OF CURRENT & NEW ZONING

This is a summary of Permitted Uses in the Current and Proposed zoning ordinances. Locate the current zoning in the left-hand column. Then follow the arrow across to the right-hand column to find the proposed zoning. Only examples of permitted uses have been listed. Conditional uses which require additional review are not listed. Please refer to the appropriate zoning ordinance for additional uses and requirements. Explanatory notes at bottom of last page.

CURRENT ZONING		NEW ZONING
LA LAKE AUSTIN RESIDENCE (all H&A districts) Single Family Dwelling (Min Lot 1 acre)	→	LA LAKE AUSTIN RESIDENCE DISTRICT Height 35 ft Single Family Dwelling (Min Lot 1 acre)
SR SUBURBAN RESIDENCE (1st H&A) Single Family Dwelling (Min Lot 1 acre)	→	RR RURAL RESIDENCE DISTRICT Height 35 feet Single Family Dwelling (Min Lot 1 acre)
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	SF-1 SINGLE FAMILY RESIDENCE (LARGE LOT) Hgt: 35 ft. Single Family Dwelling (Min Lot 10,000 sq. ft.)
AA RESIDENCE (1st H&A, 2nd H&A) Single Family Dwelling (Min Lot 5,750 sq ft.)	→	SF-2 SINGLE FAMILY RESIDENCE (STD LOT) Hgt: 35 ft. Single Family Dwelling (Min Lot 5,750 sq ft.)
A RESIDENCE (all H&A districts) Any use permitted in "AA", Single Family Dwelling, Duplex (Min Lot 5,750 sq ft.)	→	SF-3 FAMILY RESIDENCE Height: 35 ft. Single Family Dwelling, Duplex (Min Lot 5,750 sq ft.)
A-1 One-family dwelling, excluding mobile homes, small lot subdivision required (minimum lot size 3,600 sq ft.)	→	SF-4 SINGLE FAMILY RESIDENCE (SMALL LOT) Hgt 35 ft Single Family Dwelling (Min Lot 3,600 sq. ft.)
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	SF-5 URBAN FAMILY RESIDENCE Height 35 ft. Single Family Dwelling, Duplex, Townhouses, and Condominiums (Min Lot 5,750 sq ft.)
A-2 CONDOMINIUM RESIDENCE (1st H&A) Any use permitted in "A" and Condominiums (Min Lot 14,000 sq ft.)	→	SF-6 TOWNHOUSE AND CONDOMINIUM RESIDENCE Hgt 35 ft Single Family Dwelling, Duplex, Two Family Dwellings (See Note 1), Townhouses, Condominiums (Min Lot 5,750 sq ft.)
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	MF-1 MULTI-FAMILY RESIDENCE (LMT'D DENSITY) Hgt 40 ft Single Family Dwelling, Duplex, Two Family Dwellings (See Note 1), Townhouses, Apts Up to 17 U P A (Min Lot 8,000 sq ft.)
BB RESIDENCE (1st H&A, 6th H&A) Any use permitted in "A", Apartments 22-27 U P A	→	MF-2 MULTI-FAMILY RESIDENCE (LOW DENSITY) Hgt 40 ft Single-Family Dwelling, Duplex, Two Family Dwellings (See Note 1), Townhouses, Apts Up to 23 U P A (Min Lot 8,000 sq ft.)
BB RESIDENCE (2nd H&A, 5th H&A) Any use permitted in "A", Apartments 29-36 U P A	→	MF-3 MULTI-FAMILY RESIDENCE (MED DENSITY) Hgt 40 ft Single Family Dwelling, Duplex, Two Family Dwellings (See Note 1), Townhouses, Apts Up to 36 U P A (Min Lot 8,000 sq ft.)
B RESIDENCE (1st H&A) Any use permitted in "BB", Apartments 54-67 U P A		
BB RESIDENCE (3rd H&A) Any use permitted in "A", Apartments 40-54 U P A		
B RESIDENCE (6th H&A) 40-54 U P A (2nd, 5th H&A) 54-67 U P A Any use permitted in "BB", Apartments	→	MF-4 MULTI-FAMILY RESIDENCE (MOD-HIGH DENSITY) Hgt 60 ft Single Family Dwelling, Duplex, Two Family Dwellings (See Note 1), Townhouses Apts Up to 54 U P A (Min Lot 8,000 sq ft.)
BB RESIDENCE (4th H&A) Any use permitted in "A", Apartments 54-67 U P A		
B RESIDENCE (3rd H&A) 72-96 U P A RESIDENCE (4th H&A) 87-116 U P A Any use permitted in "BB", Apartments	→	MF-5 MULTI-FAMILY RESIDENCE (HIGH DENSITY) Hgt 60 ft Single Family Dwelling, Duplex, Two Family Dwellings (See Note 1), Townhouses, Apts Up to 54 U P A (Min Lot 8,000 sq ft.)
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	MF-6 MULTI-FAMILY RESIDENCE (HIGHEST DENSITY) Hgt 90 ft Single Family Dwelling, Duplex, Two Family Dwellings (See Note 1), Townhouses Apts Unlimited Density (Min Lot 8,000 sq ft.)
MH MOBILE HOME (1st H&A)	→	MH MOBILE HOME RESIDENCE Height 35 ft Mobile Home Residential

EXHIBIT A

CURRENT ZONING		NEW ZONING	
DL LIGHT INDUSTRIAL (all H&A districts) Any use permitted in "C", and manufacturing uses which are within a building or screened, e.g., lumberyards, storage yards, clothes manufacturing	→	LI LIMITED INDUSTRIAL SERVICES Height 60 ft. ² Commercial services, Basic and Limited Manufacturing, and Warehousing and Distribution	
D INDUSTRIAL (all H&A districts) All uses permitted in "C", and commercial and industrial uses, e.g., candle or gas manufacturing, stock yards			
E HEAVY INDUSTRIAL (all H&A districts) All uses permitted in "D" and heavy industrial uses, e.g., petroleum refining			
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	AG AGRICULTURAL DISTRICT Height 60 ft. ² Stables, Animal and Crop Production, and Support Housing, on sites of 10 acres or more which preserve open space and valuable farming lands	
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	DR DEVELOPMENT RESERVE Height 35 ft Intended to prevent premature land uses or land development for which adequate public services and facilities are unavailable. Minimum lots of 10 acres. Uses include Single Family Residential, Farming, or Ranching Production	
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	P PUBLIC DISTRICT Height -- 3 Land owned by Federal, State, County or City governments	
AV AVIATION (all H&A districts) Uses directly associated with municipal aviation activities	→	AV AVIATION SERVICES Height -- 3 Uses are limited to aviation activities, business, and services dependent upon direct access to airport facilities	
PUD P U D PLANNED UNIT DEVELOPMENT (all H&A) Planned Unit Development allows for cluster development and alternative design standards	→	PUD P U D. PLANNED UNIT DEVELOPMENT Height -- 3 Planned Unit Development allows for cluster development and alternate design standards	
OVERLAY DISTRICTS			
These designations may be used in addition to base zoning classifications			
H HISTORIC Zoned as an Historic Landmark by the City of Austin	→	H HISTORIC Same as in the current ordinance	
PRA P R A PRINCIPAL ROADWAY AREA Specific site plan requirements must be satisfied, relating to driveways, signs, and landscaping along designated roads	→	PRA P R A PRINCIPAL ROADWAY AREA	
NO EQUIVALENT IN CURRENT ORDINANCE ⁴	→	CVC CAPITOL VIEW CORRIDOR ⁴ SECTION 2825 CDZ CAPITOL DOMINANCE ZONE SECTION 2915 CAZ CONGRESS AVENUE ZONE SECTION 2 20 PSZ E SIXTH/PECAN STREET ZONE SECTION 2925 DPZ DOWNTOWN PARKS ZONE SECTION 2930 DCZ DOWNTOWN CREEKS ZONE SECTION 2935 TLZ TOWN LAKE ZONE SECTION 2940	
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	MU MIXED USE COMBINING DISTRICT Application with selected base districts to permit combinations of office, retail, commercial, and residential uses within a single development	
NO EQUIVALENT IN CURRENT ZONING ORDINANCE	→	PDA P D A PLANNED DEVELOPMENT AREA Designation of commercial or industrial planned development areas which have been annexed	
SYMBOLS AND NOTES			
<u>Building Height Limitations</u> 1st and 6th H&A = 35 feet 2nd and 5th H&A = 60 feet 3rd H&A = 120 feet 4th H&A = 200 feet <u>Interim Zoning (1)</u> Simply refer to the designation following the "1," to "14A" refer to AA, for 10 to D, etc	<u>Abbreviations</u> U P A = Units per acre e q = for example sq ft = square feet H&A = Height & Area, H&A districts regulate height, bulk and density	<u>Notes</u> 1 Two Family Residential allows two separate structures on a single lot 2 Height may be limited when adjacent to more restrictive districts 3 Height not specified See the proposed ordinance for details 4 CVC Capitol View Corridor Ordinance adopted August 2, 1981 See current and new ordinances for details	

TO: Austin City Council
TO: Zoning and Platting Commission
In care of Jorge Rousselin, Case Manager, PO Box 1088, Austin, TX 78767, fax 974-6054
RE: Deferment of public hearing on **Case # C14-06-0174**

Date: September 11, 2006
From: Tommy Toles, 4701 Laguna Lane, Austin TX 78746, 512-327-5389, thomas.toles@amd.com

Official request for deferment of public hearing in Case # C14-06-0174

On behalf of several community residents whose names are provided below, I request a reschedule of the hearing of this case until October 3, 2006. This will allow the community additional time to further research the impact of this project on our neighborhood. Additionally, this deferment will provide the opportunity for more discussions with Mr. Peterson in the hope that our concerns can be discussed at the community level.

On September 10, 2006, at 8 pm a community meeting was held at 4825 Laguna Lane to discuss initial impressions about this request for rezoning. A general consensus was reached by those in attendance to request a reschedule of the public hearing before the Zoning and Platting Commission until the next scheduled meeting, which we understand to be October 3, 2006.

Please notify me to confirm the approval of this request.

Those in attendance at the 9/10/2006 meeting included:

Bob & Donna Talbot
Tommy Toles
Felix Erbring
Jim & Caren Upshaw
Bruce Wasinger & Shari Gary
Mark & Kathy Mathias
Chuck Inks
Bruce & Jeanna Black
Dean Lupul
John and Frances Hamm
Ivan & Peg Williams

RECEIVED

SEP 12 2006

Neighborhood Planning & Zoning

X

Tommy Toles

Sept 11, 2006

September 11, 2006

Felix Erbring
1714 Channel Rd
Austin TX 78746

RECEIVED

SEP 11 2006

To: Austin City Counsel
To: Austin Zoning and Platting Commission
Care of: Jorge Rousselin

Neighborhood Planning & Zoning

Case Number C14-06-0174 / 1719 Channel Rd, Unit B

Dear Jorge,

I am writing to express my strong opposition to the requested zoning change for 1719 Channel, Unit B from LA to SF-3. I would like to list some reasons which may not be obvious when just looking at a plat map of the area. A quick look at where we live will show that this is a quiet community of single family homes, most of them built in the 1960's or 1970's.

1. Channel Rd is a small one lane road and a tiny community of homes that can only be accessed by a one lane bridge. All the homes on the street are single family homes, most of which were existing prior to the SF-2 zoning that they were given in 1984. This zoning was given by default since the houses were already there and the lots were not big enough to qualify for LA zoning. Having 1719 Channel become SF-2 like the other properties around it makes it possible for something to be built that it not harmonious with the other properties in the area and can't be justified by looking at the surrounding zoning.
2. Any significant increase in traffic, likely from a multi-unit building, would be a real danger to pedestrians, bike riders and children. Channel Rd is an unmaintained road with no gutters or sidewalks. This is a very narrow road and it not wide enough for the city to maintain.
3. Drainage is critical issue for all inhabitants, we all being on septic, and the area in question is mostly in the flood plain and the proposed increase in inhabitants would unduly stress the surrounding environment.

I am attaching two pictures of our neighborhood that show that it's comprised of single family homes that sit on approximately 0.5 acre lots. In both cases, Mr. Peterson's lots are in the middle. Due to the low elevation of his property and it's proximity to the channel in the rear, 1719 Channel, Unit B is prone to partial flooding. Since any home build would need a septic field, the approximately 1.7 acres are actually much smaller when buildable land is considered.

Currently any new lots must be one acre or larger on lake Austin, and this is appropriate for the area. Mr. Peterson knew this when he purchased the property, since he has lived in the area for years. This attempt at re-zoning 1719 Channel into SF-3 is not in good style with the neighborhood, and I would be more than happy to work with him to help him get a variance on his LA zoning so he can build two single family homes on his property.

Kind regards,


Felix E. Ewing

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: C14-06-0174

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

September 19, 2006 Zoning and Platting Commission

☐ I am in favor
☒ I object

Felix Erbring

Your Name (please print)

1714 Chanel RL

Your address(es) affected by this application

9-11-06 Date

Comments:

RECEIVED

SEP 11 2006

Neighborhood Planning & Zoning

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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RECEIVED

Case Number: C14-06-0174

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

September 19, 2006 Zoning and Platting/Neighborhood Planning & Zoning

Commission

☐ I am in favor
☒ I object

Frances Ham

Your Name (please print)

4801 Laguna Lane, Austin 78746-1230

Your address(es) affected by this application

Frances Ham

Signature

9/11/06

Date

Comments:

I oppose the application for SF3 zoning because of environmental concerns related to drainage from the land in question a large part of which is close to the level of Lake Austin. Originally this property was zoned LA to protect it from high density development and drainage directly into Lake Austin. Although parcels around it were zoned with higher density due to their not having enough acreage for LA zoning next to none of these have high density housing.

I, for one, would be most pleased to work with the applicant to achieve his stated objective of building two houses on the property by using variances from the current LA zoning. P.S. I respectfully request a postponement of the hearing to Sept. 3, 2006 at 10:00 AM. If you use this form to comment, it may be returned to: can be done.

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810

FAX: to Jorge Ransalia - Planning & Zoning - fax 974-6657

To: City of Austin
From: Mickie R Inks

Case No. C-14-06-0174
Sept. 11, 2006

RECEIVED

Re. Property variance for 1719B Channel Rd. Austin, TX 78746

SEP 12 2006

The property listed above was previously owned by my family for three generations. We maintained and paid taxes on this property for this time. My father, J.V. Riley, was even involved in the subdividing of the lots, where it was important to keep the integrity and natural beauty of only allowing single family residence in this quiet, secluded neighborhood. Two of my children, along with their families, plus my husband and I, still live on Channel Road.

Channel Road does not need more traffic. The road is very narrow, allowing only one car to pass at a time, and though paved, it has no curbs or gutters. Residence must also cross a one-lane bridge to reach the homes on this side of the bridge. This is our only entrance, as it is a dead-end road. Allowing this lot to be subdivided, thus allowing more than one single family residence would exacerbate our traffic situation. This would add additional wear and tear on our road and our bridge, not to mention ruin the peaceful road that we live on.

Access to this property by water is through a narrow channel and along the shoreline of the pond. Additional boat traffic would eat away at our retaining walls/bulkheads, cause passing issues in the channel and generally be a disturbance for those that live along the path.

Most important are the environmental issues. The Lake Austin Ordinance was created for a reason! The reason was to protect our land and our lake - which is not only a recreational area, but the drinking water source for the City of Austin. Houses on Channel Road are on septic systems. We have no city services. Though septic systems have improved, there is still the issue of the drainage into the lake. The one acre per single family home, LAO ordinance, was not only created to protect the beauty of the land, but for environmentally helping the pollution issues where septic systems are concerned.

I ask that you put yourself in our shoes. We have a beautiful small neighborhood on a gorgeous slice of Lake Austin. We have rules and regulations in place, in the form of the Lake Austin Ordinance, in order to preserve this beauty, as well as the environment and our drinking water. Please do not allow this lot to be subdivided or the restrictions for single family home or dock footage to be altered for the monetary benefit of one person!

Best Regards,

Mickie R. Inks

signed: *Mickie R Inks*
1704 Channel Road
phone 327-7230

FAXSIMILE

Sept. 11, 2006

To: Jorge Rousselin, COA, P & Z Fax: 512-974-6054

From: F.B. Inks

Ph: 512-327-7230

Re: Zoning Change, 1719-B, Case #C14-06-0714

I object to the proposed Zoning Change, LA to SF-3.

This objection is based on the following facts:

- 1. The original zoning LA should be kept intact because other neighbors have purchased property and built homes under LA zoning**
- 2. We don't need the eventually of 4 - 8 rental duplexes.**
- 3. The present street (Channel Rd) is a one way lane, dead end, no curbs or gutters, one way bridge. The roadway runs partially through private property and is not a dedicated roadway. The COA will not patch or pave until loud, long and vociferous pleas.**
- 4. The COA does not furnish either sewer or water to neighborhood.**
- 5. It is low lying and most is not 72 inches above water/lake level.**
- 6. This is single family neighborhood. The proliferation of SF-2 was simply the means of exempting pre-LA-zoning construction, i.e., the houses thereon were already built.**
- 7. Respectfully, request delay for two weeks in order to further hear neighborhood opinion, and to attempt some sort of compromise with the Applicant. The next meeting is on October 3rd.**

Thanks,

F. B Inks, 1704 Channel Rd., Ph. 327-7230
 **e-mail: inks@austin.rr.com**

RECEIVED

SEP 12 2006

Neighborhood Planning & Zoning

PUBLIC HEARING INFORMATION

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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.

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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. **RECEIVED**
listed on the notice.

Case Number: C14-06-0174 SEP 12 2006

Contact: Jorge Rousselin (512) 974-2975

Public Hearing:

September 19, 2006 Zoning and Platting

Commission

Neighborhood Planning & Zoning

☐ I am in favor
☒ I object

Your Name (please print) Tuan R. Williams, Jr. Peg Rattner

1742 Chancel Rd, Austin TX 78746

Your address(es) affected by this application Peg Rattner

Jan R. Williams Jr. Sept. 11, 2006

Signature

Date

Comments: I request a continuation from the present hearing date, Not for delay but for the purpose of preparing a timely opposition to this rezoning request. The low elevation of the tract results in poor drainage and frequent flooding. An acceptable septic site is unlikely and city water availability is uncertain. Road and bridge infrastructure is inadequate. And increased density will result in severe water vehicle congestion and unsafe driving conditions.

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-9810

RECEIVED

SEP 12 2006

TO: Austin City Council
TO: Zoning and Platting Commission

In care of Jorge Rousselin, Case Manager, PO Box 1088, Austin, TX 78767, fax 974-6054
RE **Case # C14-06-0174** Neighborhood Planning & Zoning

Date: September 11, 2006

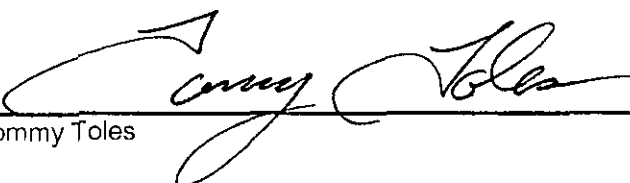
From: Tommy Toles, 4701 Laguna Lane, Austin TX 78746, 512-327-5389, thomas.toles@amd.com

I object to the proposed zoning change of the property at 1719 Channel Road as described in case **C14-06-0174**. My request is to maintain the existing LA zoning designation.

My current concerns are as follows:

- 1) The City of Austin has established the LA zone for large tract properties near the 492.8 contour line. I purchased my property, which is within 300 ft of the property at 1719 Channel Road, in the year 2000 and developed it according to the LA requirements. I believe that Mr. Peterson should also abide by the LA zoning guidelines developed by the city for this area.
- 2) The LA designation limits impervious cover and this designation is critical to maintaining the current neighborhood ecosystem. Currently much of the area's rain water runoff travels across this property as it makes its way to Lake Austin/Colorado River. If a rezoning is allowed, the incremental development will block rainwater flow and has the potential to create excessive pooling of water in the community.
- 3) More dense population allowed by rezoning would encourage multiple septic systems on the property that could have an adverse affect on the water quality of Lake Austin. Due to the elevation of the land and run-off areas mentioned in item #2 above, the LA zoning is most appropriate for this land parcel. By maintaining the LA zone, the City of Austin creates the best opportunity for water quality.
- 4) The LA zone was established to protect overcrowding along the lake. While some of the adjacent properties did receive a zoning change from LA to SF-2 in 1983, these lots had pre-existing homes and were already established legal lots that did not meet the LA zone requirements. The property at 1719 Channel road does not have a pre-existing home, does meet the requirements of the LA zoning, and is large enough to facilitate development in accordance within the existing guidelines.
- 5) Additional development beyond the LA zoning will increase wear-and-tear on the current privately maintained single lane roads of Channel Rd and Laguna Lane and on the deteriorating one-lane bridge on Channel Road. Currently these roads are not curbed and guttered, are not built to City of Austin specification, and are not maintained by the City. Development of this property beyond the LA zoning will further increase the traffic load and will adversely affect the road and bridge quality.
- 6) Additional development beyond the LA zoning has the potential to create a road safety issue along Laguna Lane, Channel Rd, and Sandy Acre Lane. These are all one-lane roads with no sidewalks or shoulders. Families with small children live on these roads and a zoning change would potentially allow up to 12 additional residences to be constructed. The increased car trips generated by this many homes will create a more hazardous environment for joggers, bicyclists, children, animals, and current residents.

I would also like to request a deferment of the hearing of this case until October 3, 2006. This will allow me and my neighbors additional time to further research the impact of this project on our community. Additionally, this deferment will provide the opportunity for more discussions with Mr. Peterson in the hope that these concerns can be discussed at the community level.

X  Sept 11, 2006
Tommy Toles

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.

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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.

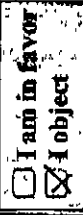
Case Number: C14-06-0174

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

September 19, 2006 Zoning and Platting

Commission



John Hanna
Your Name (please print)

4801 LAGUNA LANE

Your address(es) affected by this application

9-12-06

Signature

Date

Comments: I strongly object to the

re-zoning of this property. This property

is zoned L# to protect it from high

density development. That is the

correct zoning as it stands now.

RECEIVED

SEP 12 2006

Neighborhood Planning & Zoning

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-0888

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.

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RECEIVED

SEP 12 2006

Case Number: C14-06-0174

Contact: Jorge Roeselin (512) 974-2977

Public Hearing:

September 19, 2006 Zoning and Planning

Commission

Neighborhood Planning & Zoning

() I am in favor
(X) I object

Mark Mathias

Your Name (pls use print)

4108 Senior Free Lane

Your address(es) affected by this application

Mark Mathias

Signature

9-12-06

Date

Comments

SE-3 zoning is appropriate for the neighborhood. It would allow much greater density than would be possible and would change the neighborhood feel. With proximity to the lake, the low lot levels, and the lack of city water and wastewater, there are traffic, flooding and especially runoff concerns with Lake Austin. Neighboring properties with SF 2 were not appropriate to be zoned originally as LA because they were less than one acre. The subject property is more than an acre. The owner brought it knowing it was zoned LA and it would be more in keeping with the neighborhood to keep it LA and allow for variances as it is being developed.

Due to the short notice on the deadline for comments and the relative quickness of the hearing, I would request a postponement of the September 19th hearing to allow for neighborhood consultations with the owner.

If you use this form for comment, it only be returned to

City of Austin

Neighborhood Planning and Zoning Department

Jorge Roeselin

P O Box 1088

Austin, TX 78767-0888

PUBLIC HEARING INFORMATION

The 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.

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RECEIVED

Case Number: C14-06-0174

SEP 12 2006

Contact: Jorge Rousselin (512) 974-2675

Public Hearing:

September 19, 2006 Zoning and Planning Neighborhood Planning & Zoning Commission

☒ I am in favor
☐ I am against
☐ I object

LEE GROS

Your Name (please print)

4106 SANDY ACRE LN.

Your address(es) affected by this application

[Signature]

Signature

9-11-06

Date

Comments

SF-2 SEEMS TO BE THE

MORE APPROPRIATE ZONING FOR

OUR NEIGHBORHOOD NOT SF-3.

WITHOUT WATER & WASTEWATER

SERVICES FROM THE CITY IT IS

DIFFICULT TO IMAGINE HOW SF-3

WOULD BE AN ENVIRONMENTALLY

RESPONSIBLE ZONING.

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P.O. Box 10688

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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RECEIVED

Case Number: C14-06-0174

Contact: Jorge Rousselin, (512) 974-2975 SEP 12 2006

Public Hearing:

September 19, 2006 Zoning and Platting

Commission

Neighborhood Planning & Zoning

☐ I am in favor

☒ I object

Donna Talbot

Your Name (please print)

4825 Laguna Ln Austin, TX 78746

Your address(es) affected by this application

Donna Talbot

Signature

Date

9-12-2006

Comments: Request to delay - neighborhood trying to work out solution - we understand the next hearing would be 10-3-06. Prefer to keep as SA not SF3 concerns: drainage - not conducive to excess septic - lots stand in water after rains - if build up the elevation will drain into cover - danger to drinking supply sitting on water way. Need the power lines closer to ensure a healthy water source. SF3 allows over build of the property - puts excessive stress on already maintained roads + If you use this form to comment, it may be returned to.

City of Austin, Nature Sensitive Area.

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-9910

PUBLIC HEARING INFORMATION

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RECEIVED

Case Number: C14-06-0174 SEP 12 2006

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

September 19, 2006 Zoning and Platting Neighborhood Planning & Zoning

Commission

☐ I am in favor
☒ I object

Bob Talbot

Your Name (please print)

4825 Laguna Ln. Austin 78744

Your address(es) affected by this application

Bob Talbot

Signature

Date

Continuance to NW neighbor to try to
create a solution - keep zoning - private
ad bridge maintenance - lane rd -
area can not handle traffic or environment
the population density. Concern
that future owners have zoning
to build to capacity. If not it -
no more than 3FL.

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P O. Box 1088

Austin, TX 78767-8810

September 12, 2006

To: Austin City Council
Zoning and Platting Commission

C/O: Jorge Rousselin
Case Manager

RECEIVED

SEP 12 2006

Re: Case Number C14-06-0174

From: Jeanna Inks Black
1709 Channel Road
Austin, TX 78746
(512) 327-8980

Neighborhood Planning & Zoning

Dear Council Members and Members of the Zoning and Platting Commission,

I OBJECT to the rezoning of 1719 Channel Road as referred to in Case C14-06-0174.

The City of Austin originally zoned this property LA to preserve the environment and the beauty of the Lake Austin properties. Austin takes PRIDE in both, which is why we live here and enjoy the Austin life! I implore you to not look at a MAP to make this decision, but drive out to our neighborhood and see for yourself! We are NOT your standard neighborhood, and to make changes in the zoning based on a piece of paper, will not do justice for either you, the officials we trust to uphold our Austin values, or us!

I understand that many properties surround 1719 Channel Road are already zoned SF. These lots were zoned SF as a default, because when the City decided to help preserve our environment and lake beauty, these lots were already subdivided into smaller than one acre lots. The LA zoning was to PREVENT more postage-stamp sized lots being developed. To now turn around, and grant a rezoning, you are "undoing" what your forefathers of this City decided to prevent when they created the LA zone in the first place.

Besides the ethical and moral issues, this property has a serious drainage problem. It floods with each rain. Please closely examine the flood plane map. I was told that OVER ONE-HALF(up to 2/3rds) of the lot was located in the flood plane. For the owner to build ONE home, he will be required to bring in fill material. This requirement will be even more amplified with his intention of building several homes. Not only will this be an issue with the current property owner, it will also be an issue with his surrounding property owners and neighbors if zoned otherwise. By allowing more than one home to sit on this property, the drainage will then be forced either into the yards of the neighbors or into the already filled pond.

In addition to the existing drainage issue, there is the consideration of adding a required septic system. More than one system, as the current owners plans call for, will have a serious impact on the water quality of Lake Austin – the water source of not only those of us on Channel Road and Laguna Lane (we are not provided water, so must clarify and pump our own), but the water source of the entire City of Austin.

Traffic on our one-lane bridge and road will also increase significantly if more than one home site is allowed at this lot. We are NOT a city street. We are not curbed and guttered. The neighbors and property owners maintain this passageway at their own expense. Again, please DRIVE down here before you make a decision!

In conclusion, please uphold the decisions made when the LA Zoning was created by those before you in YOUR positions in the City. They had “just” reason, and there is NO reason to change their rules! If you are basing your decision on the existence of other SF's in the area, I have the following for you to consider. As I mentioned above, the others were only zoned SF because they were pre-existing/subdivided into less than one acre lots at the time of the current zoning and could not be zoned LA.

The current owner purchased this property with full disclosure (as required by law) and knowledge as to the current zoning allowance permitting only one home. He also is aware that over ½ of this lot is located in the flood plane. Please do not let someone seeking monetary gains sway your predecessor's decisions by changing the LA zoning that was created to preserve Austin's environment, lakes and beauty! Please do not allow the desire for financial gain of one individual to affect the roots and heritage of some of our families that have the FIFTH generation (from MY great grandparents to my children) enjoying Channel Road, and they will hopefully pass it on to their children.

We would like to work personally with the owner to come to a mutually acceptable solution for this land. If possible, could we request a deferment of the hearing to Oct. 3, 2006.

Thank you for your considerations.

Best Regards,

Jeanna Inks Black

Jeanna Inks Black
512/327-8980

(owner of 1707 and 1709 Channel Road.)

Planning & Zoning Commission
and Austin City Council

Re: George Rousselon

RECEIVED

SEP 12 2006

re: case # C 14-06-0174
1719 Channel Rd.

Neighborhood Planning & Zoning

Dear Sirs:

I would like to object
to rezoning of this piece of
property.

Thank you,

Barbara and Jack

Blankenship
1744 Channel Rd
bblank0728@aol.com

RECEIVED

SEP 12 2006

TO: Austin City Council
TO: Zoning and Platting Commission

Neighborhood Planning & Zoning

In care of: Jorge Roussein, Case Manager, P.O. Box 1088, Austin, TX 78767, fax 974-6054

RE: Objection to Case #C14-06-0174

Date: September 12, 2006

From: Bruce Wasinger and Shari Gary, 1754 Channel Road, Austin, TX 78746, 512-327-3320,
bwasinger@bickerstaff.com


We object to the proposed zoning change of the property at 1719 Channel Road as described in case C14-06-0174. Our request is to maintain the existing LA zoning designation.

We have several concerns with the proposed zoning change, including:

- 1) More dense population allowed by rezoning would encourage multiple septic systems on the property that could have an adverse affect on the water quality of Lake Austin. Lake Austin is the City's main source of water for municipal use and maintaining its water quality should be high on the City's agenda. Increasing the number of septic tanks along Lake Austin is directly contrary to protecting the water quality of Lake Austin.
- 2) The LA zone was established to protect overcrowding along the lake. While some of the adjacent properties did receive a zoning change from LA to SF-2 in 1983, these lots had pre-existing homes and were already established legal lots that did not meet the LA zone requirements. The property at 1719 Channel Road does not have a pre-existing home, does meet the requirements of the LA zoning, and is large enough to facilitate development in accordance within the existing LA zoning requirements.
- 3) Additional development beyond the LA zoning will increase wear-and-tear on the current privately-maintained single-lane roads of Channel Road and Laguna Lane and on the deteriorating one-lane bridge on Channel Road. Currently these roads are not curbed and guttered, are not built to City of Austin specification, and are not maintained by the City. Development of this property beyond the LA zoning will further increase the traffic load and will adversely affect the road and bridge quality.
- 4) A substantial portion of the property at 1719 Channel Road may be in the 100-year floodplain. Allowing for an increase in the density on this tract could result in more houses in the 100-year floodplain.
- 5) Drainage in this neighborhood is already a problem. More dense development will also increase the already existing drainage problem.

We hereby request a continuance of the hearing in this case until at least October 3, 2006. This request for continuance is not for the purpose of delay but would afford my neighbors and us additional time to review the applications and/or possibly reach a settlement with Mr. Peterson.


Bruce Wasinger


Shari Gary

RECEIVED

SEP 12 2006

TO: Austin City Council**TO: Zoning and Platting Commission**

Neighborhood Planning & Zoning

In Care of: Jorge Rousselin, Case Manager, PO Box 1088, Austin TX 78767, fax 974-6054**RE Case # C14-06-0174**

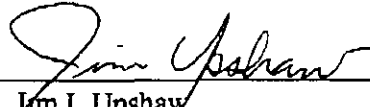
Date: Sept. 12, 2006

From: Caren & Jim Upshaw, 1715 Channel Rd. Austin TX 78746, 232-1613, 587-3550,
caren@carenupshaw.com, j.upshaw@mail.utexas.edu

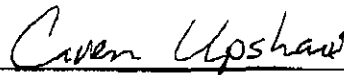
WE OBJECT to the proposed zoning change of the property at 1719 Channel Rd. as described in above case #. Our request is to maintain the existing LA zoning designation.

Our comments are as follows:

1. **We request a deferment until Oct. 3, 2006** to further gather information, and hopefully reach agreement with our neighbor. Prior to receiving our letters from the City in the mail, I saw signs put up by a Code Enforcement Officer, but they were removed by someone within a few hours, so many neighbors did not have much warning.
2. **The city's decision to zone it LA was the correct decision. The neighborhood needs a large tract of land to assist with water run off and to keep the density of development low.** Channel Rd. is a narrow single lane road created by easements to smaller homes built primarily in the 60's and 70's. The undeveloped property at 1719 Channel Road has served as the un-official greenbelt or parkland for the neighborhood from day one. The neighborhood and this property's elevations are only a few feet above Lake Austin. There are no street curbs, gutters or drains. There is no city sewer or water lines and all residents must use septic fields and private water systems. **Rezoning this property to allow multi-homes will probably result in causing water to run into the neighboring lots, or directly into the lake.** The Channel Road community is a peninsula, almost like an island in that it is only accessible by a single lane bridge, so to increase the density affects each neighbor personally on the street, not just those next door.
3. **It was sold to the current owner with full knowledge it was LA zoned, and Mr. Peterson indicated then that he only wanted to build one home.** That fits with the land because there are two permanent deeded easements running across it, so it will be extremely hard to subdivide to allow for those driveways, as well as stay above the flood plain AND put in a legal septic system.
4. **The flood plain is a very real situation.** A previous owner had the 100 year flood plain marked off, and a good portion of this property was below that elevation. We are not sure why this parcel would be considered for re-zoning other than to allow development at a higher density. If that is the only reason needed to change from LA zoning, the city would be setting a bad precedent that could result in degrading of the city's water quality.

X  9-12-06 X

Jim L Upshaw

X  9-12-06

Caren R Upshaw

RECEIVED

SEP 12 2006

TO: Austin City Council**TO: Zoning and Platting Commission**

Neighborhood Planning & Zoning

In Care of: Jorge Rousselin, Case Manager, PO Box 1088, Austin TX 78767, fax 974-6054**RE Case # C14-06-0174****Date: Sept. 12, 2006**

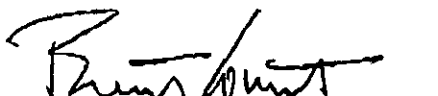
From: Brent & Nicole Covert, 1719-A Channel Rd. Austin TX 78746, 512-347-8040,
brentcovert@gmail.com, nicolecovert@gmail.com

WE OBJECT to the proposed zoning change of the property at 1719 Channel Rd. as described in the above case #. Our request is to maintain the existing LA zoning designation.

Our comments are as follows:

1. Please defer the hearing in front of the Zoning and Platting Commission to October 3, 2006. As the posted signs were illegally removed shortly after being put up, many of the neighbors were not made aware of the hearing date. Due to the exceptional neighborhood interest in this matter, I ask you to consider the deferment.
2. The property in question is currently zoned LA. The City had good reasons for zoning this property in the first place and those reasons have not changed. In fact, they are more relevant today. Several properties in the neighborhood were given exemptions when they were built many years ago due to lack of controls by the City. This is not the case for the property in question.
3. The City of Austin can not ignore the environmental issues associated with re-zoning this property. The property can not and should not have multiple septic systems which drain directly into Lake Austin. In addition, the impervious cover restrictions are in place to protect everyone from this type of over development.
4. Many, if not all, families in the neighborhood receive their drinking water directly from Lake Austin. The LA zoning is in place to protect this drinking water. I can't imagine the City of Austin condoning development that will have an immediate and definite affect of people's drinking water.
5. I am one of several property owners in this neighborhood with land zoned LA. I would hate for the City of Austin to set such a devastating precedent. What is to prevent more petitions for re-zoning in the future based on your decision with regards to the property in question? Nothing. Do you want that horse out of the barn?

Thank you for your consideration.


Brent Covert

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.

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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.

RECEIVED

Case Number: C14-06-0174 SEP 13 2006

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

September 19, 2006 Zoning and Platting
Commission

☐ I am in favor
☒ I object

DEAN LUPUL

Your Name (please print)

1711 CHANNEL RD Austin 78746

Your address(es) affected by this application

9-12-06

Date

Signature

Comments: LA ZONING - LOW DENSITY IS INAPPROPRIATE TO THE NEIGHBORHOOD BECAUSE OF SERIOUS DRAINAGE PROBLEMS. THERE IS NO SEWER CONNECTION - WATER FROM MANY PLACED DRAINS TO THIS LOW DENSITY FOR DEFENSE APPLICANTS TO TAKE QUANTITY. CHANGED TO THIS PERMITS ALL RESIDENTIAL USES - HIGHLY AFFORDABLE HOUSING. BLOCK OF THE INTERSECTION OF THE FLORENCE. ③ PRIVATE RD ACCESS IS LESS THAN 15' WIDE IN AREAS AND THEREFORE SAFETY OF CARS - CHILDREN IS A SERIOUS CONCERN WITH INCREASED TRAFFIC. ④ NO ECONOMIC KNOWLEDGE TO CURRENT OWNER OR

LIVES ON THE STREET AND PLACEDS RESIDENTS WITH THE CURRENT LA ZONING AND FULL INFORMATION

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-0888

PUBLIC HEARING INFORMATION

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Case Number: C14-06-0174 SEP 13 2006

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing: Neighborhood Planning & Zoning

September 19, 2006 Zoning and Platting

Commission

MARK MATHIAS
Your Name (please print)

4108 SANDY ACRE LANE
Your address(es) affected by this application

MARK MATHIAS
Signature

9-12-06
Date

Comments:

SF-3 zoning is not appropriate for the neighborhood. It would allow much greater density than would be suitable and would change the neighborhood feel. With proximity to the lake, the low lot levels, and the lack of city water and wastewater, there are traffic, flooding and especially runoff concerns with Lake Austin. Neighboring properties with SF-2 were not appropriate to be zoned originally as LA because they were less than one acre. The subject property is more than an acre. The owner bought it knowing it was zoned LA and it would be more in keeping with the neighborhood to keep it LA and allow for variances as it is being developed.

Due to the short notice on the deadline for comments and the relative quickness of the hearing, I would request a postponement of the September 19th hearing to allow for neighborhood negotiations with the owner.

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P O. Box 1088

Austin, TX 78767-9810

PUBLIC HEARING INFORMATION

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Case Number: C14-06-0174 SEP 13 2006

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

September 19, 2006 Zoning and Platting

Commission

Neighborhood Planning & Zoning

☐ I am in favor
☒ I object

Frances Ham
Your Name (please print)

4801 Laguna Lane, Austin 78746-1230
Your address(es) affected by this application

Frances Ham 9/11/06
Signature Date

Comments

I oppose the application for SF3 zoning because of environmental concerns related to drainage from the land in question a large part of which is close to the level of Lake Austin. Originally this property was zoned LA to protect it from high density development and drainage directly into Lake Austin. Although parcels around it were zoned with higher density due to their not having enough acreage for LA zoning next to none of these have high density housing.

I, for one, would be most pleased to work with the applicant to achieve his stated objective of building two houses on the property by using variances from the current LA zoning. I respectfully request a postponement to the 9/19 hearing to 10/3 so that an neighbor can be there. If you use this form to comment, it may be returned to.

City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P. O. Box 1088

Austin, TX 78763-9810

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Case Number: C14-06-0174 SEP 15 2006

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

September 19, 2006 Zoning and Platting

Commission

Neighborhood Planning & Zoning



LEE GROS

Your Name (please print)

4106 SANDY ACRE LN.

Your address(es) affected by this application

[Signature]

Signature

9-11-06

Date

Comments **SF-2 SEEMS TO BE THE**

MORE APPROPRIATE ZONING FOR

OUR NEIGHBORHOOD NOT SF-3.

WITHOUT WATER & WASTEWATER

SERVICES FROM THE CITY, IT IS

DIFFICULT TO IMAGINE HOW SF-3

WOULD BE AN ENVIRONMENTALLY

RESPONSIBLE ZONING.

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-9810

JAY FRANK POWELL
1810 ROCKCLIFF ROAD
AUSTIN, TEXAS 78746

RECEIVED

SEP 18 2006

Neighborhood Planning & Zoning

RE; Case # C14 - 06 - 0174
1719 Channel Road - Unit B ?

City of Austin Neighborhood Planning and Zoning
Attention: Jorge Rousselin
P. O. Box 1088
Austin, Texas 78767-8810

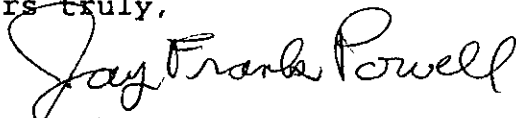
Dear Mr. Rousselin:

The proposed zoning change for this property is very objectionable due to the elevation of the lot, the very limited access to the lake and neighborhood compatibility.

In my years on the Austin Planning Commission, we realized that one acre minimum lot size was necessary to protect water quality in Lake Austin. Earlier smaller lot sizes have proven to have too much impervious cover and have degraded the water quality of our drinking water from the water intakes on Lake Austin. With most of this property below the 100 year flood plain it would be even worse to approve SF-3 zoning. In the 1981 flood on Lake Austin, this property was under water.

A minimum lot size of 5,750 square feet would be a definite mistake on this property.

Yours truly,



Jay Frank Powell
President, Windy Cove Neighborhood Association
President, Lake Austin Hill Country Neighborhood Association
Former Planning Commission Member

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SEP 25 2006

PETITION

Neighborhood Planning & Zoning

Date: September 12, 2006

File Number C14-06-0174

Address of Rezoning Request: 1719 Channel Road Unit B

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LA (Lake Austin) Zone

Our reasons for protest include the following concerns:

- 1) Existing property in the vicinity is zoned for LA and the owners are abiding by this standard which should be equally applied for the property at 1719 Channel Road
- 2) The LA designation limits impervious cover and this designation is critical to maintaining the current neighborhood ecosystem. Currently much of the area's rain water runoff travels across this property as it makes its way to Lake Austin/Colorado River. If a rezoning is allowed, the incremental development will block rainwater flow and has the potential to create excessive pooling of water in the community.
- 3) More dense population allowed by rezoning would encourage multiple septic systems on the property that could have an adverse affect on the water quality of Lake Austin. Due to the elevation of the land and run-off areas mentioned in item #2 above, the LA zoning is most appropriate for this land parcel. By maintaining the LA zone, the City of Austin creates the best opportunity for water quality.
- 4) The LA zone was established to protect overcrowding along the lake. While some of the adjacent properties did receive a zoning change from LA to SF-2 in 1983, these lots had pre-existing homes and were already established legal lots that did not meet the LA zone requirements. The property at 1719 Channel road does not have a pre-existing home, does meet the requirements of the LA zoning, and is large enough to facilitate development in accordance within the existing guidelines.
- 5) Additional development beyond the LA zoning will increase wear-and-tear on the current privately maintained single lane roads of Channel Rd and Laguna Lane and on the deteriorating one-lane bridge on Channel Road. Currently these roads are not curbed and guttered, are not built to City of Austin specification, and are not maintained by the City. Development of this property beyond the LA zoning will further increase the traffic load and will adversely affect the road and bridge quality.
- 6) Additional development beyond the LA zoning has the potential to create a road safety issue along Laguna Lane, Channel Rd, and Sandy Acre Lane. These are all one-lane roads with no sidewalks or shoulders. Families with small children live on these roads and a zoning change would potentially allow up to 12 additional residences to be constructed. The increased car trips generated by this many homes will create a more hazardous environment for joggers, bicyclists, children, animals, and current residents.

Date September 12, 2006 Contact Tommy Toles Phone 512-327-5389

RECEIVED

SEP 25 2006

Notes.

- PLEASE USE BLACK INK WHEN SIGNING PETITION
- If you own multiple properties listed, please provide your signature **Neighborhood Planning & Zoning**

<u>Prop ID</u>	<u>Ref ID 2</u>	<u>Owner Name</u>	<u>Address</u>	<u>Signature</u>
<u>128941</u>	01331101140000	CAHILL WEEKS BEVERLY DAWN	1702 CHANNEL RD	New Owner
<u>128942</u>	01331101140001	CAHILL WEEKS BEVERLY DAWN	1702 CHANNEL RD	
<u>128943</u>	01331101150000	INKS MICKEY JEAN RILEY	1704 CHANNEL RD	F.B. Inks Mickey Inks
<u>128944</u>	01331101160000	INKS ROBERT M	1706 CHANNEL RD	Robert Inks
<u>128945</u>	01331101180000	WILLIAMS IVAN R JR	1742 CHANNEL RD	Ivan Williams
<u>128946</u>	01331101190000	BLANKENSHIP JACK E & BARBARA E	1744 CHANNEL RD	
<u>128949</u>	01331101230000	DAVIS TOM M JR	1750 CHANNEL RD	
<u>128950</u>	01331101240000	DAVIS JANICE WASHINGTON & Tom	1752 CHANNEL RD	
<u>128952</u>	01331101260000	WASINGER BRUCE	1754 CHANNEL RD	Bruce Wasinger
<u>128953</u>	01331101270000	WILDER ELIZABETH JARMON	1756 CHANNEL RD	Elizabeth Wilder
<u>128955</u>	01331101300000	DAVIS JANICE WASHINGTON ET AL	1752 CHANNEL RD	
<u>128957</u>	01331101320000	LUPUL DEAN & JENNIFER	1711 CHANNEL RD	Dean Lupul
<u>128958</u>	01331101330000	INKS JEANNA SUE	1709 CHANNEL RD	Jeanna S. Inks
<u>128959</u>	01331101340000	INKS JEANNA SUE	1707 CHANNEL RD	Jeanna S. Inks
<u>128961</u>	01331101350000	OGLE CLAUDIA WENDY	1705 CHANNEL RD	
<u>128977</u>	01331101480000	UPSHAW JIM & CAREN	1715 CHANNEL RD	Jim Upshaw
<u>128979</u>	01331101500000	COVERT BRENT & NICOLE NUGENT	1719 CHANNEL RD	Brent Covert Nicole Nugent Covert
<u>128995</u>	01331101720000	WYATT OLLIE BULLOCK	1758 CHANNEL RD	Ollie Wyatt
<u>128997</u>	01331101750000	WENDLANDT HENRY JR	1716 CHANNEL RD	

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SEP 25 2006

Neighborhood Planning & Zoning	00000	ERBRING FELIX	1714 CHANNEL RD	<i>Felix Erbring</i>
<u>128999</u>	01331101770000	HOGAN GINA WYATT & R L WYATT I	CHANNEL RD	<i>R. L. & Gina Wyatt (Hogan)</i>
<u>474498</u>	01331101350002	OGLE CLAUDIA WENDY	1705 CHANNEL RD	
<u>495774</u>	01331101240001	DAVIS JANICE WASHINGTON & TOM	1752 CHANNEL RD	
<u>128980</u>	01331101510000	TALBOT BOB & DONNA J	4825 LAGUNA LN	<i>for Tall - Donna J Talbot</i>
<u>128983</u>	01331101540000	DUNBAR ROBERT	4813 LAGUNA LN	
<u>128984</u>	01331101550000	MCAISTER ALFRED L & MARJATTA	4807 LAGUNA LN	
<u>128985</u>	01331101560000	HAMM JOHN E & FRANCES B	4801 LAGUNA LN	<i>John & Frances Hamm</i>
<u>128986</u>	01331101570000	YATES RANDAL W	LAGUNA LN	
<u>128987</u>	01331101580000	HECHT NATHAN L	LAGUNA LN	<i>Nathan C. Hecht</i>
<u>128988</u>	01331101590000	HECHT NATHAN L	4703 LAGUNA LN	<i>Nathan C. Hecht</i>
<u>128989</u>	01331101600000	TOLES THOMAS D & KANDY B TOLES	4701 LAGUNA LN	<i>Thomas D. Toles</i>
<u>128939</u>	01331101130000	SKAGGS MAURICE L & MYRTLE J	4000 SANDY ACRE LN	
<u>128963</u>	01331101360000	RODGERS WILLIAM C IV & TERRI	4004 SANDY ACRE LN	<i>Don</i>
<u>128964</u>	01331101370000	GOSSETT WILLIAM G & L MCGINTY	4100 SANDY ACRE LN	<i>William G. Gossett</i>
<u>128965</u>	01331101380000	GROS LEE & MARY ANN	4106 SANDY ACRE LN	<i>Lee & Mary Ann Gros</i>
<u>128966</u>	01331101390000	GAROFALO PETER M & JANNA L	4104 SANDY ACRE LN	
<u>128968</u>	01331101400000	MATHIAS MARK & KATHY	4108 SANDY ACRE LN	<i>Mark Mathias</i>
<u>128969</u>	01331101400002	MATHIAS MARK & KATHY	4200 KMM 4108 SANDY ACRE LN	<i>Kathy Mathias</i>
<u>128970</u>	01331101410000	MCKAY GREGORY D	4202 SANDY ACRE LN	<i>Jay D. McKay</i>

These neighbors on Rockcliff Road are on the approach to Channel Road and have all expressed an interest in keeping the development limited to current Zoning. A few are out of town, but have asked us to sign their proxy until they can get back, or sign a copy of the petition to mail.

RECEIVED

SEP 25 2006

Neighborhood Planning & Zoning

1					
	PID	Address	City	Use	Owner
1 <input type="checkbox"/>	01331101420000	1800 ROCKCLIFF RD		C1	MCKAY GREGORY D
2 <input type="checkbox"/>	01331101430000	4605 ROCKCLIFF RD	AUSTIN	A1	VASQUEZ ZACHARY
3 <input type="checkbox"/>	01331101440000	1804 ROCKCLIFF RD	AUSTIN	A1	GALLE SEAN M
4 <input checked="" type="checkbox"/>	01331101450000	1806 ROCKCLIFF RD	AUSTIN	A2	WILBURN GLORIA C REVOCABLE LIV
5 <input checked="" type="checkbox"/>	01331101470000	1810 ROCKCLIFF RD	AUSTIN	A1	POWELL JAY FRANK Eleanor
6 <input type="checkbox"/>	01331101610000	4625 ROCKCLIFF RD	AUSTIN	A1	RICHARD DAVID R
7 <input type="checkbox"/>	01331101780000	1610 ROCKCLIFF RD	AUSTIN	A1	KIVLIN BRUCE NOEL

XZACHTRIM@CS.COM

for SH

Gloria C. Wilburn 9/14/06

Eleanor Powell

8
☒ 01331101460000 1809
ROCKCLIFF RD AUSTIN A1 MILLAN,
RICHARD

Richard Millan 9/14/06

Notes:

- PLEASE USE BLACK INK WHEN SIGNING PETITION
- If you own multiple properties listed, please provide your signature for each property

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Neighborhood Planning & Zoning

Tom M. Davis
Janice W. Davis
Janice Davis Wells
Tom M. Davis

Janice W. Davis
Janice Davis Wells
Tom M. Davis

RECEIVED

SEP 25 2006

<u>128998</u>	01331101760000	ERBRING, FELIX	1714 CHANNEL RD
<u>128999</u>	01331101770000	HOGAN GINA WYATT & R L WYATT I	CHANNEL RD
<u>474498</u>	01331101350002	OGLE CLAUDIA WENDY	1705 CHANNEL RD
<u>495774</u>	01331101240001	DAVIS JANICE WASHINGTON &	1752 CHANNEL RD
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<u>128966</u>	01331101390000	GAROFALO PETER M & JANNA L	4104 SANDY ACRE LN
<u>128968</u>	01331101400000	MATHIAS MARK & KATHY	4108 SANDY ACRE LN
<u>128969</u>	01331101400002	MATHIAS MARK & KATHY	4108 SANDY ACRE LN
<u>128970</u>	01331101410000	MCKAY GREGORY D	4202 SANDY ACRE LN

Neighborhood Planning & Zoning

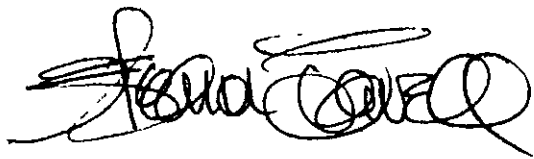
Jon M. Davis
Janice W. Davis
Donna J. Davis
Tom M. Davis

SEPT. 14th, 2006

~~Tommy~~
Tommy. FYI & File
/ Chuck

Dear Mickey & Chuck -

As we discussed on the phone yesterday -
Jay and I give our written permission
for you to sign our names on the
neighborhood petition for case #
C14-06-0174 1719 Channel Road



ELEANOR POWELL

RECEIVED

SEP 25 2006

Neighborhood Planning & Zoning

Jay Frank Powell
JAY FRANK POWELL

P.S. I've enclosed a copy of Jay's
letter to JORGE.

PETITION

Case Number

C14-06-0174
TRACT 47

Date

Oct 2, 2006

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

364,726 54

1	01-3311-0115	INKS MICKEY JEAN	216 28	0 06%
2	01-3311-0116	INKS ROBERT M	5,499 17	1.51%
3	01-3311-0118	WILLIAMS IVAN R JR	7,814 81	2.14%
4	01-3311-0124	TOM MARTIN DAVIS	9,200 60	2 52%
5	01-3311-0126	WASINGER BRUCE	11,557 44	3 17%
		TOM MARTIN DAVIS		
6	01-3311-0130	III	11,133 42	3 05%
		LUPUL DEAN &		
7	01-3311-0132	JENNIFER	22,119 44	6 06%
8	01-3311-0133	INKS JEANNA SUE	19,479 19	5.34%
9	01-3311-0134	INKS JEANNA SUE	17,937 40	4 92%
		GROS LEE & MARY		
10	01-3311-0138	ANN	100 07	0 03%
		UPSHAW JIM &		
11	01-3311-0148	CAREN	19,675 03	5 39%
		COVERT BRENT &		
12	01-3311-0150	NICOLE NUGENT	42,798.04	11.73%
		TALBOT BOB &		
13	01-3311-0151	DONNA J	35,005 92	9 60%
		HAMM JOHN E &		
14	01-3311-0156	FRANCES B	8,912 55	2 44%
15	01-3311-0158	HECHT NATHAN L	2,844 07	0 78%
16	01-3311-0176			0 00%
17				0 00%
18				0 00%
19				0 00%
20				0 00%
21				0 00%
22				0 00%
23				0 00%
24				0 00%
25				0.00%

Validated By:

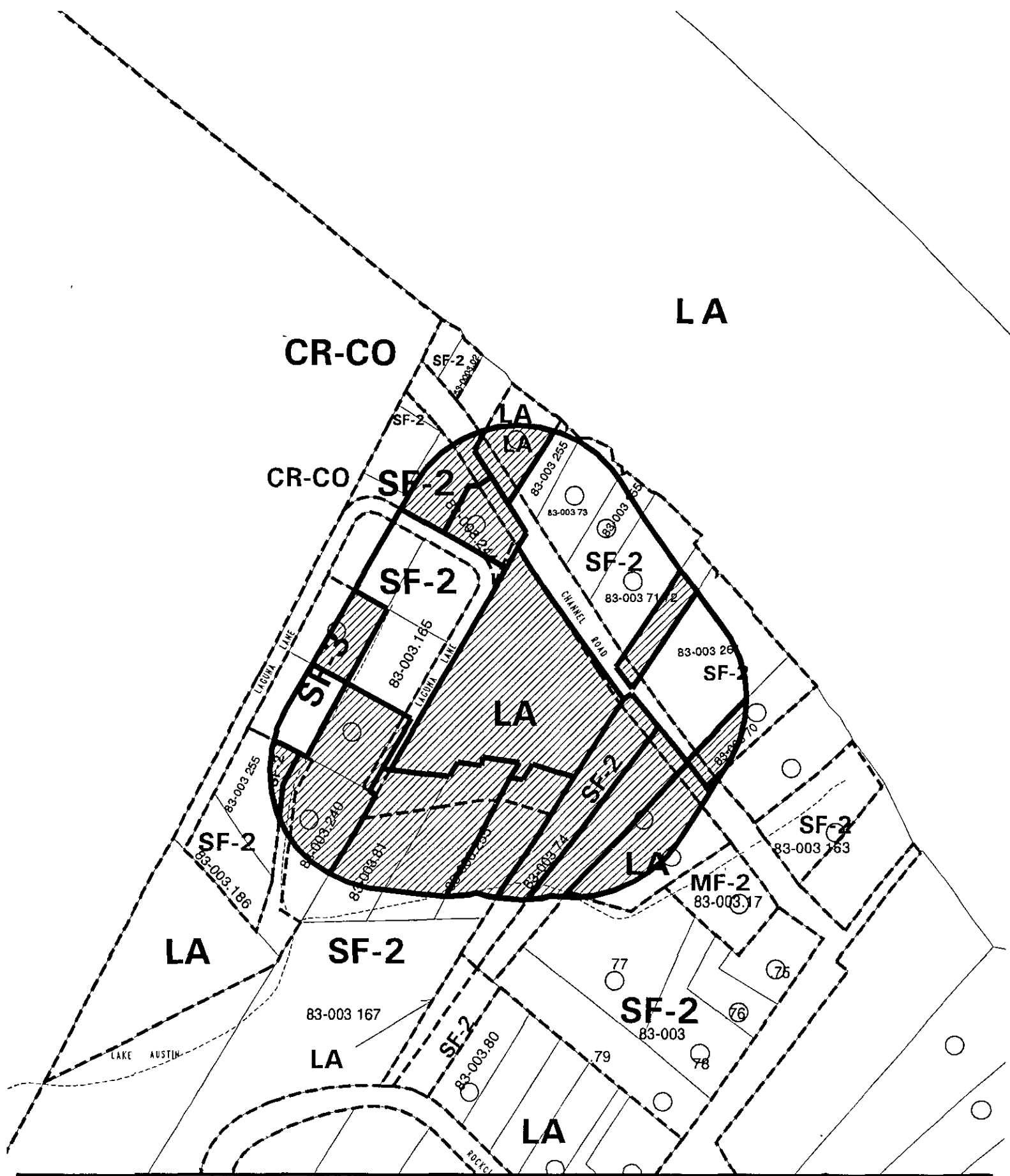
Stacy Meeks





Total Area of Petitioner:

214,293.43

Total %

58.75%



 1" = 200'	SUBJECT TRACT 	PETITIONS		CITY GRID REFERENCE NUMBER G28
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-06-0174	DATE 06-10	
	CASE MGR J ROUSSELIN	ADDRESS 1719 CHANNEL RD UNIT B	INTLS SM	
		SUBJECT AREA (acres): 1728		