

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0011

Z.A.P. DATE: April 16, 2013
May 21, 2013
June 4, 2013

ADDRESS: 11800 Arabian Trail

OWNER/APPLICANT: Xue Yun Tang

AGENT: Shaw Hamilton Consultants (Shaw Hamilton)

ZONING FROM: SF-2 **TO:** ~~GR~~ GR-CO* **AREA:** 0.50 acres

*On April 1, 2013, the applicant sent the staff an e-mail requesting to prohibit access on the property to Arabian Trail. Therefore, the applicant will not have to collect traffic counts and the neighborhood traffic analysis for this site has been waived.

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to deny GR, Community Commercial District, zoning.

However, if the zoning is recommended by the Zoning and Platting Commission and granted by the City Council, the staff would recommend that a conditional overlay be established that would prohibit access to Arabian Trail and limit the development intensity on the site to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION:

4/16/13: Postponed to May 21, 2013 at the neighborhood's request (7-0); P. Seeger-1st,
R. McDaniel-2nd.

5/21/13: Postponed to June 4, 2013 at the applicant's request (5-0, C. Banks and J. Meeker-absent);
G. Rojas-1st, P. Seeger-2nd.

DEPARTMENT COMMENTS:

The property in question is currently developed with a single-family residence and that fronts onto Arabian Trail and fenced off from Jollyville Road. The applicant is requesting GR, Community Commercial District, zoning because he would like to redevelop the property with a restaurant use.

The staff recommends denial of the applicant's request because this tract of land is situated at the entrance to a single-family residential neighborhood and is located adjacent to SF-2 and SF-3 zoning to the north, east and west. The site does not meet the intent of the GR zoning district because the property and the existing residential structure front onto Arabian Trail, a local residential street. The property in question is located within a single-family residential neighborhood and is surrounded by single-family houses on three sides. In addition, the U.S. 183/Jollyville Road Area Study designates the property in question for single-family district uses.

The applicant does not agree with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Single-Family Residence
<i>North</i>	SF-2	Single-Family Residences
<i>South</i>	LO	Vacant Office Structure
<i>East</i>	SF-2	Single-Family Residences
<i>West</i>	SF-3, GR, LO	Undeveloped Area, Restaurant and parking area (Jollyville Bar & Grill), Office (Jollyville Professional Building)

AREA STUDY: U.S. 183/Jollyville Road Area Study

(This Area Study designates the property in question for single-family district uses. The U.S. 183 Study was approved by the City Council in November of 1978. The Area Study recommended that a 120-foot deep strip of land along Jollyville Road be zoned "O" Office zoning (which was converted to LO, Limited Office, in 1985) and that a 200 foot strip of land along the west side of Jollyville Road be zoned "A" Residence (which was converted to SF-3, Family Residence, in 1985). The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date. The policy of SF-3 on the west side of Jollyville Road was never approved or implemented, and today the west side of Jollyville Road is primarily zoned office and multi-family, with the majority of office zoning being LO zoning. The recommendation for a 120-foot strip of LO zoning along the eastern portion of Jollyville Road was incorporated into the Jollyville Road Study, which was adopted in 1984).

TIA: Not required**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**REGISTERED NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Monorail Project
 Beyond2Nature
 Bike Austin
 Bull Creek Foundation
 Homeless Neighborhood Association
 League of Bicycling Voters
 Long Canyon Homeowners Association
 North Oaks Neighborhood Association
 SELTEXAS
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin

SCHOOLS:

North Oaks Elementary School
 Canyon Vista Middle School
 Anderson High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0146 (Jollyville Food Mart: 11794 Jollyville Road)	LR-CO, LO to LR	10/05/10: Approved staff's recommendation of LR-CO zoning on consent with the following conditions: 1) Limit the site to less than 2,000 vehicle trip per day, 2) prohibit Restaurant (Limited), Counseling Services, Guidance Services and Safety Services (7-0); P. Seeger-1 st , D. Tiemann-2 nd .	11/4/10: Approved LR-CO zoning on all 3 readings on consent (7-0); Cole-1 st , Spelman-2 nd .
C14-2010-0097 (11777 Jollyville Road Rezone)	SF-2 to LO	8/03/10: Postponed to September 7, 2010 at the neighborhood's request (5-1, S. Baldrige-No, T. Rabago-absent); P. Seeger-1 st , D. Tiemann-2 nd . 9/07/10: Postponed to September 21, 2010 at the applicant's request (7-0); P. Seeger-1 st , D. Tiemann-2 nd . 9/21/10: Postponed indefinitely at the applicant's request (7-0); G. Bourgeois-1 st , P. Seeger-2 nd . 3/21/11: Case expired according to Land Development Code-Sec. 25-2-246(A)(2).	N/A
C14-2008-0151 (Bary Chiropractic: 11777 Jollyville Road)	SF-2 to GR-MU* *Amended by the applicant to LO-MU at the ZAP meeting	9/02/08: Recommended denial of LO-MU zoning (6-1, K. Jackson-No); T. Rabago-1 st , J. Gohil-2 nd .	12/08/08: Denied LO-MU zoning (6-1, W. Wynn-Nay)
C14-2007-0148 (Beaver Brook Children Center: 11726 Jollyville Road)	SF-2, LO to LO	10/02/07: Approved staff's recommendation for LO-CO zoning with 35' height limit (6-0, C. Hammond, B. Baker-absent); J. Shieh-1 st , K. Jackson-2 nd .	11/08/07: Approved LO-CO zoning (7-0); all 3 readings
C14-2007-0123 (11701 Jollyville Road)	SF-2 to GR-MU* The applicant	10/02/07: Approved staff's recommendation for LO-MU-CO zoning (6-0, B. Baker, C. Hammond-absent); K. Jackson-1 st ,	11/08/07: Approved ZAP recommendation of LO-MU-CO zoning (6-1, J. Kim-No)

	amended their rezoning request to LR-MU-CO	T. Rabago-2 nd .	11/29/07: Approved LO-MU-CO zoning by consent (5-0, J. Kim, M. Martinez-off dais)
C14-2007-0082 (11603 Jollyville Road)	LO, LR to GR-MU	7/17/07: Approved staff's recommendation of GR-MU-CO zoning with added prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0)	8/23/07: Approved GR-MU-CO zoning on all 3 readings (7-0)
C14-2007-0081 (11625 Jollyville Road)	LR-CO to Tract 1: LO, Tract 2: GR-MU	7/17/07: Approved staff's recommendation of LO-CO zoning for Tract 1 and GR-MU-CO zoning for Tract 2 with added prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0)	8/23/07: Approved LO-CO and GR-MU-CO zoning on all 3 readings (7-0)
C14-06-0172 (Arboretum Retirement Community: 11601 Jollyville Road)	LO to Tract 1 (1.570 acres): GR-MU (for 866 to 896 ft above sea level) and MF-6 (for 896 to 986 ft above sea level) Tract 2 (0.424 acres): LO-MU (an area 120 ft in depth on the site from the property line along Jollyville Road)	10/17/06: Approved GR-MU-CO zoning on Tract 1 for an area 866 to 896 ft above sea level and MF-6-CO zoning for an area 896 to 926 ft above sea level; with conditions of a 60-foot height limit and 2,000 vehicle trip limit and approved LO-MU-CO zoning on Tract 2; with conditions of 2,000 vehicle trip limit, limit site to 'LO' district uses and residential accessory uses (prohibiting dwelling units). Vote: 9-0; K. Jackson-1 st , J. Martinez-2 nd . 1/09/07: Approved staff rec. of GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2, with a 2,000 vehicle trip limit per tract (6-0, B. Baker, S. Hale, J. Martinez-absent); J. Pinnelli-1 st , C. Hammond-2 nd .	1/25/07: Approved GR-MU-CO for Tract 1 and LO-CO for Tract 2 (6-0); all 3 readings
C14-06-0013 (Pavilion Condominiums: 11819 Pavilion Boulevard)	GR, SF-2 to MF-6* *On 4/27/06, the agent requested to amend the case to allow for a 65 foot strip of SF-3 zoning along the southeast property line.	5/02/06: Motion to approve MF-6-CO zoning, with a 60 foot height limit, and SF-3 zoning for an area 65 feet from the southeastern property line (5-3, B. Baker, M. Hawthorne, C. Hammond-No, J. Martinez-absent); K. Jackson-1 st , B. Baker-2 nd . Motion made to rescind and reconsider previous action (8-0, J. Martinez-absent); K. Jackson-1 st , B. Baker-2 nd .	6/22/06: Case withdrawn by applicant

		Motion to deny the applicant's request for MF-6 zoning (6-2, J. Gohil, S. Hale-No, J. Martinez-absent); K. Jackson-1 st , J. Pinnelli-2 nd .	
C14-02-0088 (Ghodsí Tract: 11820 Jollyville Road)	LO to LR-CO	6/18/02: Approved staff's recommendation of LR-CO zoning, by consent (8-0, A. Adams-absent)	7/18/02: Approved LR-CO, prohibiting the following uses as offered by the applicant: Restaurant (Drive-in, Fast Food), Service Station, Counseling Services, Guidance Services, and Safety Services(7-0); all 3 readings
C14-01-0160 (11851 Jollyville Road)	LO to GO	Withdrawn by applicant on 12/14/01	N/A
C14-99-0040	SF-2 to GO	4/06/99: Approved staff rec. of LO (9-0)	5/06/99: Approved PC rec. of LO (6-0); all 3 readings
C14-97-0118	SF-2 to SF-3	10/07/97: Approved staff's rec. of SF-3 (8-0)	11/06/97: Approved PC rec. of SF-3 (7-0); all 3 readings
C14-97-0067	LO, SF-2 to LO	7/22/97: Approved staff rec. of LO by consent (8-0)	8/21/97: Approved LO (5-0); all 3 readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Jollyville Road	100'	60'	Arterial	No	392, 982, 983	Priority 1
Arabian Trail	50'	30'	Local	No	No	No

CITY COUNCIL DATE: May 9, 2013

ACTION: Postponed to June 6, 2013 at the staff's request

June 6, 2013

ACTION:

ORDINANCE READINGS: 1st

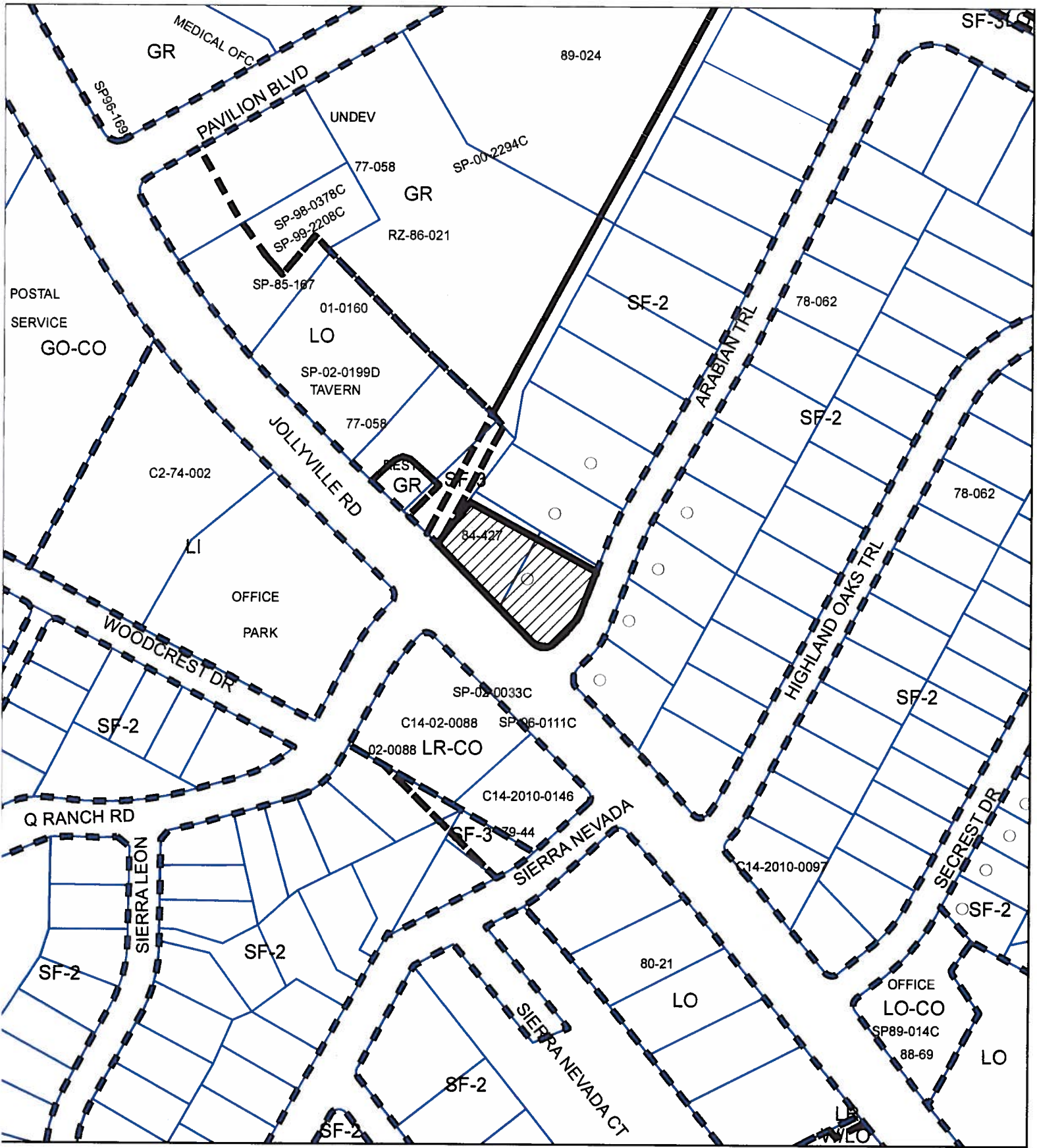
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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



ZONING
ZONING CASE#: C14-2013-0011

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 200'





STAFF RECOMMENDATION

The staff's recommendation is to deny GR, Community Commercial District, zoning.

However, if the zoning is recommended by the Zoning and Platting Commission and granted by the City Council, the staff would recommend that a conditional overlay be established that would prohibit access to Arabian Trail and limit the development intensity on the site to less than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

1. The proposed zoning should promote consistency and orderly planning.

The proposed zoning does not promote consistency and orderly planning because the lot under consideration is developed with a single-family home that is oriented to Arabian Trail. The property is surrounded by single-family uses and SF-2/SF-3 zoning to the north, east and west. In addition, the U.S. 183/Jollyville Road Area Study, which has continuously been administered in this area since 1985, designates the property in question for single-family district uses.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently developed with a single-family residence that fronts onto Arabian Trail.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to floodplain maps there is no floodplain within or adjacent to the project boundary.

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

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

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

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

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. However, if the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

Under 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>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Site Plan/Compatibility Standards

Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*. Additional Subchapter E comments will be provided upon submittal of the site plan.

The site adjoins property zoned SF-5 or more restrictive to the north, east and west, and is therefore subject to compatibility standards. Along those property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the common property line shared with the adjacent SF-2 land use to the north.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations may be specified at the time a site plan is submitted.

This proposed development appears to be comprised of two lots, and a Unified Development Agreement may be required for drainage facilities shared by the lots.

Stormwater Detention

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

Transportation

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

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

A Neighborhood Traffic Analysis is required for Arabian Trail and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. The applicant is required to submit 24 hour traffic counts for Arabian Trail.*

*The applicant has agreed to prohibit access to Arabian Trail, a local residential street, as a condition of zoning. Therefore, the applicant will not have to collect traffic counts and the neighborhood traffic analysis for this site has been waived. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Jollyville Road	100'	60'	Arterial	No	392, 982, 983	Priority 1
Arabian Trail	50'	30'	Local	No	No	No

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

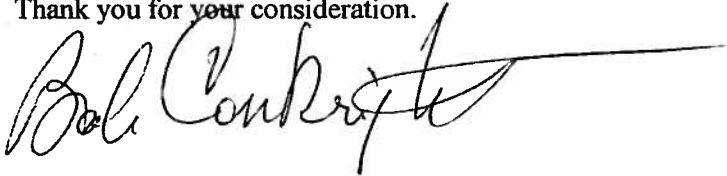
April 11, 2013

Ms. Sherri Sirwaitis
Planning and Development Review Department
City of Austin

Dear Ms. Sirwaitis,

The Rainforest Estates Neighborhood Association would like to request a postponement of the scheduled hearing on the rezoning of the property located at 11800 Arabian Trail (C14-2013-0011) before the Zoning and Plating Commission on April 16, 2013. We have not had the opportunity to meet with the applicant. Both parties would benefit from a discussion of the particulars of the case before the hearing. As of yet, we have not been able to discuss the matter with the whole membership of the association and survey their opinions. We would like to reschedule the hearing for May 21, 2013. If additional information is required, contact me.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Bob Conkright", with a long horizontal line extending to the right.

Bob Conkright, Vice-President
In the absence of President Mike Doyle.

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.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

Your Name (please print)

Thomas Hraban

Your address(es) affected by this application

Thomas Hraban

Signature

Date

Daytime Telephone: (406) 647-6560

Comments:

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

Your Name (please print)

Patrick K. O'Malley

Your address(es) affected by this application

11902 Argonian Trail

Signature

Daytime Telephone: 512 258 3327

4/11/13
Date

☐ I am in favor
☒ I object

Comments:

This development will cause problems:

traffic, parking & late night noise.

It does not serve community needs.

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

Your Name (please print) Mohammad Arami

11794 Jollyville Rd

☐ I am in favor
☐ I object

Your address(es) affected by this application 11794 Jollyville Rd

4/6/13

Date

Signature

Daytime Telephone: 512 554 9419

Comments: ~~Convenience store~~

Convenience store (Gas station)

No Liquor store, No -

Dollar General, No Dollar store

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Sirwaitis, Sherri

From: B Dees [REDACTED]
Sent: Monday, April 15, 2013 7:49 PM
To: Sirwaitis, Sherri
Subject: Case C14-2013-0011

Hi Sherri,

Case Number: C14-2013-0011

I William A Dees, object to the proposed Zoning Change.

I live at 11802 Highland Oaks Trail, Austin, Texas 78759

My daytime phone is 512-335-3754.

The property in Question faces Arabian Trail, and its side yard is on Jollyville. The request is for a zoning change for "office and commercial uses serving the neighborhood". The neighborhood already has plenty of vacant office space. Directly across Jollyville, is a relatively new office (2 years old) that has never been fully occupied. The restaurant behind the property has been vacant for 6 months. I know of at least 3 other vacate restaurants within walking distance of this neighborhood. Across Research from this neighborhood is over 100,000 square feet of vacant office space. If the neighborhood actually needed additional commercial property to serve it we already have plenty that is available and not being used.

thanks,

William Dees

Sirwaitis, Sherri

From: Lanzi Liu [REDACTED]
Sent: Tuesday, April 16, 2013 10:27 AM
To: Sirwaitis, Sherri
Cc: Sirwaitis, Sherri
Subject: Re: Case # C14-2013-0011

Hello, Sherri,

We're one the owners will be affected by this case. We'd like to express our comment :

We **Object** this rezoning.

Name: Guoen Wang & Huilan Liu

Address affected by this case: 11851 Jollyville Road #102, Austin, TX 78750

Daytime Tel: 512-453-5352

Thanks!

Guoen Wang & Huilan Liu

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.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

Andrew Valentine
Your Name (please print)

*11814 Highland Oaks Trail
Austin, TX 78758*
Your address(es) affected by this application

☐ I am in favor
☒ I object

Andrew Valentine
Signature

4/15/13
Date

Daytime Telephone: _____

Comments: _____

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

Lisa Leong
Your Name (please print)

11814 Highland Oaks Tr-1
Austin, TX 78759

Your address(es) affected by this application

Lisa Leong
Signature

Date

4/8/13

Daytime Telephone: _____

Comments: _____

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

JEFF FOUCART

Your Name (please print)

11806 ARABIAN TRAIL

Your address(es) affected by this application

[Signature]

Signature

Date

4/16/13

Daytime Telephone: (512) 699-2574

Comments: THE ADDRESS BEING CONSIDERED FOR
RE ZONING IS A FAMILY RESIDENCE IN A
LONG ESTABLISHED NEIGHBORHOOD. THERE IS
NO ENTRANCE INTO THIS PROPERTY FROM
JOLLYVILLE. THERE CURRENTLY IS ONLY AN
ENTRANCE FROM ARABIAN TRAIL. THE TRAFFIC
& CONGESTION FROM HAVING A RESTAURANT ACTUALLY
IN OUR NEIGHBORHOOD DIRECTLY ON OUR STREET
WOULD MAKE THIS AREA OF OUR NEIGHBORHOOD
UNSAFE FOR ALL THE KIDS WHO LIVE HERE.

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Sirwaitis, Sherri

From: Patrick O'Malley [REDACTED]
Sent: Tuesday, May 21, 2013 2:11 PM
To: Sirwaitis, Sherri
Subject: Case #C-14-2013-0011

I object to the proposed zoning change for 11800 Arabian Trail.

Thank you,

Patrick O'Malley
11902 Arabian Trail
Austin 78759
ph 258 3327

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.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

JAMES CUMMINGS

Your Name (please print)

11811 ARAABIAN TRAIL

Your address(es) affected by this application

James Cummings

Signature

Daytime Telephone: 512.997.8016

Date

5-21-13

Comments: I AM OPPOSED TO THE REZONING OF

11800 ARAABIAN TRAIL TO MIXED USE LAND

OR RESTAURANT. I BELIEVE THE REZONING

ENDANGERS THE FUTURE OF MY NEIGHBORHOOD.

I ALSO FEEL WE HAVE ENOUGH TRAFFIC

CONGESTION ON JOLLYVILLE ROAD. ALSO THERE

IS PLenty of open office space THAT IS

VACANT RIGHT ACROSS JOLLYVILLE FROM

THIS PROPERTY

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Sirwaitis, Sherri

From: james-cummings@austin.rr.com
Sent: Tuesday, May 21, 2013 2:48 PM
To: Sirwaitis, Sherri
Subject: Case# C14-2013-0011
Attachments: C14-2013-0011 Objection.pdf

Ms. Sirwaitis,

I am writing to voice my opposition to Case# C14-2013-0011. I am also attaching a copy of my completed opposition form. You have been a great proponent for my neighborhood in the past and I would really like to ask that you support our neighborhood on this proposed rezoning plan. The Raintree Estates Neighborhood is small neighborhood that is in a wonderful location and in my opinion is an Oasis between to very busy area. I feel that is this rezoning is approved it may the start to the end of our neighborhood of we know it. It is my understanding that the owner of the property is requesting a multi use permit. I am afraid that if this permit is granted it will open the floodgates in the area. I love the location that I live and we have a very special neighborhood. I am planning on living here for the rest of my life. I would really appreciate it if we can keep of neighborhood in tact.

Sincerely,
James Cummings
11811 Arabian Trail
Austin TX 78759
512-997-8016

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.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

11804 ARABIAN TR AUSTIN TX 78757

Your Name (please print)

TIMOTHY XZAVIER

Your address(es) affected by this application

11804 ARABIAN TR

Signature

Daytime Telephone: (512) 689-6899

Date

5/22/13

☐ I am in favor
☒ I object

Comments: Please keep our neighborhood safe, quiet & commercial free. I only want one neighbor, not a com. property that would be noisy. There is enough commercial property on jollyville. This is our home for our families & kids. There is no place for a commercial venue in a residential neighborhood.
Thank You! Tim

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

Your Name (please print)

Cynthia Papes

Your address(es) affected by this application

11811 Highland Oaks Trail Austin, TX 78759 5/9/13

Signature

Date

Daytime Telephone: 512-335-4273

Comments: A zoning change of this property will damage the attractive appearance and cohesiveness of our neighborhood. It will also increase traffic at an already dangerous intersection of roads, turn lanes and driveways where Gullyville and Arabian Trail meet. The ultimate impact will be the decrease in desirability of our neighborhood resulting in the decrease of our property values.

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Planning Commission

May 9, 2013, City Council

BETH FALLS

Your Name (please print)

5831 SECRET DRIVE

AUSTIN TX 78759

☐ I am in favor
☒ I object

Your address(es) affected by this application

Beth Falls

5/21/13

Signature

Date

Daytime Telephone: 512-921-7079

Comments: I object to commercial

development within our

residential neighborhood. This is a

well-established, long-standing (since 1957)

residential community and commercial

use of an existing single-family

residence will infringe upon the

intended use of the property. In addition,

neighborhood traffic will increase and

personal safety and security will be

compromised.

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

TRUC D. NGUYEN
Your Name (please print)

☐ I am in favor
☐ I object

11910 AARSIAN TRL 78259
Your address(es) affected by this application

Tam Nguyen 5/21/2013
Signature Date

Daytime Telephone: 512 286 7790

Comments: A business in a quaint & old
neighborhood would ruin the
whole thing!

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission
May 9, 2013, City Council

Your Name (please print)

Lisa Williamson
1180S Arabian Trl

Your address(es) affected by this application

Jova G. Williamson
5/21/13

Signature

Date

Daytime Telephone: 512-249-7158

Comments:

The home in question was my home for 11 years before I moved to a home across the street. I love my neighborhood and my neighbors and this property being anything but the magical place to live it is. would be just wrong. Not to mention against the deed restrictions set when the neighborhood was established in 1956! We were here first.

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

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: C14-2013-0011

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 16, 2013, Zoning and Platting Commission

May 9, 2013, City Council

Your Name (please print)

SHERRI OSBORNE

Your address(es) affected by this application

11810 ARABIAN TRL.

Date

5-21-13

Signature

Daytime Telephone: 335-7077

Comments:

We are a very committed neighborhood of long-standing and want our neighborhood to remain

☐ I am in favor
☐ I object

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Madam Chair, Commission Members, staff and guests. My name is Bob Conkright. I live on Arabian Trail and am speaking for the Raintree Estates Neighborhood Alliance tonight.

The neighborhood alliance is opposed to the proposed zoning change for 11800 Arabian Trail. The neighborhood alliance met on May 9, 2013 and at that meeting there was a vote on this issue. The vote was unanimous against the proposed zoning change. The reason for the opposition is as follows:

1. The property is located within a residential neighborhood. Although it is on the corner of Jollyville Road and Arabian Trail, the property faces and is accessed by a driveway on Arabian Trail. To allow the zoning change would decrease the resale potential and value of the more than 120 homes within the neighborhood. It also violates the intent of the zoning statute.
2. The restrictive covenant of the property precludes the use of the structure for commercial endeavors. Rezoning this property as commercial would create a conflict between the zoning status and the restrictive covenant which could lead to a long and costly litigation.
3. Since current access to this property is from Arabian Trail, there would be a significant increase in commercial traffic along a residential street. Children live and play along Arabian Trail and increased traffic would increase the chance of an accident which could have tragic results. It would also cause parking congestion on Arabian Trail near the corner of Jollyville Road and increase the risk of accidents when cars are turning off Jollyville Road onto Arabian Trail.
4. The applicant states that he would create access to the property from Jollyville Road; however, we do not believe this is feasible. We do not believe there is not enough room to cut a new driveway without a waiver from current rules. Since Jollyville Road is a major arterial, allowing such a waiver could affect traffic flow. There are currently 6 driveways and intersections within 300 ft. of 11800 Arabian Trail. It is already a dangerous area. In addition, the driveway would have to cross a drainage ditch which could cause additional flooding during a heavy rain. Our neighborhood currently has major drainage problems (we are currently in the top 10 of drainage problems in the city according to city staff) and allowing a driveway across the drainage ditch might exacerbate the drainage problems.
5. At this point our neighborhood has not been selected to develop a neighborhood plan. We do, however, have the Jollyville Road study which currently guides most development along Jollyville Road. That study suggests that property along Jollyville Road should be encouraged to developed as commercial in lieu of residential. However, the study states, as many have overlooked, that current residential areas should remain residential. Our neighborhood predates the Jollyville Road study and therefore should remain residential.

We ask only that the Commission accept the recommendation of the staff and continue to support the language in the US 183/Jollyville Road area study, like you have consistently done in the past, and allow our neighborhood to remain residential. Thank you for your attention and your service to the city.