

ZONING & PLATTING
COMMISSION

Handouts

MARCH 3, 2015

C-2

**REQUESTS AND
PETITION FOR RESTRICTIVE COVENANTS
BY RESIDENTS OF THE RESERVE AT SOUTHPARK MEADOWS**

WHEREAS, Armbrust & Brown PLLC, through Richard Suttle, its representative, on behalf of Owner SP Meadows West/David L. Rouche, has petitioned the City of Austin Zoning & Platting Commission to change the current zoning of a parcel of land at 9500 Alice Mae (intersection of Alice Mae and Taft Streets) in the City of Austin, Travis County, Texas under Zoning & Platting Commission Case No. C14-2015-0007 from GR-Community Commercial to GR-MU-Community Commercial Mixed Use for the intended purpose of engaging Affinity Builders to build a 55 and older apartment complex on said property, the undersigned residents of The Reserve at Southpark Meadows (hereinafter "RSPM"), as adjacent land owners to the West of the subject property, hereby set forth the below listed Requests and Restrictive Covenants to attach and inure to the development of the project, in perpetuity, for the protection and preservation of property values and maintenance of the existing community continuity of RSPM.

THAT:

1. A traffic circle (roundabout) shall be constructed at the intersection of Alice Mae and Taft to effectively manage the anticipated increased traffic at an already congested intersection (preferred resolution) or, in the alternative, a traffic signal or such other traffic management system deemed appropriate as a result of a traffic study to be conducted by the City of Austin at the request and expense of SP Meadows West. (Note: RSPM has already applied and been approved by the City of Austin for two traffic roundabouts [currently in the City's construction queue, but which should be installed by the time the subject site is being developed] on Southpark Meadows Drive at its intersection with Jack Ryan and Bentley Gardner Streets. Thus, a traffic circle at Alice Mae and Taft would be compatible with traffic resolutions already in progress within the immediate vicinity of the subject property.)
2. The building plans for the site shall be limited to no greater than the represented 162 apartment units and no expansion will occur in the form of additional buildings or structures that are not part of the approved original plat/building plan, in perpetuity.
3. The age restriction for any multi-family residential use of the property will remain, forever in perpetuity, 55 and older, as currently represented, throughout any sale or transfer of the residential complex to any subsequent owner or owners, said requirement to be documented in writing on any title and/or legal document that identifies the intended use of the complex. As long as the property is used for residential purposes, that age restriction shall always apply.
4. Pursuant to the City of Austin Compatibility regulations, that building setbacks on the western portion of the subject property shall be no less than 25 feet from the existing 25 foot SF-4A zoning "buffer" that runs along the west property line (said buffer carries the same SF-4A residential zoning designation as the residential lots on Sydney Marilyn). Further, structures that are more than 25 feet but less than 50-feet from the SF-4A buffer shall have a maximum building height of two (2) stories and 30 feet, per the City Compatibility regulations.

Lupe Vargas

Resident Name/Signature
Address: 9408 Sydney Marilyn Ln.

MAINE KENNEDY by Kathleen
Resident Name/Signature
Address: 316 BEAULIEU LANE

JAMES A. MENDOZA by Kathleen
Resident Name/Signature
Address: 9725 ALEX LANE

KENT LINDLOFF
Resident Name/Signature
Address: 9701 ALEX LANE
AUSTIN, TX 78748

Tea Rayton
Resident Name/Signature
Address: 9616 Sawyer Fay Ln
78747

Kathy Landino
Resident Name/Signature
Address: 9724 Alex Ln

Dore C & Cary B. Cook
Resident Name/Signature
Address: 308 Jack Ryan Lane

Paula Dier
Resident Name/Signature
Address: 305 Jack Ryan Ln

Lindsay Daniels
Resident Name/Signature
Address: 305 Jack Ryan Ln

Rebecca L. La Boste
Resident Name/Signature
Address: 312 Jack Ryan Ln

J. J. La Boste
Resident Name/Signature
Address: 312 Jack Ryan Lane

Angel Beltran / Angel Beltran
Resident Name/Signature
Address: 9309 Sydney Marilyn Ln

Monica Godlock / Rudy E. Godlock
Resident Name/Signature
Address: 9609 Sydney Marilyn Lane

MARYS BELTRAN / Marys Beltran
Resident Name/Signature
Address: 9309 SYDNEY MARILYN LANE

Holly & Dan Arenstokoski
Resident Name/Signature
Address: 9729 Alex Lane

Jeff Marbas
Resident Name/Signature
Address: 9500 Sawyer Fay Ln

Jessica H. Martinez / Jennifer Martinez
Resident Name/Signature
Address: 9617 Sydney Marilyn Ln

Francisco M. Menez III / Francisco M. Menez III
Resident Name/Signature
Address: 9617 Sydney Marilyn

Fred Cerhan / Fred Cerhan
Resident Name/Signature
Address: 9320 Sydney Marilyn

Mariela Vargas / Mariela Vargas
Resident Name/Signature
Address: 9408 Sydney Marilyn Ln.

Paula Thrasher
Resident Name/Signature
Address: 9613 Sydney Marilyn Ln

Matthew Lombardi / Matthew Lombardi
Resident Name/Signature
Address: 9500 Sawyer Fay Lane

Leann Saurby
Resident Name/Signature
Address: 9629 SYDNEY MARILYN LN

Cindy E. Cozart
Resident Name/Signature
Address: 9601 Sydney Marilyn Lane

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: <http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0007
 Contact: Wendy Rhoades, 512-974-7719
 Public Hearing: February 17, 2015, Zoning and Planning Commission
 March 26, 2015, City Council

Renee Hernandez
 Your Name (please print)

I am in favor
 I object

9413 Sudney Marilyn Lane
 Your address(es) affected by this application

Rhoades 2/28/15
 Signature Date

Daytime Telephone: 512-797-1897

Comments: I would like to see
restricted ~~but~~ everesta agreed

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