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## APPEAL OF AN ADMINISTRATIVE EXTENSION ON A SITE PLAN APPLICATION

**CASE NUMBER:** SP-2013-0219D      **ZAP COMMISSION DATE:** January 21, 2014

**PROJECT NAME:** Broadstone at Parmer

**ADDRESS:** 8100 Anderson Mill

**APPLICANT:** ATKINS, Terry Reynolds (Michael N. Nguyen)  
6504 Bridge Point Pkwy, Ste. 200      Phone: 512-342-3231  
Austin, TX 78730

**APPELLANTS:** Laura Ruffino, Jennifer Ehrlich, Nicole Rivera, Ryan Rivera, Susan Birmingham, Victoria Nickell, Tiffany Asha, Karl Asha, Scott Suitlas, and Cheryl Hull

**CASE MANAGER:** Brad Jackson, 512-974-3410  
Brad.jackson@austintexas.gov

**APPLICABLE WATERSHED ORDINANCE:** Lake Creek, Comprehensive Watershed Ordinance

**AREA:** 11.957 acres

**EXISTING ZONING:** None. (2-mile ETJ)

**PROPOSED USE:** None. (2-mile ETJ) \*Within the North Austin MUD #1 which does have a Land Use Plan that was amended in 2009 to allow "MF/Retail Mixed Use."

**LEGAL DESCRIPTION:** Lot 1, Block A, Broadstone at Parmer Subdivision, C8J-2013-0078.0A

**Description of Appeal:**

An appeal to an administrative extension of update deadline. [LDC Section 25-1-88].

- Extension of Update Deadline, LDC Section 25-1-88(A), an applicant may request of the director that the deadline of a site plan application be extended by filing a written request and justification prior to the deadline of that application.
- Under LDC Section 25-1-88(A)(3), Extension of Update Deadline – an interested party may appeal the responsible director's decision under this subsection to the Land Use Commission.

**Proposed Development:**

The applicant proposes the construction of 16 multifamily residential buildings, a leasing center/ clubhouse building, parking, garages, drives, detention and water quality, and utilities.

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**Staff's Determination of Extension:**

- A 180 day extension was requested by the engineer on November 22, 2013, prior to the expiration date of December 12, 2013. A 180-day extension was granted, extending the application expiration date to June 10, 2014. Due to the complexity of the remaining comments and the time required to obtain review by City of Austin and non-City of Austin entities, staff determined there was just cause to grant the extension.
- Extensions to the update deadline are standard practice by staff when unresolved issues are pending or when documents require City legal staff's review and approval. Attached in this packet is the latest comment response letter from their second update submitted to the City of Austin. At this time, a third formal update is due from the applicant.

If the current site plan is not granted the extension and the application expires, the applicant may re-file the same plan to obtain a site development permit.

**Zoning and Platting Commission Action:**

- The commission may grant the appeal or determine the extension is valid.
  - If the appeal is granted, the site plan application expires. The applicant may then submit a new application to continue the review process. Once all administrative requirements are met, a site plan permit will be issued.
  - If the appeal is denied, the site plan application will remain extended. The applicant will have until June 10, 2014 to clear all remaining comments and obtain a site plan permit.

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Subject Tract



Base Map

CASE#: SP-2013-0219D  
ADDRESS: 8100 Anderson Mill Road



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 the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN – PLANNING AND DEVELOPMENT REVIEW DEPARTMENT  
SITE PLAN APPLICATION – MASTER COMMENT REPORT



CASE NUMBER: SP-2013-0219D  
REVISION #: 00  
CASE MANAGER: Brad Jackson  
UPDATE: U2  
PHONE #: 512-974-3410

PROJECT NAME: Broadstone at Parmer  
LOCATION: 8100 ANDERSON MILL RD

SUBMITTAL DATE: September 6, 2013  
REPORT DUE DATE: September 20, 2013  
FINAL REPORT DATE: September 19, 2013

**STAFF REPORT:**

This report includes all staff comments received to date concerning your most recent site plan submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated site plan submittal.

The site plan will be approved when all requirements from each review discipline have been addressed. However, until this happens, your site plan is considered disapproved. Additional comments may be generated as a result of information or design changes provided in your update.

If you have any questions, problems, concerns, or if you require additional information about this report, please do not hesitate to contact your case manager at the phone number listed above or by writing to the City of Austin, Planning and Development Review Department, P.O. Box 1088, Austin, Texas 78704.

**UPDATE DEADLINE (LDC 25-5-113):**

It is the responsibility of the applicant or his/her agent to update this site plan application. **The final update to clear all comments must be submitted by the update deadline, which is December 12, 2013.** Otherwise, the application will automatically be denied. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

**EXTENSION OF UPDATE DEADLINE (LDC 25-1-88):**

You may request an extension to the update deadline by submitting a written justification to your case manager on or before the update deadline. Extensions may be granted for good cause at the Director's discretion.

**UPDATE SUBMITTALS:**

**A formal update submittal is required. You must make an appointment with the Intake Staff (974-2689) to submit the update. Please bring a copy of this report with you upon submittal to Intake.**

**Please submit 5 copies of the plans and 6 copies of a letter that address each comment for distribution to the following reviewers. Clearly label information or packets with the reviewer's name that are intended for specific reviewers. No distribution is required for the Planner 1 and only the letter is required for Austin Water Utility.**

**REVIEWERS:**

Planner 1 : Rosemary Ramos  
Electric : David Lambert  
Drainage Construction : David Gomez  
Water Quality : David Gomez  
Environmental : Mike McDougal  
Site Plan : Brad Jackson  
Transportation : Caleb Gutshall  
Austin Water Utility : Neil Kepple

## Electric Review - David Lambert - 512-322-6109

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The following comments have been submitted by Kathy Strittmattter, ph. 512-322-6410, [Kathy.strittmatter@austinenergy.com](mailto:Kathy.strittmatter@austinenergy.com), on behalf of Austin Energy's Transmission group. If you have questions regarding them, contact her.

ET1. Require a legible Fence Plan and Profile drawing that identifies existing electric poles, anchor and location of lines crossing Parmer Lane. Be advised that the proposed location of the fence appears incompatible with AE's use of the 25' easement. Further review by our transmission staff is required. We also need information pertaining to location of signage for apartments. If proposed signage will encroach into the 25' electric easement, please furnish specs.

ET2. Satisfied

ET3. Satisfied

ET4. Satisfied

ET5. Satisfied

## Drainage Construction Review - David Gomez - 512-974-1228

Release of this application does not constitute a verification of all data, information, and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not the application is reviewed for code compliance by city engineers.

*A formal update is required; reviewers are not able to clear any comments based on phone calls, e-mails, or meetings, but must receive formal updates in order to confirm positive plan set changes. Please provide a letter that addresses each of the review comments. The responsible engineer must sign all engineering representations. Reviewers may issue additional comments as further information becomes available.*

DC1. Please provide Certification of Compliance 25-1-83 – Applications Related to a Closed Municipal Solid Waste Landfill. The certification form can be found at the following website: [http://www.ci.austin.tx.us/watershed/downloads/engineers\\_cert\\_form.pdf](http://www.ci.austin.tx.us/watershed/downloads/engineers_cert_form.pdf).

Update 1: Comment pending.

**Update 2:** Please provide acknowledgment from TCEQ that this is an acceptable way for certification of the above, with contact information of the person/position providing acknowledgment, or provide certification as stipulated on the form.

DC2. This plan requires approval by TXDOT. Provide copy of TXDOT approval and add TXDOT roadway stationing on cover sheet.

Update 1: Comment pending TXDOT approval.

**Update 2:** Comment pending

DC3. Comment cleared.

DC4. Please update the drainage calculations on Sheet 15. (i.e. OS-3 & 4 Tc calculations not shown, OS-1&2 calculations have discrepancies between tables, OS-1 has no values in the table for Tc calculations, etc.)

Update 1: Please update the drainage calculations on Sheet 15. (i.e. OS-1 & 2 are in place of each other).

Update 2: There are still discrepancies in the tables. (i.e. OS3 & 4 Tcs, and clarification on reason for inclusion of DEV-1 in the Tc table). Please clarify all discrepancies for review of the calculations on these tables.

- DC5. Provide a copy of Regional Stormwater Management Participation (RSMP) approval letter and copy of RSMP fee payment receipt prior to issuance of development permit. [DCM 8.2.0] If RSMP is not approved, additional comments may be generated regarding on-site detention.

Update 1: Comment pending.

Update 2: Comment pending

- DC6. The proposed drainage channel near the north and west boundaries of Lot 2 is conveying offsite flows. Please dedicate a drainage easement as stipulated in the Land Development Code (LDC) 25-7-152, Dedication of Easements and Rights-of-Way. An approved and recorded drainage easement document is required. Please submit drainage easement dedication instruments with exhibits to this reviewer. The most current documents can be found at the following website:

[http://www.austintexas.gov/page/common-easement-and-restrictive-covenants#easement\\_pdrd](http://www.austintexas.gov/page/common-easement-and-restrictive-covenants#easement_pdrd)

This reviewer will coordinate with the Legal Department for review and approval. Please be aware this process takes some time and now requires lien-holders information/consent.

Update 1: DCM 1.2.2(D) states, "Stormwater runoff peak flow rates shall not be increased at any point of discharge from a site for the two (2), ten (10), twenty-five (25) and one hundred (100) year storm frequency events". Please include calculations to verify that the existing channel in the adjacent right-of-way will not be impacted. Also, it does not appear that Lot 2 is part of this site plan application and there is proposed construction on this lot, please clarify.

Update 2: It appears that OS-2 and EX-2 have the same discharge point into the existing channel in the adjacent right-of-way in existing conditions. Re-grading the existing drainage patterns will change the location of the existing discharge point to a location further upstream. There appears to be a ridge diverting the flow from Lot 2 northwest to the above mentioned discharge point. Please demonstrate that regrading of Lot 2 and the resulting new discharge point do not adversely impact the channel at this new upstream discharge location.

Also, this reviewer will coordinate with the case manager as to the addition of the new lot within this site plan application. Further comments regarding this may be generated.

- DC7. Show the above dedicated drainage easement on the plans. [LDC 25-7-152]

Update 1: Comment pending.

Update 2: Comment pending resolution of DC 6.

- DC8. The above mentioned channel should be designed as stipulated in DCM 6.4.1, Grass-Lined Channels and Waterways. Additional comments may be generated.

Update 1: Comment pending.

Update 2: Comment pending resolution of DC 6.

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DC9. Please provide calculations for the existing channel on the western property boundary and the proposed channel conveying offsite flows from Lot 2 to determine if the 100-yr floodplains in the existing channels are contained within their respective drainage easements. Include these calculations to the extent of Lake Creek to demonstrate downstream conveyance.

Update 1: Please provide an updated profile of the channel to ensure that 100 year flows are contained within the channel and easement provided.

Update 2: Please label the profile provided in Sheet 23 and include the Qs, HGLs, head losses (H)s, and Vs for each segment of channel for the 25 and 100 year storm events. Also, please clearly identify the existing ground.

DC10. Please show the summation of flows (Q) and velocities (V) (25 and 100-year storm events) at pertinent points on the drainage layout sheet for the channels.

Update 1: The information was provided for the 25 year event; however it was not provided for the 100 year storm event. Also, the 25 year storm event information provided has erosive velocities and Qs that exceed the Qs provided on the existing channel information provided. Please address.

Update 2: The values for the 100 year storm event were not observed on sheets 16-19 or sheet 21 of the plans. Please add the values or clarify as to where these values were added.

## Environmental Review - Mike McDougal - 512-974-6380

EV 01 Update #2 Comment cleared.

EV 02 Update #2 This comment is pending approval of the final plat.

EV 03 Update #2 After all ESC comments have been addressed, please provide a fiscal estimate for erosion/sedimentation controls and revegetation based on Appendix S-1 of the Environmental Criteria Manual. For sites with a limit of construction greater than one acre, the fiscal estimate must include a \$3000 per acre of LOC clean-up fee. The approved amount must be posted with the City prior to permit/site plan approval. [LDC 25-7-65, ECM 1.2.1, ECM Appendix S-1]

EV 04 through EV 14 Update #2 Comments cleared.

## Site Plan Review - Brad Jackson - 512-974-3410

SP1 - 3. U1- Comment cleared.

SP4. This site currently has a subdivision in review, C8J-2013-0078.0A. This comment pending subdivision approval and inclusion in plans. Show legal description of the property on the cover sheet by lot, block, subdivision, or by metes and bounds. Indicate the book and page or document number with the legal description. Show all boundary lines with bearings and dimensions in accordance with the recorded subdivision on all sheets.

U1- Comment pending subdivision approval.

U2- Comment pending.

SP5. MUD Land Use Plan could not be found in the application. Please provide. Additional comments on site plan may be generated upon verification of Land Use Plan requirements.

**U1- Please provide a building table on the site plan that shows the proposed stories, height, and # of units for each building proposed to ensure compliance with LUP.**

**U2- Comment cleared.**

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SP6. **U1- Comment cleared.**

SP7. Have you shown all existing and future dedicated easements, including joint access, drainage, conservation, utility, communication, etc? Indicate volume and page or document number, or dedication by plat. All buildings, fences, landscaping, patios, flatwork and other uses or obstructions of a drainage easement are prohibited, unless expressly permitted by a license agreement approved by the City of Austin authorizing use of the easement.

**U1- Comment pending Water Meter Easement.**

**U2- The limits of construction of expanded slightly onto Lot 2 (Commercial Retail Lot) for the construction of the drainage berm along the property line. This area will require an easement through the drainage review and approval for the work on this lot by the lot's owner. This comment pending easement recordings and doc. numbers on the plans.**

SP8. **U1- Comment cleared.**

SP9. Access onto highways designated to be state maintained must have Texas Department of Transportation (TxDOT) approval prior to site plan approval. Show TxDOT centerline station numbers on the site plan. Provide TXDOT approval signature on cover sheet.

**U1- Comment pending.**

**U2- Comment pending.**

SP10-11. **U1- Comment cleared.**

SP12. This site plan is required to meet the current landscaping requirements for sites located within the COA Full-Purpose jurisdiction as part of the MUD agreement. Please include a Landscape Plan in the plan set. A Landscape Architect is shown on the cover sheet but no landscape plan was included. Additional comments from this reviewer and Environmental Reviewer pending Landscape Plan Review.

**U1- Please include "of 40" after the numbering on all landscape sheets. This site plan will require a landscape inspection because of the MUD agreement. Payment of the landscape inspection fee is required prior to permit/site plan approval. Payment of the fee is made through Intake. [To calculate the fee for this site, use the area that lies within the LOC.] Upon payment, please forward a copy of the receipt to the environmental reviewer. The fee for this site is \$1,014. [<1acre =\$409.76; 1-5 acres =\$650; >5 acres =\$650 + 52/acre] [LDC 25-2-983]**

**U2- Comment pending.**

SP13. Show and/or provide landscape screening along the property line adjacent to SF in accordance with the Screening Requirements in the MUD LUP. Please show all screening as required by the MUD LUP on the Landscape Plan.



**U1- The two rows of required landscape screening are interrupted by 2 existing trees near building 16. Please wrap the two rows around these 2 tree's Critical Root Zones to provide a contiguous buffer from the residential lots.**

**U2- Comment cleared.**

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## **Transportation Review - Caleb Gutshall - 512-974-6420**

**TR1. This site is located outside the City's zoning jurisdiction and is subject only to transportation requirements of the subdivision ordinance.**

**Update #1: Comment Cleared.**

**TR2. A driveway permit must be obtained from Williamson County to take access to a County-maintained road. Written approval from Williamson County is needed prior to site plan release.**

**Update #1: Comment Pending. Comment will be cleared when a copy of the approved driveway permit is provided.**

**Update #2: Comment Pending. Comment will be cleared when a copy of the approved driveway permit is provided.**

**TR3. A driveway permit must be obtained from TxDOT to take access to a State-maintained road. Written approval from TxDOT is needed prior to site plan release. Please contact Gary Morris at 832-7112 for more information.**

**Update #1: Comment Pending. Comment will be cleared when a copy of the approved driveway permit is provided.**

**Update #2: Comment Pending. Comment will be cleared when a copy of the approved driveway permit is provided.**

**TR4. Provide the following note on the site plan: "Approval of these plans by the City of Austin indicates compliance with applicable City regulations only. Approval by other governmental entities may be required prior to the start of construction. The applicant is responsible for determining what additional approvals may be necessary."**

**Update #1: Comment Cleared.**

## **Austin Water Utility Review - Neil Kepple - 512-972-0077**

**WW1. The review comments will be satisfied once the associated final plat is approved and Pipeline Engineering has approved the water and wastewater utility plan. For plan review status, contact Larry Williams with Pipeline Engineering at 972-0340. Response comments and corrections, along with the original redlines, must be returned to Larry at the Waller Creek office, 625 E 10<sup>th</sup> St., 3rd floor.**

## **Water Quality Review - David Gomez - 512-974-1228**

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*A formal update is required; reviewers are not able to clear any comments based on phone calls, e-mails, or meetings, but must receive formal updates in order to confirm positive plan set changes. Please provide a letter that addresses each of the review comments. The responsible engineer must sign all engineering representations. Reviewers may issue additional comments as further information becomes available.*

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~~WQ1. **Water Quality Controls within Drainage Easement:** Please indicate the purpose of the drainage easement on the northern property boundary and provide the drainage easement document.~~

~~Update 1: The document was not attached to the update. Please include the document and address the attachment to the water quality reviewer.~~

~~Update 2: Comment cleared.~~

WQ2-3. Comments cleared.

WQ4. **Construction Quality Assurance/Quality Control Plan** – A construction Quality Assurance/Quality Control (QA/QC) Plan must be prepared by the engineer for the purpose of providing a basis for all construction/installation and testing of the liner system during the liner construction process. The QA/QC plan must be approved by the City prior to liner construction. Please provide a QAQC report as outlined in ECM 1.6.2(C)(1).

Update 1: Please provide a QA/QC report as outlined in ECM 1.6.2(C)(1).

Update 2: The QA/QC report has been received and is currently under review. Further comments may be generated regarding the QA/QC report.

WQ5. **Control of the 2yr Storm:** Please address on-site control of the two-year storm as per LDC 25-7-61 (A)(5)(c) and ECM 1.6.8.

Update 1: Comment pending.

Update 2: If the water quality pond is proposed to function as a combined water quality/2yr detention basin, please include the calculations to verify compliance with the following code citation ECM 1.6.9 (C):

"C. Combined-function Water Quality/Detention Basins In General. For combined-function water quality/detention basins, the water quality volume must be captured and isolated from the remaining flow. To hold the developed peak runoff rate to existing levels, the water quality pond must capture the volume of the developed hydrograph up to the point on the falling limb where the developed flowrate equals the existing flowrate.

For drainage areas of ten (10) acres or more, the developed hydrograph must be routed through the water quality pond to show that the peak flow does not exceed existing conditions. For drainage areas less than 10 acres, the developed flow can be routed through the pond like the flow from larger areas, or the method described below may be used."

WQ6. Comment cleared.

~~WQ7. **Short Circuiting:** The impervious cover in DA 7 should be routed to the inlet of the water quality pond to avoid short circuiting. Please address.~~

~~Update 1: Portions of building 16 in DA17 are still draining directly into the sedimentation and filtration basin. Please re-route to the inlet of the water quality pond to avoid short circuiting.~~

~~Update 2: Comment cleared.~~

WQ8-9. Comments cleared.

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~~WQ10. **Cleanouts:** ECM 1.6.5 (A)(4), states, "Access for cleaning all underdrain piping is needed. Cleanouts with a removable PVC cap are required within fifty (50) feet of every portion of lateral and collector drain lines and at every bend."~~

~~Cleanouts should be called out to be flush with top of sand bed and flowlines should be included at each cleanout. Please clarify this on the plans.~~

~~Update 1: Please call out the cleanouts on the collector drain line.~~

~~Update 2: Comment cleared.~~

~~WQ11. **Pond full cleanout:** ECM 1.6.5 (A)(4) states, "at least one lateral must be accessible for cleaning when the pond is full". Please indicate the pond full cleanout on the plans, such that it will be accessible if the pond becomes clogged and full.~~

~~Update 1: Please include the flowline for this cleanout.~~

~~Update 2: Comment cleared.~~

WQ12. **48-hour drawdown:** ECM 1.6.5(A)(4) states that, "[f]or Partial Sedimentation/Filtration systems only, install a removable PVC cap with an appropriately sized orifice at the end of the underdrain pipe in order to provide a forty-eight (48) hour drawdown time, to account for significant uncertainties to the actual filtration media hydraulic conductivity over the life of the system." Please provide.

Update 1: Please indicate this orifice plate to be removable and provide a detail.

Update 2: The removable cap detail was not observed on sheet 20 as called on the plans. Sheet 23 was also checked for the detail and not observed. Please add detail or clarify its location on the plans.

WQ13-14. Comments cleared.

~~DC15. **Non-Erosive Outfall:** Please call out the water quality pond outlet structure to be one of the following details 508S-16 through 20 and include the detail in the plans.~~

~~Update 1: Please refer to the detail in the callout.~~

~~Update 2: Comment cleared.~~

DC16. **No Mixing:** Please include the 100 year water surface elevation for the existing channel adjacent to the water quality to ensure there is no mixing.

Update 1: The 100 year water surface elevation appears to be overtopping the water quality pond overflow weir. Please address to ensure there is no mixing.

Update 2: If the 100 water surface elevation is above the control weir, non-treated water will potentially mix with the adjacent existing channel and leave the site untreated. Please address this issue to ensure that there is no mixing.

End of Report

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**City of Austin Planning and Development Review Department**  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835



**SITE PLAN APPEAL**

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission, or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. 2013-061986 SP

PROJECT NAME Broadstone at Parmer

PROJECT ADDRESS 8100 Anderson Mill Lane Austin TX 78729

APPLICANT'S NAME ATKINS (Terry Reynolds)

CITY CONTACT Brad Jackson

DATE APPEAL FILED 12/6/2013

YOUR NAME Laura Ruffino

SIGNATURE *Laura Ruffino*

YOUR ADDRESS 8529 Alvin High Lane Austin TX 78729

YOUR PHONE NO. (512) 692-0732 WORK

(512) 799-6759 HOME

**INTERESTED PARTY STATUS:** Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date) \_\_\_\_\_
- ☐ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

**In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)**

- ☒ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

**DECISION TO BE APPEALED\*:** (Check one)

- |   |            |          |                 |
|---|------------|----------|-----------------|
| <input type="checkbox"/> Administrative Disapproval/Interpretation of a Site Plan | Date _____ | of _____ | Decision: _____ |
| <input type="checkbox"/> Replacement site plan                                    | Date _____ | of _____ | Decision: _____ |

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- |  |      |           |           |
|--|------|-----------|-----------|
| <input type="checkbox"/> Replacement site plan                                   | Date | of        | Decision: |
| <input type="checkbox"/> Land Use Commission Approval/Disapproval of a Site Plan | Date | of        | Decision: |
| <input checked="" type="checkbox"/> Waiver or Extension                          | Date | 22 of Nov | Decision: |
| <input type="checkbox"/> Planned Unit Development (PUD) Revision                 | Date | of        | Decision: |
| <input type="checkbox"/> Other: _____  | Date | of        | Decision: |

\* Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

**STATEMENT:** Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

- **Investment.** Multifamily located next to our property will decrease our property values. This has In fact *already* happened in our neighborhood. Millwood consists of working middle class families, when we have to move and can not sell our homes, we are forced to rent out the house. This is exactly what happened on Dallas Drive, and Turtle Rock; those streets have been completely changed by the apartments and renters.

- **Traffic.** "Preliminary" traffic studies by the developer estimate that traffic would at least double on Anderson Mill Road as the main entry/exit point for the apartment complex is less than 200 feet from our property. Our subdivision has only one entry/exit point; this scenario would make commuting to and from work utterly impossible. This area of Anderson Mill Road already has a high rate of traffic violations, traffic accidents, and traffic related fatalities at the intersection in front of our subdivision at Osborne and Anderson Mill Road. This will also have a major impact on traffic on Parmer Lane. What involvement has TxDOT had in assessing traffic patterns and projected road issues for this project? How can we be assured that we will have safe entry and exit into our subdivision?

- **Easement.** The current 25 foot easement does not protect our properties from excess storm water, and runoff, which will cause damage to the homes that directly border the proposed site. Even if the grading of the land is changed, after a year when the ground settles again, the gradation will have changed, and not in our favor.

- **Crime.** Again, we only have to look at our neighbors on Dallas Drive and Turtle Rock to validate our concerns with apartments bringing in crime to the neighborhood. After the apartment complex the IMT at Rattan Creek was occupied, theft, burglary, and car vandalism all increased on Dallas Drive.

- **Specs.** To date the apartment buildings will be three stories tall, providing a clear view from the balconies into everyone's home -- located a mere 25 feet from our fence line.

- **Decline in quality of life.** Apartments will have negative cascading effects in our neighborhood. When we can't sell our homes, surrounded by excessive traffic, noise pollution, crime, and overcrowded schools, making the neighborhood that we all moved into will cease to exist.

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City of Austin Planning and Development Review Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

### SITE PLAN APPEAL

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CASE NO. SP-2613-0219D

DATE APPEAL FILED 12/12/13

PROJECT NAME Broadstone at Parnis

YOUR NAME Jenni R. A. Ehrlich

SIGNATURE Jenni R. A. Ehrlich

PROJECT ADDRESS 5800 Anderson Mill Road  
Austin, TX 78729

YOUR ADDRESS 8547 Alvin High Lane  
Austin, TX 78729

APPLICANT'S NAME ATKINS (Jimmy Reynolds)

YOUR PHONE NO. ( ) N/A WORK

CITY CONTACT Brad Jackson

(512) 258-4077 HOME

INTERESTED PARTY STATUS: Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)

☒ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence). I don't have my copy, but filed written request as interested party (see enclosure below)

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☒ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

DECISION TO BE APPEALED: (Check one)

Administrative Disapproval/Interpretation of a Site Plan

Date of Decision:

Replacement site plan

Date of Decision:

Land Use Commission Approval/Disapproval of a Site Plan

Date of Decision:

Waiver or Extension

Date of Decision: 11/22/13

Planned Unit Development (PUD) Revision

Date of Decision:

Other:

Date of Decision:

\* Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

STATEMENT: Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code.

see attached doc  
to be read below

C4  
15

(Attach additional page if necessary.)

Applicable Code Section: 25-1-88

Brad Jackson, City of Austin  
Case number: SP-2013-0219D  
P.O. Box 1088  
Austin, Texas 78767  
512-974-3410  
Brad.Jackson@austintexas.gov

C4  
16

Dear Mr. Jackson:

As a homeowner in the Bluffs at Milwood, located at the North West corner of Parmer and Anderson Mill Road, I would like to appeal to you regarding the proposed re-zoning of land that borders the Bluff at Milwood and the proposed apartment complex on that site. Not only would this development negatively impact our daily lives in the development (e.g., safety, privacy) and property values, but also the additional traffic on Parmer Anderson Mill due to yet another apartment complex in a section of town that is being inundated with new apartment complexes is frightening to contemplate. As such, I am requesting you reject the extension granted to "Broadstone at Parmer".

As you know, the 16 acres in question have always been zoned for retail/commercial space. The developers are asking to change the zoning to multi-family. As the plan exists to date, the apartment complex will begin a mere 25 feet from our property line. The daily lives of the homeowners of the Bluffs at Milwood, and the greater Milwood subdivision would be negatively impacted by this apartment complex. We only have to look to our own neighbors down the street on Dallas Drive or Turtle Rock to validate the following concerns:

- **Investment.** Multifamily located next to our property will **decrease our property values**. This has in fact *already* happened in our neighborhood. When we have to move and cannot sell our homes, we are forced to rent out the house or sell our homes for a loss. This is exactly what happened on Dallas Drive, and Turtle Rock. Those streets have been completely changed by the apartments and renters. We are a working middle class neighborhood, so such financial losses are a hardship to us.

- **Traffic.** "Preliminary" traffic studies by the developer estimate that traffic would at least double on Anderson Mill Road as the main entry/exit point for the apartment complex is less than 200 feet from our property. Our subdivision has only one entry/exit point very close to the proposed main entry. The increased traffic on Anderson Mill due to ongoing development in this area is already making it more and more difficult and dangerous to get into and out of our development. In the years that I have lived here we have already had 2 new large apartment complexes built around our area of Anderson Mill. This area of Anderson Mill Road already has a high rate of traffic violations, traffic accidents, and traffic related fatalities at the intersection in front of our subdivision at Osborne and Anderson Mill Road. In addition, this will also have a major impact on traffic on Parmer Lane. Given that my property runs along Parmer Lane, I am more than aware of the increase in accidents and near accidents as well as the general increase in



traffic on Parmer in the 9.5 years I have been living here. I do not know the current state of the TXDOT assessment, but with the recent growth and development in this area particularly via multi-family dwellings, it cannot be of minimal impact.

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17

- **Easement.** The current 25 foot easement does not protect our properties from excess storm water and runoff, which will cause damage to the homes that directly border the proposed site.

- **Crime.** Again, we only have to look at our neighbors on Dallas Drive and Turtle Rock to validate our concerns with apartments bringing in crime to the neighborhood. After the apartment complex the IMT at Rattan Creek was occupied, theft, burglary, and car vandalism all increased on Dallas Drive.

- **Privacy and Security.** To date the apartment buildings will be three stories tall, providing a clear view from the balconies into everyone's home – located a mere 25 feet from our fence line. The personal safety and security concerns I have with 3 stories worth of apartments facing my backyard and house cannot be underestimated.

- **Decline in quality of life.** When we can't sell our homes, are surrounded by excessive and increasing traffic, noise pollution, crime, and overcrowded schools, the neighborhood that we all moved into will cease to exist.

Austin has a reputation of protecting the individual over big business. Please help protect us. Please help us keep the land zoned retail only for the 16 acres in question. The neighborhood has joined together to appeal to all involved parties in the hopes that land would be developed with something that would maintain the community's value.

Thank you,

Jennifer Ehrlich  
8547 Alvin High Lane  
Austin, TX  
78729

City of Austin Planning and Development Review Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8885

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18



## SITE PLAN APPEAL

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission, or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. 2013-061986 SP

PROJECT NAME Broadstone at Parmer

PROJECT ADDRESS 8100 Anderson Mill Lane Austin TX 78729

APPLICANT'S NAME ATKINS(Terry Reynolds)

CITY CONTACT Brad Reynolds

DATE APPEAL FILED 12/11/2013

YOUR NAME NICOLE RIVERA

SIGNATURE [Signature]

YOUR ADDRESS 14112 DWIAC DRIVE

AUSTIN TX 78721

YOUR PHONE NO: (512) 619-1731 WORK

(512) 619-1311 HOME

**INTERESTED PARTY STATUS:** Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date) \_\_\_\_\_
- ☒ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☒ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

**DECISION TO BE APPEALED\*:** (Check one)

- |   |            |          |           |
|---|------------|----------|-----------|
| <input type="checkbox"/> Administrative Disapproval/Interpretation of a Site Plan | Date _____ | of _____ | Decision: |
| <input type="checkbox"/> Replacement site plan                                    | Date _____ | of _____ | Decision: |

C7/19

- ☐ Land Use Commission Approval/Disapproval of a Site Plan      Date \_\_\_\_\_ of \_\_\_\_\_ Decision: \_\_\_\_\_
- ☒ Waiver or Extension      Date of Decision: 11/22/13
- ☐ Planned Unit Development (PUD) Revision      Date \_\_\_\_\_ of \_\_\_\_\_ Decision: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_      Date \_\_\_\_\_ of \_\_\_\_\_ Decision: \_\_\_\_\_

\*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

**STATEMENT:** Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

The homeowners of the Bluffs at Milwood, located at the North West corner of Parmer and Anderson Mill Road, would like to appeal to you regarding zoning of land that borders our properties. We ask for your assistance to maintain the zoning as it stands - all commercial, and reject the extension granted to "Broadstone at Parmer".

As you know, the 16 acres in question have always been zoned for retail/commercial space; the developers are attempting to change the zoning to multi-family. As the plan exists to date, apartment complex will begin a mere 25 feet from our property line. The homeowners of the Bluffs at Milwood, and the greater Milwood subdivision would succumb to a vast number of negative cascading effects, and we only have to look to our own neighbors down the street on Dallas Drive or Turtle Rock, both invaded by multifamily, to validate the following concerns:

- **Investment.** Multifamily located next to our property will ~~decrease our property values~~. This has in fact *already* happened in our neighborhood. Milwood consists of working middle class families, when we have to move and can not sell our homes, we are forced to rent out the house. This is exactly what happened on Dallas Drive, and Turtle Rock; those streets have been completely changed by the apartments and renters.
- **Traffic.** "Preliminary" traffic studies by the developer estimate that traffic would at least double on Anderson Mill Road as the main entry/exit point for the apartment complex is less than 200 feet from our property. Our subdivision has only one entry/exit point; this scenario would make commuting to and from work utterly impossible. This area of Anderson Mill Road already has a high rate of traffic violations, traffic accidents, and traffic related fatalities at the intersection in front of our subdivision at Osborne and Anderson Mill Road. This will also have a major impact on traffic on Parmer Lane. What involvement has TxDOT had in assessing traffic patterns and projected road issues for this project? How can we be assured that we will have safe entry and exit into our subdivision?
- **Easement.** The current 25 foot easement does not protect our properties from excess storm water, and runoff, which will cause damage to the homes that directly border the proposed site. Even if the grading of the land is changed, after a year when the ground settles again, the gradation will have changed, and not in our favor.

Brad Jackson, City of Austin  
Case number: SP-2013-0219D  
P.O. Box 1088  
Austin, Texas 78767  
512-974-3410  
Brad.Jackson@austintexas.gov

C7  
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Dear Mr. Jackson:

The homeowners of the Bluffs at Milwood, located at the North West corner of Parmer and Anderson Mill Road, would like to appeal to you regarding zoning of land that borders our properties. We ask for your assistance to maintain the zoning as it stands - all commercial, and reject the extension granted to "Broadstone at Parmer".

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- **Easement.** The current 25 foot easement does not protect our properties from excess storm water, and runoff, which will cause damage to the homes that directly border the proposed site. Even if the grading of the land is changed, after

a year when the ground settles again, the gradation will have changed, and not in our favor.

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21

- **Crime.** Again, we only have to look at our neighbors on Dallas Drive and Turtle Rock to validate our concerns with apartments bringing in crime to the neighborhood. After the apartment complex the IMT at Rattan Creek was occupied, theft, burglary, and car vandalism all increased on Dallas Drive.

- **Specs.** To date the apartment buildings will be three stories tall, providing a clear view from the balconies into everyone's home – located a mere 25 feet from our fence line.

- **Decline in quality of life.** Apartments will have negative cascading effects in our neighborhood. When we can't sell our homes, surrounded by excessive traffic, noise pollution, crime, and overcrowded schools, making the neighborhood that we all moved into will cease to exist.

- **Schools.** We pay higher property taxes in our subdivision even though we have an Austin address. Guess what? We don't mind it because we are paying for the schools. However, this past year Live Oak Elementary alone was in need of additional classes due to an overwhelming amount of students. **With an additional 382 unit apartment complex-Where are these children going to go?** Our family with children and other families in our subdivision will be directly affected by this.

Please help us keep the land zoned retail only for the 16 acres in question. The neighborhood has joined together to appeal to all involved parties in the hopes that land would be developed with something that would maintain the community's value.

Thank you,

Nicole Rivera

*Homeowner*



City of Austin Planning and Development Review Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

C1  
22

## SITE PLAN APPEAL

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission, or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. SP-2013-0219D

DATE APPEAL FILED 12-11-13

PROJECT NAME Broadstone at

YOUR NAME Ryan Rivera

Parmer

SIGNATURE Ryan Rivera

PROJECT ADDRESS 8100 Anderson Mill

YOUR ADDRESS 8412 Dulac Dr.

Austin, TX. 78729

Austin, TX. 78729

APPLICANT'S NAME ATKINS

YOUR PHONE NO. ( ) WORK

CITY CONTACT Brad Jackson

(512) 731-8540 HOME

**INTERESTED PARTY STATUS:** Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)
- ☐ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☒ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

**DECISION TO BE APPEALED\*:** (Check one)

Administrative Disapproval/Interpretation of a Site Plan

Date of Decision:

Replacement site plan

Date of Decision:

Land Use Commission Approval/Disapproval of a Site Plan

Date of Decision:

☒ Waiver or Extension

Date 11<sup>th</sup> of Dec. Decision: NO

Planned Unit Development (PUD) Revision

Date of Decision:

Other:

Date of Decision:

\*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

**STATEMENT:** Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

C1  
23

Brad Jackson, City of Austin  
Case number: SP-2013-0219D  
P.O. Box 1088  
Austin, Texas 78767  
512-974-3410  
Brad.Jackson@austintexas.gov

Dear Mr. Jackson:

The homeowners of the Bluffs at Milwood, located at the North West corner of Parmer and Anderson Mill Road, would like to appeal to you regarding zoning of land that borders our properties. We ask for your assistance to maintain the zoning as it stands - all commercial, and reject the extension granted to "Broadstone at Parmer".

As you know, the 16 acres in question have always been zoned for retail/commercial space; the developers are attempting to change the zoning to multi-family. As the plan exists to date, apartment complex will begin a mere 25 feet from our property line. The homeowners of the Bluffs at Milwood, and the greater Milwood subdivision would succumb to a vast number of negative cascading effects, and we only have to look to our own neighbors down the street on Dallas Drive or Turtle Rock, both invaded by multifamily, to validate the following concerns:

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- **Traffic.** "Preliminary" traffic studies by the developer estimate that traffic would at least double on Anderson Mill Road as the main entry/exit point for the apartment complex is less than 200 feet from our property. Our subdivision has only one entry/exit point; this scenario would make commuting to and from work utterly impossible. This area of Anderson Mill Road already has a high rate of traffic violations, traffic accidents, and traffic related fatalities at the intersection in front of our subdivision at Osborne and Anderson Mill Road. This will also have a major impact on traffic on Parmer Lane. What involvement has TxDOT had in assessing traffic patterns and projected road issues for this project? How can we be assured that we will have safe entry and exit into our subdivision?
- **Easement.** The current 25 foot easement does not protect our properties from excess

C7  
24

storm water, and runoff, which will cause damage to the homes that directly border the proposed site. Even if the grading of the land is changed, after a year when the ground settles again, the gradation will have changed, and not in our favor.

- **Crime.** Again, we only have to look at our neighbors on Dallas Drive and Turtle Rock to validate our concerns with apartments bringing in crime to the neighborhood. After the apartment complex the IMT at Rattan Creek was occupied, theft, burglary, and car vandalism all increased on Dallas Drive.

- **Specs.** To date the apartment buildings will be three stories tall, providing a clear view from the balconies into everyone's home – located a mere 25 feet from our fence line.

- **Decline in quality of life.** Apartments will have negative cascading effects in our neighborhood. When we can't sell our homes, surrounded by excessive traffic, noise pollution, crime, and overcrowded schools, making the neighborhood that we all moved into will cease to exist.

Please help us keep the land zoned retail only for the 16 acres in question. The neighborhood has joined together to appeal to all involved parties in the hopes that land would be developed with something that would maintain the community's value.

Thank you,  
Homeowner

Ryan Rivera  


8412 Dulac Dr.  
Austin, TX. 78729



City of Austin Planning and Development Review Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

C1  
25



## SITE PLAN APPEAL

re an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission, or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. 2013-061986 SP

PROJECT NAME Broadstone at Parmer

PROJECT ADDRESS 8100 Anderson Mill Lane Austin TX 78729

APPLICANT'S NAME ATKINS(Terry Reynolds)

CITY CONTACT Brad Reynolds

DATE APPEAL FILED 12/11/2013

YOUR NAME Susan Birmingham

SIGNATURE [Signature]

YOUR ADDRESS 8437 Alvin High Lane

Austin, TX 78729

YOUR PHONE NO. (512) 465-2268 WORK

( )                      HOME

**INTERESTED PARTY STATUS:** Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)
- ☒ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

**In addition to the above criteria,** I qualify as an interested party by one of the following criteria: (Check one)

- ☒ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

**DECISION TO BE APPEALED\*:** (Check one)

- |   |      |    |           |
|---|------|----|-----------|
| <input type="checkbox"/> Administrative Disapproval/Interpretation of a Site Plan | Date | of | Decision: |
| <input type="checkbox"/> Replacement site plan                                    | Date | of | Decision: |

Division: C1/26

- \*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.**

The homeowners of the Bluffs at Milwood, located at the North West corner of Parmer and Anderson Mill Road, would like to appeal to you regarding zoning of land that borders our properties. We ask for your assistance to maintain the zoning as it stands - all commercial, and reject the extension granted to "Broadstone at Parmer".

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- **Traffic.** "Preliminary" traffic studies by the developer estimate that traffic would at least double on Anderson Mill Road as the main entry/exit point for the apartment complex is less than 200 feet from our property. Our subdivision has only one entry/exit point; this scenario would make commuting to and from work utterly impossible. This area of Anderson Mill Road already has a high rate of traffic violations, traffic accidents, and traffic related fatalities at the intersection in front of our subdivision at Osborne and Anderson Mill Road. This will also have a major impact on traffic on Parmer Lane. What involvement has TxDOT had in assessing traffic patterns and projected road issues for this project? How can we be assured that we will have safe entry and exit into our subdivision?
- **Easement.** The current 25 foot easement does not protect our properties from excess storm water, and runoff, which will cause damage to the homes that directly border the proposed site. Even if the grading of the land is changed, after a year when the ground settles again, the gradation will have changed, and not in our favor.

C1/21

- **Crime.** Again, we only have to look at our neighbors on Dallas Drive and Turtle Rock to validate our concerns with apartments bringing in crime to the neighborhood. After the apartment complex the IMT at Rattan Creek was occupied, theft, burglary, and car vandalism all increased on Dallas Drive.

- **Specs.** To date the apartment buildings will be three stories tall, providing a clear view from the balconies into everyone's home – located a mere 25 feet from our fence line.

- **Decline in quality of life.** Apartments will have negative cascading effects in our neighborhood. When we can't sell our homes, surrounded by excessive traffic, noise pollution, crime, and overcrowded schools, making the neighborhood that we all moved into will cease to exist.

Please help us keep the land zoned retail only for the 16 acres in question. The neighborhood has joined together to appeal to all involved parties in the hopes that land would be developed with something that would maintain the community's value.

Applicable Code Section:

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C1/28

**City of Austin Planning and Development Review Department**  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835



## SITE PLAN APPEAL

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission, or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. 2013-061986 SP

PROJECT NAME Broadstone at Parmcer

PROJECT ADDRESS 8100 Anderson Mill Lane Austin TX 78729

APPLICANT'S NAME ATKINS(Terry Reynolds)

CITY CONTACT Brad Reynolds

DATE APPEAL FILED 12/11/2013

YOUR NAME Victoria Atkins

SIGNATURE [Signature]

YOUR ADDRESS 8416 Duane Dr

Austin TX 78729

YOUR PHONE NO. (512) 285-1175 WORK

(512) 910-1175 HOME

**INTERESTED PARTY STATUS:** Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)
- ☒ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☒ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

**DECISION TO BE APPEALED\*:** (Check one)

- |   |            |          |                 |
|---|------------|----------|-----------------|
| <input type="checkbox"/> Administrative Disapproval/Interpretation of a Site Plan | Date _____ | of _____ | Decision: _____ |
| <input type="checkbox"/> Replacement site plan                                    | Date _____ | of _____ | Decision: _____ |

C1/29

City of Austin Planning and Development Review Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 787678835

## SITE PLAN APPEAL

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CASE NO. 2013061986

SP \_\_\_\_\_

PROJECT NAME Broadstone at Parmer

PROJECT ADDRESS 8100 Anderson Mill Lane Austin TX 78729

APPLICANT'S NAME ATKINS(Terry Reynolds)

CITY CONTACT Brad Reynolds

DATE APPEAL FILED 12/11/2013

YOUR NAME Tiffany and Karl Asha

SIGNATURE 

YOUR ADDRESS 13521 Dulles Ave

YOUR PHONE NO. 512- 619-6839 WORK

512- 336-9355 HOME

INTERESTED PARTY STATUS: Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)

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- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

DECISION TO BE APPEALED\*: (Check one)

- ☐ Administrative Disapproval/Interpretation of a Site Plan Date of Decision:

C1  
/30

☐ Replacement site plan Date of Decision:

☐ Land Use Commission Approval/Disapproval of a Site Plan Date of Decision:

☒ Waiver or Extension Date of Decision: 11/22/13

☐ Planned Unit Development (PUD) Revision Date of Decision:

☐ Other: \_\_\_\_\_ Date of Decision:

\*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.  
STATEMENT: Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

The homeowners of the Bluffs at Milwood, located at the North West corner of Parmer and Anderson Mill Road, would like to appeal to you regarding zoning of land that borders our properties. We ask for your assistance to maintain the zoning as it stands - all commercial, and reject the extension granted to "Broadstone at Parmer".

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- Easement. The current 25 foot easement does not protect our properties from excess storm water, and runoff, which will cause damage to the homes that directly border the

C1  
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proposed site. Even if the grading of the land is changed, after a year when the ground settles again, the gradation will have changed, and not in our favor.

- Crime. Again, we only have to look at our neighbors on Dallas Drive and Turtle Rock to validate our concerns with apartments bringing in crime to the neighborhood. After the apartment complex the IMT at Rattan Creek was occupied, theft, burglary, and car vandalism all increased on Dallas Drive.

- Specs. To date the apartment buildings will be three stories tall, providing a clear view from the balconies into everyone's home -- located a mere 25 feet from our fence line.

- Pollution. Noise and light pollution are major concerns. The traffic noise from increased volume of cars and trucks, will funnel right into our homes. This is of paramount concern to us, as our home already backs up to Anderson Mill Road. I cannot imagine what the house will sound like after. If a large truck passes by, it can literally shake the house. For my neighbors whose properties face the proposed site plan, there will be no escape to the light pollution from parking lights, and their homes will not only rattle, but it will be day time 24 hours a day.

- Decline in quality of life. Apartments will have negative cascading effects in our neighborhood. When we can't sell our homes, surrounded by excessive traffic, noise pollution, crime, and overcrowded schools, the neighborhood that we all moved into will cease to exist -- and down the rabbit hole we go.

Please help us keep the land zoned retail only for the 16 acres in question. The neighborhood has joined together to appeal to all involved parties in the hopes that land would be developed with something that would maintain the community's value.

Thank you,  
Tiffany and Karl Asha

Applicable Code Section:

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City of Austin Planning and Development Review Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

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## SITE PLAN APPEAL

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission, or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. SP-2013-02190 DATE APPEAL FILED Dec 16, 2013  
PROJECT NAME Broadstone YOUR NAME Scott Sauter  
at Parmer SIGNATURE Scott Sauter  
PROJECT ADDRESS 8100 YOUR ADDRESS 8924 Dulac Dr  
Anderson Mill Rd Austin TX 78729  
APPLICANT'S NAME ATKINS, Terry Reynolds YOUR PHONE NO. ( ) WORK  
CITY CONTACT Nikki Hoelter (512) 879-8731 HOME  
Brnd Jackson

INTERESTED PARTY STATUS: Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)
- ☒ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☒ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

DECISION TO BE APPEALED\*: (Check one)

<input type="checkbox"/> Administrative Disapproval/Interpretation of a Site Plan	Date	of	Decision:
<input type="checkbox"/> Replacement site plan	Date	of	Decision:
<input checked="" type="checkbox"/> Land Use Commission Approval/Disapproval of a Site Plan	Date	of	Decision:
<input type="checkbox"/> Waiver or Extension	Date	of	Decision:
<input type="checkbox"/> Planned Unit Development (PUD) Revision	Date	of	Decision:
<input type="checkbox"/> Other: _____	Date	of	Decision:

\*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

STATEMENT: Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:



December 17, 2013

8424 Dulac Drive  
Austin, TX 78729

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Brad Jackson, City of Austin  
Case number: SP-2013-0219D  
P.O. Box 1088  
Austin, Texas 78767  
512-974-3410  
Brad.Jackson@austintexas.gov

Dear Mr. Jackson:

The homeowners of the Bluffs at Milwood, located at the North West corner of Parmer and Anderson Mill Road, would like to appeal to you regarding zoning of land that borders our properties. We ask for your assistance to maintain the zoning as it stands - all commercial, and reject the extension granted to "Broadstone at Parmer".

As you know, the 16 acres in question have always been zoned for retail/commercial space; the developers are attempting to change the zoning to multi-family. As the plan exists to date, apartment complex will begin a mere 25 feet from our property line. The homeowners of the Bluffs at Milwood, and the greater Milwood subdivision would succumb to a vast number of negative cascading effects, and we only have to look to our own neighbors down the street on Dallas Drive or Turtle Rock, both invaded by multifamily, to validate the following concerns:

- **Investment.** Multifamily located next to our property will **decrease our property values**. This has in fact *already* happened in our neighborhood. Milwood consists of working middle class families, when we have to move and can not sell our homes, we are forced to rent out the house. This is exactly what happened on Dallas Drive, and Turtle Rock; those streets have been completely changed by the apartments and renters.
- **Traffic.** "Preliminary" traffic studies by the developer estimate that traffic would at least double on Anderson Mill Road as the main entry/exit point for the apartment complex is less than 200 feet from our property. Our subdivision has only one entry/exit point; this scenario would make commuting to and from work utterly impossible. This area of Anderson Mill Road already has a high rate of traffic violations, traffic accidents, and traffic related fatalities at the intersection in front of our subdivision at Osborne and Anderson Mill Road. This will also have a major impact on traffic on Parmer Lane. What involvement has TxDOT had in assessing traffic patterns and projected road issues for this project? How can we be assured that we will have safe entry and exit into our subdivision?

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- **Easement.** The current 25 foot easement does not protect our properties from excess storm water, and runoff, which will cause damage to the homes that directly border the proposed site. Even if the grading of the land is changed, after a year when the ground settles again, the gradation will have changed, and not in our favor.

- **Crime.** Again, we only have to look at our neighbors on Dallas Drive and Turtle Rock to validate our concerns with apartments bringing in crime to the neighborhood. After the apartment complex the IMT at Rattan Creek was occupied, theft, burglary, and car vandalism all increased on Dallas Drive.

- **Specs.** To date the apartment buildings will be three stories tall, providing a clear view from the balconies into everyone's home – located a mere 25 feet from our fence line.

- **Decline in quality of life.** Apartments will have negative cascading effects in our neighborhood. When we can't sell our homes, surrounded by excessive traffic, noise pollution, crime, and overcrowded schools, making the neighborhood that we all moved into will cease to exist.

Please help us keep the land zoned retail only for the 16 acres in question. The neighborhood has joined together to appeal to all involved parties in the hopes that land would be developed with something that would maintain the community's value.

Thank you,



J. Scott Suitlas



City of Austin Planning and Development Review Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

C1  
1/35

## SITE PLAN APPEAL

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission, or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. 2013-061986 SP

DATE APPEAL FILED 12/12/13

PROJECT NAME Broadstone at Parmer

YOUR NAME Cheryl Hull

SIGNATURE Cheryl Hull

PROJECT ADDRESS 8100 Anderson Mill Lane

YOUR ADDRESS 8411 Dulac Dr

Austin TX 78729

Austin, TX 78729

APPLICANT'S NAME ATKINS(Terry Reynolds)

YOUR PHONE NO. ( ) WORK

CITY CONTACT Brad Jackson

(928) 699-7931 HOME

**INTERESTED PARTY STATUS:** Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)

☒ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

**In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)**

- ☒ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☒ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

**DECISION TO BE APPEALED\*:** (Check one)

- ☐ Administrative Disapproval/Interpretation of a Site Plan
- ☐ Replacement site plan
- ☐ Land Use Commission Approval/Disapproval of a Site Plan
- ☒ Waiver or Extension
- ☐ Planned Unit Development (PUD) Revision
- ☐ Other: \_\_\_\_\_

Date of Decision: \_\_\_\_\_  
Date of Decision: \_\_\_\_\_  
Date of Decision: \_\_\_\_\_  
Date of Decision: 11/22/13  
Date of Decision: \_\_\_\_\_  
Date of Decision: \_\_\_\_\_

\*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

**STATEMENT:** Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

I am currently on the board for the Bluffs at Milwood, and we are concerned about the apartment complex being built in our backyard. There are numerous concerns that are presented about the apartment complex, and a little

worrisome that after 6 months of trying to get through the approval process ATKINS still has so many outstanding obstacles.

I know you've been getting emails all week about our concerns about what it will be doing to our property value, crime concerns, etc.

One of the biggest concerns I have is the amount of traffic that will be added to the intersection of Parmer and Anderson mill road. We only have one entrance/exit into our subdivision- on Anderson mill, which for the amount of homes here is fine, but getting out in the morning can cause a headache, The apartment complex will have two exits. One will be onto Anderson Mill Road, adding at least another (approx.) 400 cars is going to make getting out absolutely miserable and I can foresee it becoming an extremely dangerous exit. I believe the apartment complex will be walking only to the two schools nearby – meaning that the kids will be walking on our side of the Anderson mill until they get to the crossing guard. They can utilize the light at Parmer, but someone who watches cars run the right hand turn light daily, that is a huge safety issue – even as an adult I've almost been hit.

The other exit for the apartment complex will be on Parmer – which will be near the curve in Parmer, which already poses a problem if you are trying to turn right onto Parmer from Anderson mill. Luckily that is at least protected by a light.

We will also have a lot of noise pollution during the duration of the complex - are there set times when they can build

Applicable Code Section: \_\_\_\_\_

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## PUBLIC HEARING INFORMATION

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

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

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

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

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
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A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SP-2013-0219D

Contact: Brad Jackson, 512-974-3410 or

Rosemary Ramos, 512-974-2784

Public Hearing: Zoning and Planning Commission, Jan 21, 2014

Carlos Vazquez

Your Name (please print)

8548 ALVIN HIGH LANE

Your address(es) affected by this application

Cardenas

Signature

Date

Daytime Telephone:

512-923-6588 (cell)

Comments

A COMMERCIAL STRUCTURE THIS CLOSE TO MY PROPERTY WILL DIMINISH MY PROPERTY VALUE @ THE EXISTING GREENBELT SEPARATES MANY TYPES OF WILDCIFE, WHICH FREQUENT MY FEEDERS; CARDINALS, BLUEGRAYS HUMMINGBIRDS; MOST OF THEM ARE NESTING PAIRS IVE SEEN FOR 5 YEARS PLUS. THE LOSS OF THIS GREENBELT DIRECTLY AFFECTS OUR LIVES & THE NEIGHBORHOOD AS WE KNOW IT.

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Brad Jackson

P. O. Box 1088

Austin, TX 78767-1088

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## PUBLIC HEARING INFORMATION

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- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: SP-2013-0219D

Contact: Brad Jackson, 512-974-3410 or

Rosemary Ramos, 512-974-2784

Public Hearing: Zoning and Planning Commission, Jan 21, 2014

Your Name (please print) ANNA CHOI

8314 OSBORNE DR

Your address(es) affected by this application

Anna Choi

Signature

Daytime Telephone: 512-970-7528

Date

1/09/14

Comments:

I strongly object on putting  
any residential apartment in the zone  
where we are discussing about.  
Any other properties I will  
decrease the values of our homes and create  
more traffic on Farmer Lane - and  
more accidents.

Thank You

Anna Choi

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Brad Jackson

P. O. Box 1088

Austin, TX 78767-1088

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## PUBLIC HEARING INFORMATION

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- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: SP-2013-0219D

Contact: Brad Jackson, 512-974-3410

Rosemary Ramos, 512-974-2784

Public Hearing: Zoning and Planning Commission, Jan 21, 2014

LINDA B. TEAM

Your Name (please print)

1804 Willow Street 78702

Your address(es) affected by this application

Linda B. Team

Signature

1-7-14

Date

Daytime Telephone: 512-472-1930

Comments: This property is adjacent to single-family neighborhoods and this is not compatible with a residential neighborhood

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Brad Jackson

P. O. Box 1088

Austin, TX 78767-1088

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