

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: C14-2014-0023

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 27, 2014, Planning Commission

June 26, 2014, City Council

SCOTT STENLUND

Your Name (please print)

8404 DUSK TERRACE COVE

Your address(es) affected by this application

Scott Stenlund

Signature

20 JUNE 2014

Date

Daytime Telephone: (512) 394-1672

Comments: **PLEASE SEE ATTACHMENT**

☐ 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

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

RE: Case Number C14-2014-0023

We object to the following aspects of this proposed rezoning.

1. The change to the Conditional Overlay permitting the following uses: day care services (commercial, general and limited) and private primary and secondary educational facilities.
2. The carve-out that allows the 15 foot wide strip that abuts the north property line to retain SF-2-CO-NP zoning.

My wife and I own the property comprising the entire northern boundary line of the property requesting rezoning. We, like most of our neighbors, purchased these large-lot residences because of the relative solitude and the lack of visual intrusions that they provided.

Contrary to the statement made in the Staff's backup document (pg. C3-15, para. "Comprehensive Planning") prepared for the Planning Commission's May 27 meeting, the proposed use for this property is not a "medical office". The current property owner has represented to the Estates of Loma Vista HOA that he is under contract to sell this property to The Goddard School contingent on re-zoning approval. This school would essentially be a day care/learning center for children from pre-K-kindergarten through 6th Grade. The site plan for this proposed development shows a 10,000 square foot building and a 12,200 square foot playground less than 100 yards from my home. We do not believe that such a development is compatible with the adjacent large-lot single family residences. We agree with the Planning Staff's "Basis For Recommendation" that "zoning changes should allow for reasonable use of the property". We strongly disagree, however, that "the Conditional Overlay provides for enhanced compatibility with the adjacent single family residences to the north and south". We also do not understand how changing the Conditional Overlay to allow day care services or educational facilities is consistent with Paragraph 1 of the "Basis For Recommendation".

The statement made in the above referenced "Comprehensive Planning" paragraph that "The applicant wants to rezone the remaining SF-2 strip abutting the LO zoned property" is incorrect. What the applicant wants to do is leave a 15 foot wide strip abutting the north property line as SF-2 and rezone the rest as LO. Per the site plan this strip would be used to construct a paved driveway to provide access to the single family home on the east side of the property. The reason for leaving this strip of land SF-2 (as confirmed to me by the consulting engineer that prepared the site plan) is to avoid the compatibility standards that would be triggered if the entire property was rezoned LO. A primary consideration was to avoid the standard requiring a 25 foot setback for a driveway. We believe that this avoidance violates the spirit of, if not the intent of, the compatibility standards and should not be permitted. Furthermore, if the driveway is constructed per the proposed site plan it will become a point of contention between property owners. The property slopes from north to south. If the driveway is built at the current grade or lower, runoff from our undeveloped property will carry naturally occurring silt and debris onto the driveway. If the driveway is constructed at a higher grade, then runoff water will pool on our property. Either way one of the property owners will be unhappy. Also, construction of a driveway directly adjacent to the

property line will require the removal of many trees on the property to be developed, and pruning of trees on our property whose branches extend over the property line. These trees currently provide a significant visual screen between the two properties.

As the owners of the property that will be most impacted by the proposed development of this property, we strongly implore the City Council and Staff to consider our objections to this rezoning.

Scott Stenlund

[illegible]

NORTH

FILENAME: 1488-001

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