ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0123 – South Chisholm Professional Offices

Z.A.P. DATE: January 16, 2018
February 6, 2018
February 20, 2018
March 6, 2018
March 20, 2018

ADDRESS: 1109 West Slaughter Lane

DISTRICT: 5

OWNER: Mario Solis

AGENT: Land Answers, Inc. (Jim Wittliff)

ZONING FROM: SF-2 **TO:** LO-MU

AREA: 0.67 acres (29,286 s.f.), as amended

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited office – mixed use (LO-MU) combining district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

January 16, 2018: *MEETING CANCELLED DUE TO INCLEMENT WEATHER*

February 6, 2018: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO FEBRUARY 20, 2018*
[A. AGUIRRE; D. KING – 2ND] (10-1) B. EVANS – NAY

February 20, 2018: *MEETING CANCELLED DUE TO AGENDA POSTING ERROR*

March 6, 2018: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO MARCH 20, 2018*
[B. GREENBERG; S. LAVANI – 2ND] (-9-0) D. BREITHAUPT; J. KIOLBASSA – ABSENT

March 20, 2018: *APPROVED LO-MU-CO DISTRICT ZONING WITH THE –CO LIMITED TO ONE RESIDENTIAL UNIT*
[D. KING; D. BRIETHAUPT – 2ND] (8-1) J. KIOLBASSA – NAY; Y. FLORES, A. TATKOW – ABSENT

ISSUES:

The Applicant is in agreement with the recommendation of the Zoning and Platting Commission.

On January 30, 2018, the Applicant amended the boundaries of his rezoning request to the lot located at 1109 West Slaughter Lane only. The lot located at the southeast corner of West Slaughter Lane and South Chisholm Trail (addressed as 9401 South Chisholm Trail) maintains SF-2 zoning.

Based on the amended zoning area, a petition of 18.98% has been filed by the adjacent property owners in opposition to this rezoning request. Petition materials and comment response forms are located at the back of the Staff report.

Property owners in the vicinity have also provided correspondence in favor of the requested rezoning. All correspondence received is attached at the back of the Staff report.

The Applicant met with the Slaughter Lane Neighborhood Association on November 17, 2017. On December 8, 2017, the Applicant amended the rezoning case from LR-CO to LO-MU-CO for two lots (1.301 acres, addressed as 1109 West Slaughter Lane and 9401 South Chisholm Trail).

DEPARTMENT COMMENTS:

The subject rezoning area consists of one platted lot located on West Slaughter Lane and has single family residence – standard lot (SF-2) district zoning. The lot contains a drainage channel that conveys overland flow from areas on the north side of Slaughter Lane, through the City's electric substation site and continues further southeast. This segment of West Slaughter Lane also contains an auto trim business, a few single family residences, apartments and undeveloped land with approved site plans approved for medical offices (P, SF-2, LR-CO, MF-1-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant has requested limited office – mixed use (LO-MU) district zoning. The request is reasonable based on its location on arterial roadway and provides a less intense land use transition to the adjacent single family residences that take their access to South Chisholm Trail. There are several examples of office and commercial zoning (LO; LR) on the south side of West Slaughter Lane. The adjacent lot to the west retains SF-2 zoning and vehicular access would not be allowed to South Chisholm Trail because residential zoned property does not allow for access from multi-family, office and commercial uses. Therefore, vehicular access would be limited to Slaughter Lane.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-2	Undeveloped
North	LO-CO; LR-CO	Offices; Beauty salon; Tailor; Computer repair; Child care facility; Undeveloped
South	SF-1; RR	Single family residences
East	P	City of Austin drainage easement and electrical substation
West	SF-2; LR-CO; MF-1-CO	Two single family residences; Auto upholstery business; Undeveloped (proposed for medical offices); Apartments

NEIGHORHOOD PLANNING AREA: No **TIA:** Is not required

WATERSHED: Slaughter Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** Yes, Slaughter Lane

NEIGHBORHOOD ORGANIZATIONS:

242 – Slaughter Lane Neighborhood Association
511 – Austin Neighborhoods Council
627 – Onion Creek Homeowners Association
742 – Austin Independent School District
1228 – Sierra Club, Austin Regional Group
1363 – SEL Texas
1424 – Preservation Austin
1528 – Bike Austin
1530 – Friends of Austin Neighborhoods
1550 – Homeless Neighborhood Organization
1578 – South Park Neighbors

SCHOOLS:

Casey Elementary School Paredes Middle School Akins High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-98-0270 – Uresti Day Care – 9316 Chisholm Ln and 1112 Slaughter Ln	DR; SF-2 to GR	To Grant LO-CO on the Tract 1 (west) and LR-CO on the Tract 2 (east), with conditions	Apvd LO-CO (Tract 1) and LR-CO (Tract 2) w/CO for 2,000 trips, no vehicle access to Chisholm Ln and prohibit financial services and service station on Tract 2 (7-15-1999).
C14-99-0063 – Shirell and Lois	SF-2 to LO	To Grant LO-CO, w/conditions	Apvd LO-CO w/ CO prohibiting access to

Hipp Zoning Change – 1303 W Slaughter Ln			Slaughter Lane (8-19-1999).
C14-00-2098 – Blackhawk Apartments – 1200 W Slaughter Ln	SF-1 to MF-1-CO and LR-CO	To Grant MF-1-CO and LR-CO, w/conditions	Apvd MF-1-CO and LR-CO, w/CO for Traffic Impact Analysis; 13.24 u.p.a. (300 units); 15' vegetative buffer along David Moore Rd; list of prohibited uses (1-25-2001).
C14-00-2111 – Solera – 1200 Block of W Slaughter Ln	DR to MF-3	To Grant MF-2-CO w/conditions	Apvd MF-2-CO w/CO for 12.18 u.p.a. and conditions of Traffic Impact Analysis (10-26-2000).
C14-00-2189 – Wattinger Acres – 1218 W Slaughter Ln	DR to W/LO	To Grant W/LO-CO w/conditions	Apvd W/LO-CO w/CO for 2,000 trips (1-18-2001).
C14-00-2242 – Swanson's Crossing Retail – 1216 – 1400 W Slaughter Ln	DR to LR	To Grant LR-CO w/conditions	Apvd LR-CO w/ CO for 2,000 trips (2-15-2001).
C14-02-0079 – Stone Tract – 9601-9641 South Chisholm Trl	I-RR to SF-3	To Grant SF-1-CO w/ max. 28 units and conditions of NTA	Apvd SF-1-CO as Commission recommended, and conditions of Neighborhood Traffic Analysis (1-16-2003).
C14-02-0046 – Wattinger Corner – NW corner of Slaughter Ln and Texas Oaks Dr	DR to GR-CO	To Grant LR-CO	Apvd LR-CO w/CO for 2,000 trips and list of prohibited uses (9-26-2002).
C14-05-0217 -1204 W Slaughter Ln	SF-2 to LR-CO	To Grant LO	Apvd LO (4-20-2006).
C14-2007-0059 – 1206 W Slaughter Ln	SF-2 to LR-CO	To Grant LO-CO	Apvd LO-CO w/CO for 2,000 trips (7-26-2007).
C14-2008-0052 – TJG – 9609 Swanson's Ranch Rd	SF-2 to CS	To Grant GO-CO w/ CO for personal services as only GO use, and all NO zoning	Apvd GO-CO district zoning w/conditions of a Restrictive Covenant as Commission

		uses and regulations, 150 trips/day, all parking to be located on-site and conditions of the NTA	recommended (1-15-2009).
C14-2008-0164 – 2.458 acres adjacent to Slaughter Lane Substation	DR to P	To Grant P	Apvd P (10-2-2008).
C14-2008-0187 – Burr - 1201 West Slaughter Ln	SF-2 to LR	To Grant LR-CO w/CO allowing food sales, general retail sales (convenience and general) and all permitted LO uses	Apvd LR-CO as Commission recommended (11-6-2008).

RELATED CASES:

The property is platted as Lot 5 of Swanson's Ranchettes, recorded in November 1962 (C8S-62-137). Please refer to Exhibit B.

The property was annexed into the City limits on November 15, 1984.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
West Slaughter Lane	Approx. 115 feet	Approx. 81 feet	MAD 6 – Major Arterial	Yes	Yes	Yes
South Chisholm Trail	Approx. 60 feet	Approx. 17 feet	Local	No	No	Yes

CITY COUNCIL DATE: February 15, 2018 **ACTION:** Approved a Postponement request by Staff to March 8, 2018 (10-0, Council Member Alter was off the dais).

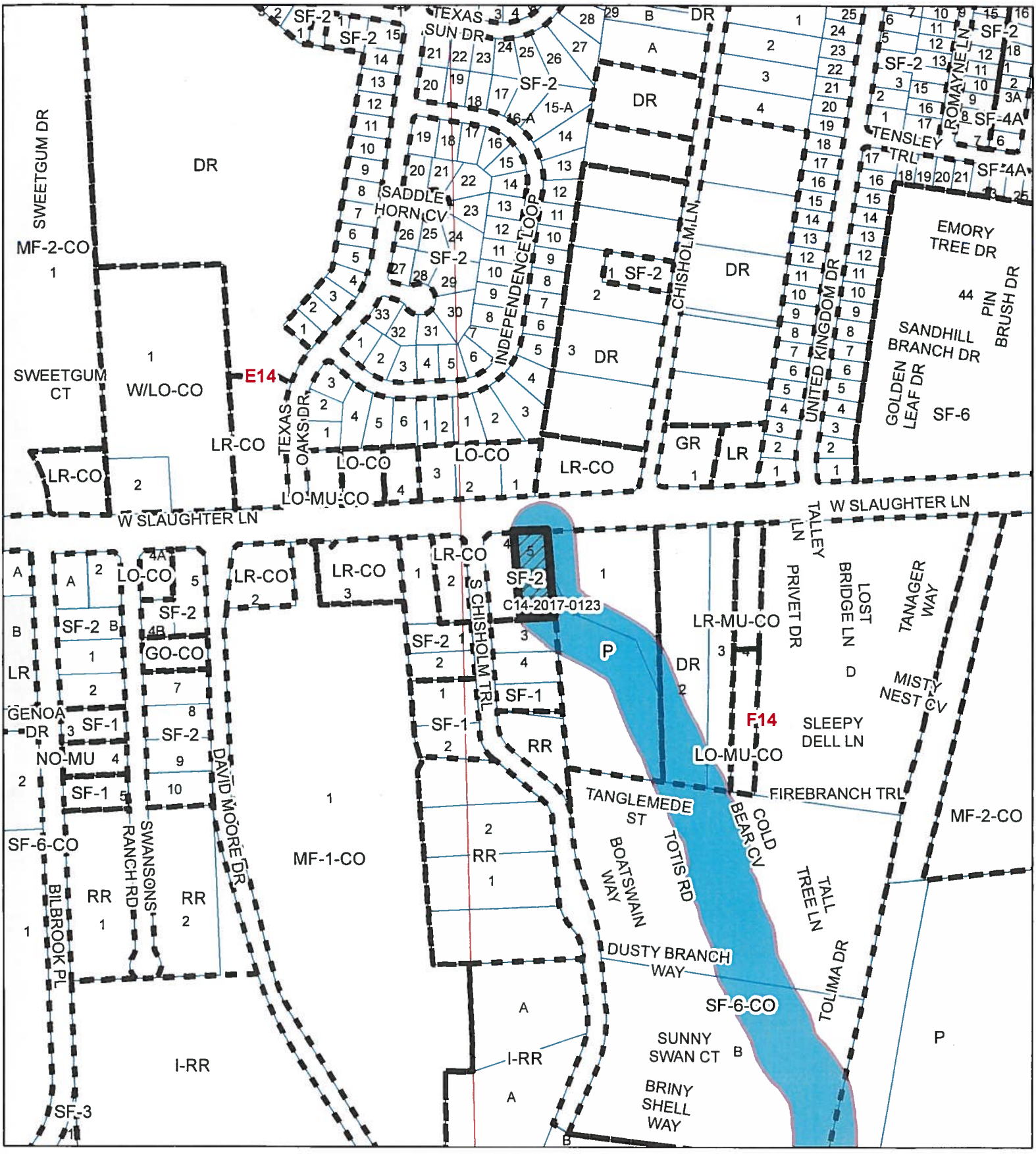
March 8, 2018 Approved a Postponement request by Staff to April 12, 2018 (11-0).

April 12, 2018

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 512-974-7719
e-mail: wendy.rhoades@austintexas.gov



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1" = 400'

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CREEK BUFFER

SOUTH CHISHOLM PROFESSIONAL OFFICE

ZONING CASE#: C14-2017-0123

LOCATION: 1109 W. SLAUGHTER LN.

SUBJECT AREA: 0.67 ACRES

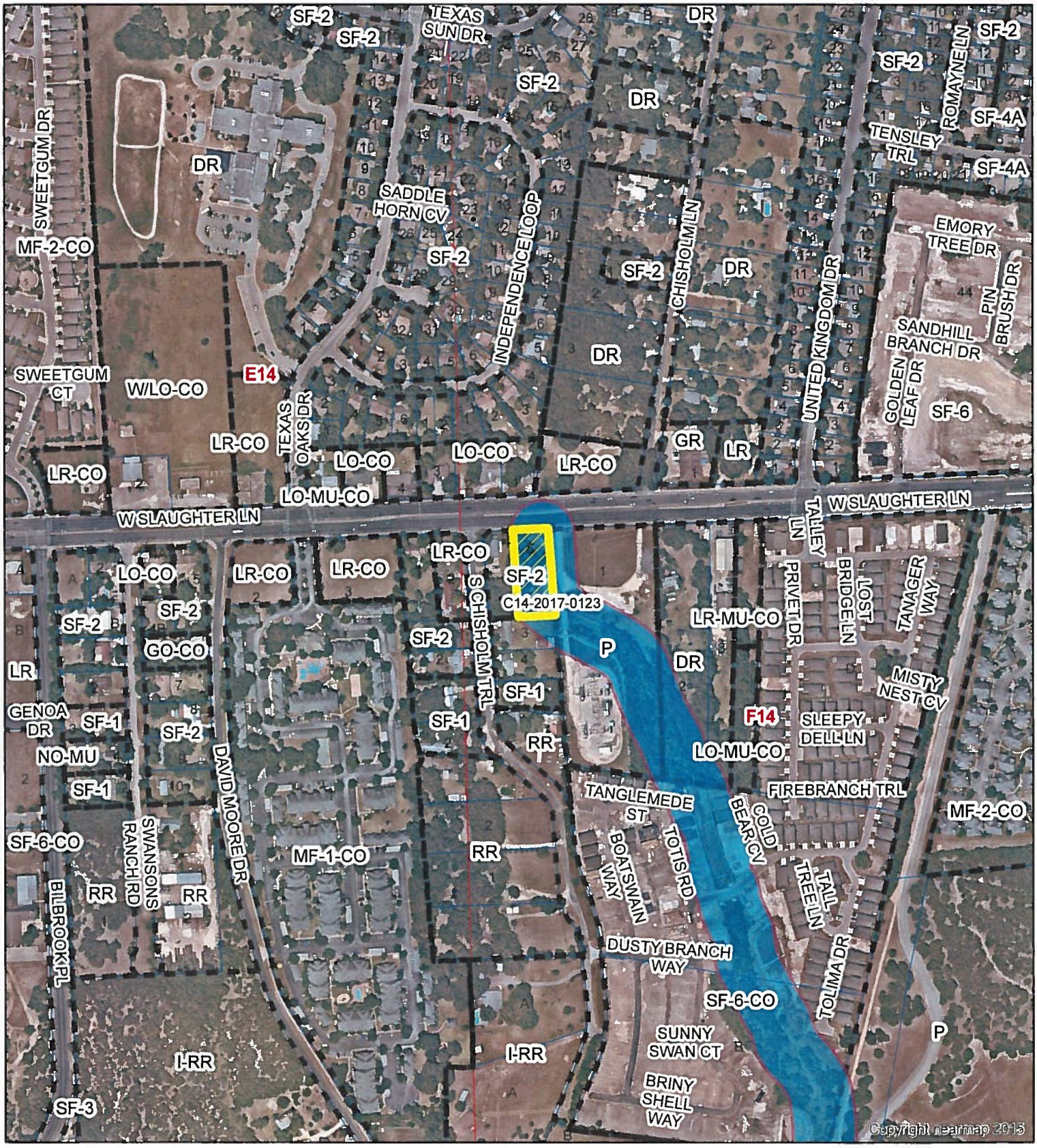
GRID: F14

MANAGER: WENDY RHOADES

EXHIBIT A

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN · FOUNDED 1839



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

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SOUTH CHISHOLM PROFESSIONAL OFFICE

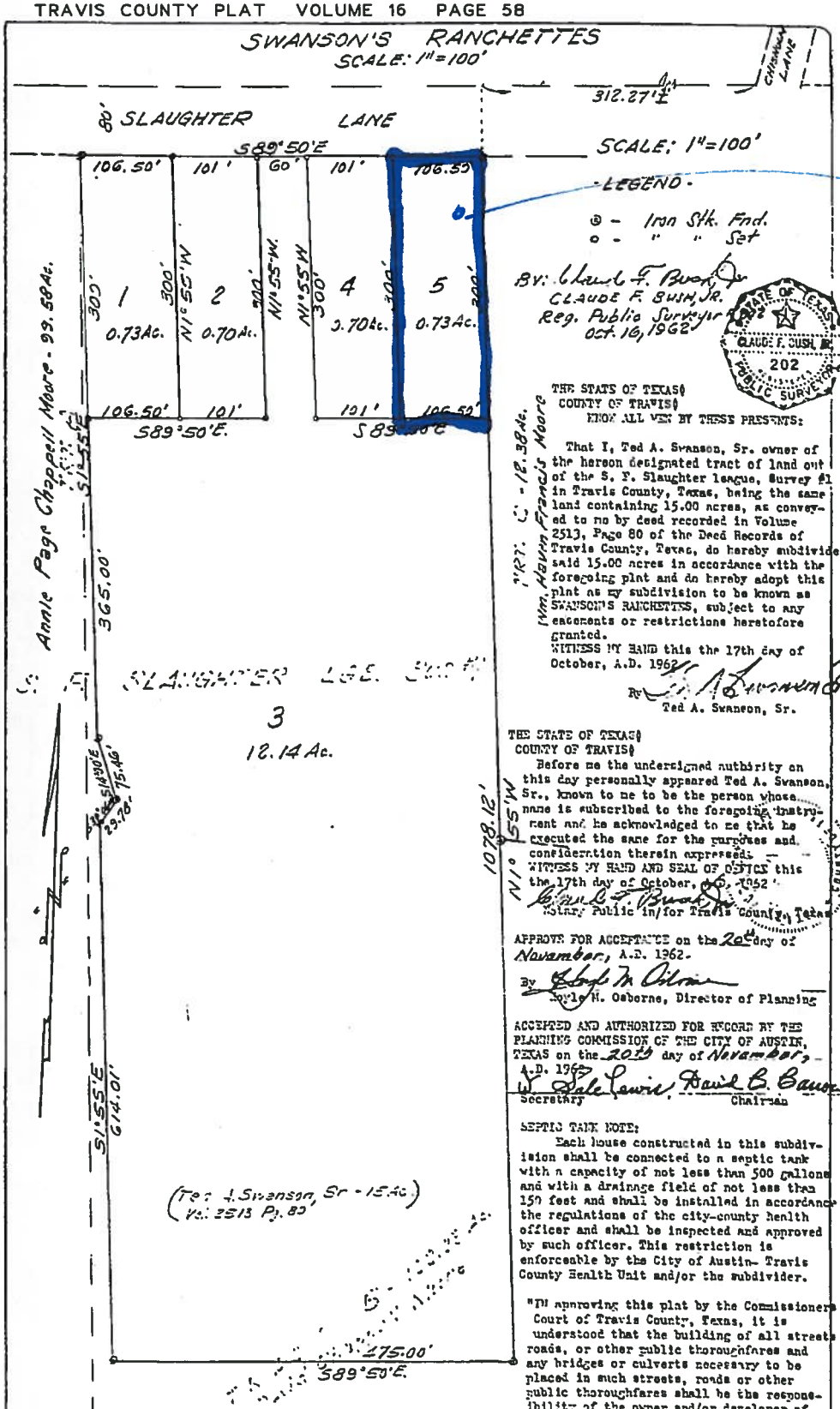
ZONING CASE#: C14-2017-0123
LOCATION: 1109 W. SLAUGHTER LN.
SUBJECT AREA: 0.67 ACRES
GRID: F14
MANAGER: WENDY RHOADES

EXHIBIT A-1

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Nov 26-62 Rec'd A 879 f 45

TRAVIS COUNTY PLAT VOLUME 16 PAGE 58



REZONING AREA

By: Claude F. Bush Jr.
CLAUDE F. BUSH, JR.
Reg. Public Surveyor
Oct. 16, 1962

STATE OF TEXAS
CLAUDE F. BUSH, JR.
202
PUBLIC SURVEYOR

THE STATE OF TEXAS}
COUNTY OF TRAVIS}
KNOW ALL MEN BY THESE PRESENTS:

That I, Ted A. Swanson, Sr. owner of the hereon designated tract of land out of the S. F. Slaughter league, Survey #1 in Travis County, Texas, being the same land containing 15.00 acres, as conveyed to me by deed recorded in Volume 2513, Page 80 of the Deed Records of Travis County, Texas, do hereby subdivide said 15.00 acres in accordance with the foregoing plat and do hereby adopt this plat as my subdivision to be known as SWANSON'S RANCHETTES, subject to any easements or restrictions heretofore granted.

WITNESS MY HAND this the 17th day of October, A.D. 1962.

By: Ted A. Swanson
Ted A. Swanson, Sr.

THE STATE OF TEXAS}
COUNTY OF TRAVIS}

Before me the undersigned authority on this day personally appeared Ted A. Swanson, Sr., known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE this the 17th day of October, A.D. 1962.

Claude F. Bush Jr.
Notary Public in/for Travis County, Texas

APPROVED FOR ACCEPTANCE on the 20th day of November, A.D. 1962.

By: Doyle H. Osborne
Doyle H. Osborne, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS on the 20th day of November, A.D. 1962.

Dale Lewis, Secretary David B. Bauer, Chairman

SEPTIC TANK NOTE:

Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with a drainage field of not less than 150 feet and shall be installed in accordance with the regulations of the city-county health officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin- Travis County Health Unit and/or the subdivider.

"In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets roads, or other public thoroughfares and any bridges or culverts necessary to be placed in such streets, roads or other public thoroughfares shall be the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas and said court assumes no obligation to build any of the streets, roads or other public thoroughfares or any bridges or culverts in connection therewith."

THE STATE OF TEXAS}
COUNTY OF TRAVIS}

I, Miss Emilie Linberg, County Clerk of Travis County, Texas, do hereby certify that on the 26 day of November A.D. 1962, the Commissioners Court of Travic County, Texas passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said court in Book 3 Page 352.

WITNESS MY HAND AND SEAL OF OFFICE this the 26 day of November A.D. 1962

Miss Emilie Linberg, County Clerk, Travis County, Texas
By: Stuart Harris Deputy

FILED FOR RECORD on the 26 day of Nov A.D. 1962 at 10:30 o'clock A.M.
Miss Emilie Linberg, County Clerk, Travis County, Texas
By: Elsie Pruett Deputy

OCT 1962
RECEIVED

EXHIBIT B
RECORDED PLAT

C83-62-137

Rhoades, Wendy

From: Land Answers [redacted]
Sent: Tuesday, January 30, 2018 1:18 PM
To: Rhoades, Wendy
Cc: 'Solis, Mario A'
Subject: C14-2017-0123

Dear Wendy,

The property owner has asked me to modify this rezoning request as follows:

- We wish to remove Lot 4 from this application.
- Lot 5 will request LO-MU-CO zoning. The conditional overlay will require Lot 5 to access Slaughter Lane only.

Thank you,

Jim Wittliff
Land Answers, Inc.
3606 Winfield Cove
Austin, Texas 78704
(512) 416-6611

APPLICANT'S AMENDED REQUEST TO LO-MU FOR 1109 W SLAUGHTER LN

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited office – mixed use (LO-MU) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

LO zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods. The proposal meets the purpose statement set forth in the Land Development Code. The subject lot is adjacent to a neighborhood that is largely single family. The proposed office use would potentially serve the surrounding neighborhoods and the mixed use component would allow for residential uses on the property, which should be encouraged in the City's Desired Development Zone. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

2. Zoning should allow for reasonable use of the Property.
3. Zoning changes should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

The request is reasonable based on its location on arterial roadway and provides a less intense land use transition to the adjacent single family residences that take their access to South Chisholm Trail. There are several examples of office and commercial zoning (LO; LR) on the south side of West Slaughter Lane. The adjacent lot to the west retains SF-2 zoning and vehicular access would not be allowed to South Chisholm Trail because residential zoned property does not allow for access from multi-family, office and commercial uses. Therefore, vehicular access would be limited to Slaughter Lane.

EXISTING CONDITIONS

Site Characteristics

The subject property is undeveloped and relatively flat. There is a drainage channel that runs parallel to the east property line and carries overland flow through the property and further southeast.

Comprehensive Planning

This rezoning case is located on the W. Slaughter Lane on a 0.67 acre undeveloped lot. The subject property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes single family housing to the east and west, an auto trim shop to the south, and an office in a converted house to the north. The proposed uses are office and retail.

Connectivity
Public sidewalks are located along both sides of W. Slaughter Lane. Cap Metro transit stops are located within walking distance to this location. The Walkscore for this property 34/100, ***Car Dependent,*** meaning most errands require a car.

Imagine Austin
The Imagine Austin Growth Concept Map identifies this section of Slaughter Lane as an **Activity Corridor**. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.
The following Imagine Austin policies are applicable to this case:

- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, **corridors** and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

While this property is situated along an Activity Corridor as identified on the Imagine Austin Growth Concept Map, the comparative scale of the site relative to nearby commercial and office uses located all along Slaughter Lane and adjoining this parcel falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district is 70%, which is based on the more restrictive zoning regulations.

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

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

There is an intermediate Critical Water Quality Zone along the east side of the property; development is limited in this area per 25-8-261.

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

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876.

At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

This site is in the Scenic Roadway Sign District. All commercial signage must meet the criteria for Scenic Roadway signs, as found in 25-10-124 of the Land Development Code.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

a. The site is subject to compatibility standards. Along the South property line, the following standards apply:
b. No structure may be built within 25 feet of the property line.
c. Because the site is adjacent to SF-2, compatibility setbacks will also apply to the Front property line.
d. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
e. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
f. For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
g. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
h. No parking or driveways are allowed within 25 feet of the property line.
i. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

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

Water and Wastewater

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

Staff does not support a –CO prohibiting vehicular access to Chisholm Trail. Land Development Code Section 25-6-381(A) *(Minimum Frontage For Access)* prohibits access to arterials if the lot has less than 200' of frontage and access is available from other roadways. This Code section is a life/safety issue for the purposes of reducing the number of curb cuts and thus traffic conflict points on major roadways, and providing for a safer and more efficient transportation system. The width of this rezoning area (2 lots) on Slaughter Lane is 187 feet. Although Chisholm Trail has a substandard pavement width, it is considered the safer access point. At the time of site plan, additional improvements to the Chisholm Trail right-of-way adjacent to this lot will likely be required for construction by the Applicant, including widening to a standard width, installing sidewalks, curbing and gutters.

Rhoades, Wendy

From: Rick Burr <[redacted]>
Sent: Monday, December 04, 2017 10:58 AM
To: Rhoades, Wendy
Cc: [redacted]
Subject: RE: 12/4/2017 - Case #C14-2017-0123

Dear Wendy,

The letter from the Slaughter Lane Association, which we are a part of, does not include our support for Mr. Solis.

So that we may be heard:

My wife, Tina Burr & I, own the property at 1201 W. Slaughter Lane just across South Chisolm Trail from the property requesting rezoning in Case #C14-2017-0123. We are in support of the zoning that Mr. Solis is requesting for his property up to and including the exact zoning we have at our address.

Rick & Tina Burr
J & H Auto Trim
1201 W Slaughter Lane
Austin, Texas 78748
Rick Cell: 512-773-4953
Rick Office:512-282-0444

From: TJ Greaney [mailto:[redacted]]
Sent: Monday, December 4, 2017 10:42 AM
To: [redacted]
Cc: Wendy.Rhoades@austintexas.gov; [redacted]; Rick Burr <[redacted]>
Subject: 12/4/2017 - Case #C14-2017-0123

12/4/2017

To:
Land Owner: Mario A. Solis and Nicholas David Solis
9401 South Chisolm Trail, Austin, Texas

Representative: Jim Wittliff, Land Answers

Dear Sirs,

I am forwarding this letter in representation of the Slaughter Lane Neighborhood Association and the residents of S. Chisholm Trail (78748) on the recent applications for rezoning of the properties at 9401 South Chisholm Trail. From SF-2 to LR (originally LO): Case #C14-2017-0123

Rhoades, Wendy

From: Land Answers <[redacted]>
Sent: Friday, November 03, 2017 12:22 PM
To: 'Rick Burr'; Rhoades, Wendy
Cc: [redacted]
Subject: RE: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123

Rick and Tina,

Thank you for taking the time to reach out to Mr. Solis and myself. Your support is greatly appreciated. We too, believe that this zoning request will be an asset to the area. We understand that the SLNA and the adjacent neighbors have a great deal of concerns regarding our request. We intend to meet with the neighborhood association, discuss, educate and hopefully, alleviate those concerns. I look forward to meeting you in person, should you plan on attending the meeting (time and place TBD).

Thank you,

Jim Wittliff
Land Answers, Inc.
3606 Winfield Cove
Austin, Texas 78704
(512) 416-6611

From: Rick Burr [mailto:[redacted]]
Sent: Friday, November 03, 2017 11:49 AM
To: [redacted]; Wendy.Rhoades@austintexas.gov
Cc: [redacted]
Subject: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123

Mr. Wittliff,

My name is William (Rick) Burr. My wife, Tina & I, own the property at 1201 W Slaughter Lane just west across S Chisolm Trail from Mr. Solis' property. My wife and I want you to know that the Slaughter Lane neighborhood Association does not speak for us on the Zoning Request Case #C14-2017-0123. The association is aware of our standing from the meeting we had a week or so back.

We are in support of the zoning requested as we believe that it will be an asset to the area.

William (Rick) Burr
1201 W Slaughter Lane
Austin, Texas 78748

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/planning.

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: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: January 16, 2018, Zoning & Platting Commission
February 15, 2018, City Council

John W. Blunt
Your Name (please print)

☒ **I am in favor**
☐ **I object**

1206 W. Slaughter Lane
Your address(es) affected by this application

John W. Blunt — 1/10/2018
Signature — *Date*

Daytime Telephone: 512-619-5936

Comments: I strongly support this Zoning change request. Light office use will have minimal impact on the neighborhood. If the city can approve GO-MU-CO for 1208 West Slaughter, it can certainly approve LO-MU-CO for this property. The traffic is 10 times worse at Texas Oaks & Slaughter than traffic at Chisholm Trl. & Slaughter

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

John W Blunt

Subject: Zoning Case C14-2017-0123 (9401 South Chisholm Trail - Mario Solis)
Attachments: Zoning Case C14-2017-0123.pdf

RE: Zoning Case C14-2017-0123 (9401 South Chisholm Trail - Mario Solis)

Dear Ms. Rhoades,

I strongly support the owner's request for zoning change to LO-MU at 9401 South Chisholm Trail. Light office use will have marginal impact on the neighborhood. It is almost identical to the zoning case you supported so strongly in 2014 for the property located at 1208 West Slaughter Lane. This is the northeast corner of Texas Oaks Drive and West Slaughter Lane. In that case, you strongly advocated zoning change from SF-2 to GO-MU-CO.

The vehicle and pedestrian traffic is markedly worse at Texas Oaks and Slaughter Lane than that associated with Mr. Solis' property at the corner of West Slaughter Lane and South Chisholm Trail. This is especially true in the mornings and afternoons with young children going to and from Casey Elementary School a short distance from 1208 West Slaughter Lane. The contrast is even more pronounced given that 1208 West Slaughter Lane lacks curb cut access on West Slaughter Lane.

I recall watching you strongly advocate the requested zoning change at 1208 West Slaughter Lane before the Zoning & Platting Commission and the City Council. You argued that it would be illogical and discriminatory to deny the zoning change to the owners of 1208 West Slaughter Lane after the city granted similar zoning changes to similar properties at 1200, 1204 and 1206 West Slaughter Lane. The same holds true for 9401 South Chisholm Trail. In addition, the city granted LR zoning to 1201 West Slaughter Lane located directly across South Chisholm Trail from the petitioner's property.

The neighborhood's petition opposing the zoning change was obtained in my opinion with false claims promulgated by neighborhood activists. They resorted to scare tactics. They falsely claimed the owner of 9401 South Chisholm Lane was going to raze the existing building and develop the site with a huge commercial development that would cause enormous traffic problems for nearby residents. This claim is a big lie.

One of the neighborhood activists entered my office building uninvited at 1206 West Slaughter Lane and regaled my tenant with the aforementioned falsehood. She wrote me an email explaining the details of this uninvited and unwanted meeting. I doubt the petition would have acquired the needed signatures to become a valid petition if the truth had been told about the property owner's true intentions which is to use the building for light office use.

It would be inconsistent and discriminatory to deny the property owner's request for zoning change to LO-MU at 9401 South Chisholm Trail.

Respectfully submitted,

John W Blunt, Owner
1206 West Slaughter Lane
Austin, TX 78748
Tel: 512-292-3377
Cell: 512-619-5936

PUBLIC HEARING INFORMATION

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

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

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

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: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: January 16, 2018, Zoning & Platting Commission
February 15, 2018, City Council

Steve Carruthers
Your Name (please print)

☑ **I am in favor**
☐ **I object**

9800 Tolima Drive 78748
Your address(es) affected by this application

Signature *Date*

Daytime Telephone: 5128005126

Comments: approve suitable location for mu. BUT, the street Chisolm Tr needs curbing and drainage upgrades to handle addition traffic and driveways and parking to support mu
Suitable for mu or (MF) best.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: January 16, 2018, Zoning & Platting Commission
February 15, 2018, City Council

Susie Coultress
Your Name (please print)

☑ **I am in favor**
☐ **I object**

9609 Alex Lane
Your address(es) affected by this application

Susie Coultress — Jan. 10, 2018
Signature — *Date*

Daytime Telephone: 512-576-0812

Comments: Am in favor. Welcome the opportunity of the continuous growth in South Austin especially in the quadrant between IH 35 and Manchaca through Slaughter. The commercial properties that surround this area have only helped the community as growth continues exponentially.

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Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: February 6, 2018, Zoning and Platting Commission
February 15, 2018, CityCouncil

John W. Blunt Jr.
Your Name (please print)

☒ I am in favor
☐ I object

1206 W. Slaughter Lane 78748
Your address(es) affected by this application

John W. Blunt 1/29/18
Signature *Date*

Daytime Telephone: 512-619-5936

Comments: I strongly support this zoning change. Virtually every single-family residence on Slaughter west 9401 S. Chisholm Trl. has received commercial zoning upgrade. To deny Mr. Solis this zoning change would be inconsistent, arbitrary and discriminatory. No one else has received this kind of bogus pushback from the neighborhood.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: March 6, 2018, Zoning and Platting Commission
March 8, 2018, City Council

WILLIAM R. BURR
Your Name (please print)

☒ **I am in favor**
☐ **I object**

1201 W. SLAUGHTER LN
Your address(es) affected by this application

W R Burr — 3/1/18
Signature — *Date*

Daytime Telephone: 512-282-0444

Comments: Both my wife & I are 100% in FAVOR of THIS ZONING CHANGE

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: March 6, 2018, Zoning and Platting Commission
March 8, 2018, City Council

Susie Coultress
Your Name (please print)

☑ **I am in favor**
☐ **I object**

9609 Alex Lane
Your address(es) affected by this application

Susie Coultress 3/1/18
Signature *Date*

Daytime Telephone: (512) 576-0812

Comments: Please approve as I am in strong support. This change will be a positive convenience in our area. The growth of Austin especially in South Austin is exponentially growing and having the convenience of offices and retail with in our immediate area will be of great benefit.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Rhoades, Wendy

From: TJ Greaney <tj@kidsoutdoorzone.com>
Sent: Thursday, November 02, 2017 10:29 AM
To: Land Answers; Rhoades, Wendy
Cc: [redacted]; Dawn Grunwaldt; Wife Sandra Greaney
Subject: Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
Attachments: SLNA 11217.pdf

9401 South Chisholm Trail. Case #C14-2017-0123

Good morning Jim,

Attached please find our, (Slaughter Lane Neighborhood Association), reply to the Zoning request at 9401 S. Chisholm trail.

We look forward to meeting with you regarding any questions or thoughts you have on our reply and concerns.

Kind regards,

TJ Greaney
9508 S. Chisholm Trail

cc: Wendy Rhodes

SLAUGHTER LANE NEIGHBORHOOD ASSOCIATION

We feel the use now proposed does not fit the community well and offers many potential hazards and dangers.

Some of those concerns include but are not limited to:

- Entry to the project on Chisholm from Slaughter leaves little room as you turn onto Chisholm from a fast moving traffic situation and will be dangerous entering or exiting Slaughter.

- The width of the current street does not appropriately accommodate normal street traffic, thus this projects addition there creates hazards.

- Chisholm Trail Neighborhood Covenants include street widening and sidewalks.

- Crime from sales and retail operations in the area are a major concern.

There are individuals with many separate concerns not listed here that we will offer at our meeting with you and your agent.

In our SLNA meeting on this zoning we have agreed on the following appropriate zoning with the Conditional Overlay listed:

- LO: Limited Office Only (per owner's original email to SLNA)

Conditional Overlay

- No access from Chisholm Trail – (except emergency access with gate)
- Fencing along Chisholm Trail as a barrier
- Leave vegetation and fencing barrier on South side of lot as natural barrier to resident at 9415 S. Chisholm Trail
- Include sidewalks along S. Chisholm Trail
- Maintain property landscaping
- Maximum 2 story
- No retail
- No restaurant
- No communal or group living operations

Other requests will include but are not limited to:

Proper signage and lighting to assure safety for residents and to direct visitors to the property.

Slaughter Lane Neighborhood Association

SLAUGHTER LANE NEIGHBORHOOD ASSOCIATION

Thank you for your attention to this very important matter. We look forward to meeting with you to confirm the above Zoning and Conditional Overlay.

Kind Regards,

TJ Greaney
President, SLHA
[redacted]
512-789-3838

Rhoades, Wendy

From: Land Answers <landanswers@sbcglobal.net>
Sent: Monday, November 06, 2017 8:48 AM
To: 'TJ Greaney'; Rhoades, Wendy
Cc: [redacted]; 'Dawn Grunwaldt'; 'Wife Sandra Greaney'
Subject: RE: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123

Hello Mr. Greaney,

Thank you for further clarifying the neighborhood's position. I look forward to meeting you on November 14th. Mr. Solis understands his requirement to widen the pavement, add curb and gutter, and build sidewalks. Please note that traffic control lights can only be built if the Public Works Department sees a necessity. If the traffic counts are not there, we cannot install a light. I would like to know what I might have said that made any of your neighborhood members think I was characterizing them as being racist or intolerant. I am not a race-baiter. I look forward to an open, honest and polite discussion with your community on the 14th.

Sincerely,

Jim Wittliff

-----Original Message-----
From: TJ Greaney [mailto:[redacted]]
Sent: Friday, November 03, 2017 9:48 AM
To: Land Answers <[redacted]>; Wendy.Rhoades@austintexas.gov
Cc: [redacted]; 'Dawn Grunwaldt' <[redacted]>; 'Wife Sandra Greaney' <[redacted]>
Subject: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123

Hello Jim,

Thank you for your prompt reply.

The SLNA will not accept anything but LO, low traffic professional as an option for this rezoning. Anything else will not fit. (see our previous email from 11/2/2017) The businesses across the street, professional and low traffic (as suggested by your client in his original letter to SLNA) seem fine.

As far as the street goes, we had this conversation years ago about S. Chisholm Trail with City of Austin engineers. The street is non-conforming, at some places only 12' wide, asphalt, no sidewalks, drainage. Because of that the COA worked with us to require any building on S. Chisholm Trail to widen the street to conforming width, put in sidewalks and drainage gutters (both sides).

Adding to our CO we will also include now, just to clarify: No retail. A traffic control light at the intersection.

As far as your comments on the "Supreme Court" as our reference to group homes. Some felt that you were characterizing our association as being racist or intolerant, our only concern was traffic.

We are available to meet at the subject property Monday November 14, 5:30 pm.

Please let us know if you can meet.

Kind regards,

TJ Greaney
SLNA

On 11/2/17, 3:17 PM, "Land Answers" <[redacted]> wrote:

Hello Mr. Greaney,

Thank you for your letter from Slaughter Lane NA. I would like to address a few of the points in your letter.

Driveway Locations:

Because Mr. Solis' property only has 185.75 feet of frontage along Slaughter Lane, the City will force him to remove his existing Slaughter Lane driveway, as a condition of site plan approval, per Section 25-6-381 of Austin's Land Development Code. All driveway access must be from Chisholm Trail South. We will attempt to locate driveway access onto Chisholm Trail South as far from Slaughter Lane as possible.

Sidewalks:

Mr. Solis will be required to install sidewalks along Chisholm Trail South and Slaughter Lane as part of his site plan.

Roadway Capacity:

Per Section 25-6-116 of Austin's Land Development Code, Chisholm Trail South currently has a traffic capacity for up to 1,200 vehicles per day. Based on the 14 current residences that access Chisholm Trail South and the institute of Traffic Engineer's Handbook, which estimates 8.6 vehicle trips per day per residence, traffic on Chisholm Trail South is approximately 120 trips per day, or 10% of the road's capacity.

Compatibility Buffer:

The City will require Mr. Solis to provide a 25 foot wide buffer adjacent to any residential property, per LDC 25-2-1063. No buildings, parking or driveways may be built within the buffer area.

Building Height:

Per LDC 25-2-1062(D), building height may not exceed 30 feet or two stories within 50 feet of a residential property, and may not exceed 40 feet or three stories within 100 feet of a residential property.

Signage and Lighting:

Austin's Sign Ordinance and Commercial Design standards Ordinance will assure compliance in these areas.

Prohibited Land Uses:

Mr. Solis will agree to prohibit the following land uses:

- Off-site Accessory Parking

- Restaurant
- Service Station
- Urban Farm
- College and University Facilities
- Club or Lodge
- Public Primary and Secondary Educational Facilities

You can check with Wendy Rhoades, but I do not believe the Supreme Court will allow us to prohibit Group Homes. I hope this information is helpful. I look forward to meeting with you and the neighbors sometime soon.

Sincerely,

Jim Wittliff
Land Answers, Inc.
3606 Winfield Cove
Austin, Texas 78704
(512) 416-6611

-----Original Message-----
From: TJ Greaney [mailto:[redacted]]
Sent: Thursday, November 02, 2017 10:29 AM
To: Land Answers <[redacted]>; Wendy.Rhoades@austintexas.gov
Cc: [redacted]; Dawn Grunwaldt <[redacted]>; Wife Sandra Greaney <[redacted]>
Subject: Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123

9401 South Chisholm Trail. Case #C14-2017-0123

Good morning Jim,

Attached please find out, (Slaughter Lane Neighborhood Association), reply to the Zoning request at 9401 S. Chisholm trail.

We look forward to meeting with you regarding any questions or thoughts you have on our reply and concerns.

Kind regards,

TJ Greaney
9508 S. Chisholm Trail

cc: Wendy Rhodes

Rhoades, Wendy

From: Dawn Grunwaldt <dgrunwaldt@yahoo.com>
Sent: Wednesday, November 08, 2017 5:53 PM
To: Land Answers
Cc: Rhoades, Wendy; [redacted]; Wife Sandra Greaney; [redacted]
Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123

Thank you very much Jim for your quick response ~

unfortunately not all the neighbors will be able to make it on Friday and since time is of the essence for us, we definitely want to do it the week of the 13th due to the following being Thanksgiving:)

For the neighbors that will not be able to attend we will make sure that they get detailed notes on the discussion that we have on the 17th at 5:30 PM

Thanks and have a nice night
Dawn

Sent from my iPhone

> On Nov 8, 2017, at 5:27 PM, Land Answers <[redacted]> wrote:
>
> Dawn,
>
> Thank you for working to coordinate an alternative time that works for everyone. I will be there at 5:30pm on the 17th. I look forward to meeting you and discussing the neighborhood's concerns.
>
> Thank you,
>
> Jim Wittliff
>
> -----Original Message-----
> From: Dawn Grunwaldt [mailto:[redacted]]
> Sent: Wednesday, November 08, 2017 5:08 PM
> To: Land Answers <[redacted]>
> Cc: Wendy.Rhoades@austintexas.gov; [redacted], Wife Sandra Greaney <[redacted]>; [redacted]
> Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>
> Hi Jim ~
>
> We would like to reschedule the meeting for November 17, 2017 at 5:30 PM
>
> Please confirm that you have received and that you confirm the date.
>
> We are looking forward to getting this meeting going as we all have a lot of unanswered questions.

>
> Thank you very much,
> Dawn Grunwaldt
> And the Neighbors of Chisholm Trail
>
> 9503 South Chisholm Trail
> Austin Texas 78748
> 512-785-0067
>
>
> Sent from my iPhone
>
>> On Nov 6, 2017, at 4:36 PM, Land Answers <[redacted]> wrote:
>>
>> Dawn and TJ,
>>
>> Regrettably, I need to reschedule our November 14th meeting. I am very sorry to have to do this. I was just informed that I have an obligation that evening that I simply cannot miss. I will make myself available for your neighborhood at the same time any day later that week (15th-17th) or the following week (20th-24th). Again, my sincerest apologies for having to reschedule!
>>
>> However, there is some good news. I spoke with Mr. Solis and we will be able to meet inside at Mr. Solis's property. Please let me know what day works best for you and the rest of your neighborhood.
>>
>> Thank you,
>>
>> Jim Wittliff
>>
>> -----Original Message-----
>> From: Dawn Grunwaldt [mailto:[redacted]]
>> Sent: Monday, November 06, 2017 9:24 AM
>> To: Land Answers <[redacted]>
>> Cc: Wendy.Rhoades@austintexas.gov; [redacted], Wife Sandra Greaney <[redacted]>; [redacted]
>> Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>>
>> thank you
>>
>> Sent from my iPhone
>>
>>> On Nov 6, 2017, at 9:22 AM, Land Answers <[redacted]> wrote:
>>>
>>> Good morning Dawn,
>>>
>>> Thank you for your email letting me know about TJ, as I did reply to him this morning. We are available to meet at Mr. Solis's property at 5:30pm on November 14th. I look forward to meeting you then.
>>>
>>> Thank you,
>>>
>>> Jim Wittliff
>>>

>>> -----Original Message-----
>>> From: Dawn Grunwaldt [mailto:[redacted]]
>>> Sent: Monday, November 06, 2017 8:10 AM
>>> To: [redacted]
>>> Cc: Land Answers <[redacted]>; Wendy.Rhoades@austintexas.gov; [redacted]; [redacted]; Wife Sandra Greaney <[redacted]>; [redacted]
>>> Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>>>
>>> Good Morning Jim,
>>>
>>> I am replying from the response that Tj Greaney sent to you on November 3, 2017 at 9:50 AM regarding your reply to the neighbors on Chisholm Trail.
>>>
>>> I wanted to let you know that Tj will not be available to reply to your response confirming the meeting date at Mario Solis property on November 14th 2017 5:30 PM
>>>
>>> Please respond to me on this chain of email and if you have any questions I'll be more than happy to reply, if this date does not work for you that is completely fine please let us know sooner than later as I have to coordinate with everyone on our street to make sure that these dates work for them as well.
>>>
>>> Thank you very much in advance,
>>> Dawn Grunwaldt
>>> 9503 S Chisholm Trail
>>>
>>> Sent from my iPhone
>>>
>>>> On Nov 3, 2017, at 9:48 AM, TJ Greaney <[redacted]> wrote:
>>>>
>>>> Hello Jim,
>>>>
>>>> Thank you for your prompt reply.
>>>>
>>>> The SLNA will not accept anything but LO, low traffic professional as an option for this rezoning. Anything else will not fit. (see our previous email from 11/2/2017) The businesses across the street, professional and low traffic (as suggested by your client in his original letter to SLNA) seem fine..
>>>>
>>>> As far as the street goes, we had this conversation years ago about S. Chisholm Trail with City of Austin engineers. The street is non-conforming, at some places only 12' wide, asphalt, no sidewalks, drainage. Because of that the COA worked with us to require any building on S. Chisholm Trail to widen the street to conforming width, put in sidewalks and drainage gutters (both sides).
>>>>
>>>> Adding to our CO we will also include now, just to clarify: No retail. A traffic control light at the intersection.
>>>>
>>>> As far as your comments on the "Supreme Court" as our reference to group homes. Some felt that you were characterizing our association as being racist or intolerant, our only concern was traffic.
>>>>
>>>> We are available to meet at the subject property Monday November 14, 5:30 pm.
>>>>
>>>> Please let us know if you can meet.
>>>>
>>>> Kind regards,

>>>>
>>>>
>>>> TJ Greaney
>>>> SLNA
>>>>
>>>>
>>>>
>>>> On 11/2/17, 3:17 PM, "Land Answers" <[redacted]> wrote:
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>>>> Hello Mr. Greaney,
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>>>> Thank you for your letter from Slaughter Lane NA. I would like to address a few of the points in your letter.
>>>>
>>>> Driveway Locations:
>>>>
>>>> Because Mr. Solis' property only has 185.75 feet of frontage along Slaughter Lane, the City will force him to remove his existing Slaughter Lane driveway, as a condition of site plan approval, per Section 25-6-381 of Austin's Land Development Code. All driveway access must be from Chisholm Trail South. We will attempt to locate driveway access onto Chisholm Trail South as far from Slaughter Lane as possible.
>>>>
>>>> Sidewalks:
>>>>
>>>> Mr. Solis will be required to install sidewalks along Chisholm Trail South and Slaughter Lane as part of his site plan.
>>>>
>>>> Roadway Capacity:
>>>>
>>>> Per Section 25-6-116 of Austin's Land Development Code, Chisholm Trail South currently has a traffic capacity for up to 1,200 vehicles per day. Based on the 14 current residences that access Chisholm Trail South and the institute of Traffic Engineer's Handbook, which estimates 8.6 vehicle trips per day per residence, traffic on Chisholm Trail South is approximately 120 trips per day, or 10% of the road's capacity.
>>>>
>>>> Compatibility Buffer:
>>>>
>>>> The City will require Mr. Solis to provide a 25 foot wide buffer adjacent to any residential property, per LDC 25-2-1063. No buildings, parking or driveways may be built within the buffer area.
>>>>
>>>> Building Height:
>>>>
>>>> Per LDC 25-2-1062(D), building height may not exceed 30 feet or two stories within 50 feet of a residential property, and may not exceed 40 feet or three stories within 100 feet of a residential property.
>>>>
>>>> Signage and Lighting:
>>>>
>>>> Austin's Sign Ordinance and Commercial Design standards Ordinance will assure compliance in these areas.
>>>>
>>>> Prohibited Land Uses:
>>>>
>>>> Mr. Solis will agree to prohibit the following land uses:
>>>> • Off-site Accessory Parking
>>>> • Restaurant
>>>> • Service Station
>>>> • Urban Farm

>>>> • College and University Facilities
>>>> • Club or Lodge
>>>> • Public Primary and Secondary Educational Facilities
>>>>
>>>> You can check with Wendy Rhoades, but I do not believe the Supreme Court will allow us to prohibit Group Homes. I hope this information is helpful. I look forward to meeting with you and the neighbors sometime soon.
>>>>
>>>> Sincerely,
>>>>
>>>> Jim Wittliff
>>>> Land Answers, Inc.
>>>> 3606 Winfield Cove
>>>> Austin, Texas 78704
>>>> (512) 416-6611
>>>>
>>>> -----Original Message-----
>>>> From: TJ Greaney [[redacted]]
>>>> Sent: Thursday, November 02, 2017 10:29 AM
>>>> To: Land Answers <[redacted]>; Wendy.Rhoades@austintexas.....gov
>>>> Cc: [redacted]; Dawn Grunwaldt <[redacted]>; Wife Sandra Greaney <[redacted]>
>>>> Subject: Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>>>>
>>>> 9401 South Chisholm Trail. Case #C14-2017-0123
>>>>
>>>> Good morning Jim,
>>>>
>>>> Attached please find out, (Slaughter Lane Neighborhood Association), reply to the Zoning request at 9401 S. Chisholm trail.
>>>>
>>>> We look forward to meeting with you regarding any questions or thoughts you have on our reply and concerns.
>>>>
>>>> Kind regards,
>>>>
>>>>
>>>> TJ Greaney
>>>> 9508 S. Chisholm Trail
>>>>
>>>>
>>>> cc: Wendy Rhodes
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>

Rhoades, Wendy

From: Dawn Grunwaldt <[redacted]>
Sent: Friday, November 10, 2017 10:07 AM
To: Rhoades, Wendy
Subject: Re: Questions (Chisholm Trail) rezoning case C1420170123

Thank you very much Wendy if I have any questions I definitely will reach out I appreciate it.

PS we have rescheduled the meeting for November 17, 2017 at Solis's property at 5:30 in the evening

Dawn

Sent from my iPhone

> On Nov 9, 2017, at 6:47 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:
>
> Hi Dawn,
>
> I coordinated with the Transportation reviewer in order to answer questions 3 through 8. Please see our answers below and let me know if you or the neighbors have other questions. I will return to the office on Monday.
>
> Wendy Rhoades
> 512-974-7719
>
> -----Original Message-----
> From: Dawn Grunwaldt [mailto:[redacted]]
> Sent: Wednesday, November 08, 2017 4:54 PM
> To: Rhoades, Wendy
> Subject: Questions (Chisholm Trail) rezoning case C1420170123
>
> Hi Wendy~
>
> We the neighbors have a few questions ~
>
> 1. We need to know what the "real impact" is going to be on our street from having a business on a residential dead-end street that only has 13 houses on that street? Is this really good planning on the city's part?
>
> Response: Since the area was annexed into the City limits in November 1984, Slaughter Lane has evolved into a well-traveled arterial roadway. At the time of annexation, Mr. Solis's 2 lots were assigned the single family residence - standard lot (SF-2) district, consistent with its use. Mr. Burr's auto upholstery lot was also zoned SF-2 with annexation, and in November 2008 Council approved LR-CO zoning. Mr. Burr's zoning allows for food sales, general retail sales (convenience and general), and all permitted Limited Office (LO) uses. As shown in the link below, the resulting Conditional Overlay (-CO) outlined in the rezoning ordinance prohibits several uses in the neighborhood commercial (LR) district. Mr. Burr's zoning may serve as a point of departure for Mr. Solis's rezoning request. Thus, Mr. Burr does not have unencumbered LR zoning which allows for gas stations, banks, restaurants, and off-site accessory parking, but is limited to a few LR uses and permitted LO uses. I am also providing a link to the Permitted Use Chart and attaching the Site Development Regulations chart.
>
> Ordinance for Mr. Burr's property:

> http://www.austintexas.gov/edims/document.cfm?id=123426
>
> Permitted Use Chart:
> http://www.austintexas.gov/sites/default/files/files/Planning/Zoning/permitted_use_chart.pdf
>
> 2. This is really not a good fit for our street what will be the effect of our property values? We really feel that it's going to affect us in a very negative way, it just doesn't feel like it matches the street, Chisholm trail has a very country setting close into town and how does the business fit into that it ? It just doesn't make sense? How is the city justifying the consideration of this rezoning? How comfortable can we feel that this rezoning will not affect our resale values negatively?
>
> Response: The lot is developed with a 1,632 square foot single family residence, and it could be converted to office or retail without adding onto the existing structure, although depending on the development proposal, additional parking area(s) may be needed. If the Applicant's request for LR zoning is successful through Council, the site could be partially or significantly redeveloped with office and retail uses. The site's frontage on an arterial roadway lends itself to zoning other than SF-2, and a pattern of office and commercial zoning has been established along the south side of Slaughter Lane between Bilbrook Place and South Chisholm Trail. A rezoning can also include a Conditional Overlay to bring greater compatibility with the adjacent residential lots, by prohibiting certain uses (as was done Mr. Burr's property), creating greater building setbacks and vegetative buffers, and limiting building height, for example.
>
> Property taxes are largely dependent on improvements made (or not) to the property being taxed, although the extension of sidewalks and utilities to a property can also result in an increase in taxes. That being said, property taxes can increase in the absence of any improvements to one's property or those nearby, if the general area is considered to be more valuable.
>
> 3. When considering the entrance/exit driveway for the property on the corner of Chisholm Trail on slaughter it has been stated to us that the city might not consider Mr. Solis to use the apron that is already built on slaughter Lane due to it being a safety issue Because it is 187 ft away from the corner And it draws a concern of safety because it is not long enough I'm assuming or Does not meet the legal requirements of links?
>
> Response: A driveway off of Slaughter Lane would not be allowed due to a section of the Land Development Code that prohibits access to Arterials if the lot has less than 200' of frontage and access is available from other roadways (LDC, 25-6-381(A)). This code section is a life/safety issue to lower the number of curb cuts and thus traffic conflict points on major roadways.
>
> 4. How many feet does it have to be (legally) from the corner of Chisholm Trail down slaughter for them to put their driveway entrance and exit off of slaughter Lane?
>
> Response: 200', as stated above.
>
> 5. What is the requirement and legal safe length/ feet for Chisholm Trail to have a driveway For entrance and exit for a business?
>
> Response: Driveways must be separated from intersection right-of-way lines by 100 feet or 60 percent of the parcel frontage, whichever is less (Transportation Criteria Manual, 5.3.1.J.)
>
> 6. Traffic is so dangerous already taken a left or a right off of Chisholm Trail on to slaughter we cannot imagine how this is going to impact that corner? It is not safe it is not wide enough it absolutely needs to be well lit it and it needs to be very safe for us to turn left or right there needs to be a traffic light .
>
> Response: A neighborhood traffic analysis (NTA) will be required at the time of site plan per if the use of the site reaches over 300 trips per day LDC Section 25-6-114). The site is also subject to mitigation requirements. Factors such

as street width and signal lighting would be determined through the mitigation and the NTA. Other mitigation options may also be necessary.
>
> 7. If Mr. Solis was required to widen Chisholm Trail to be safe what is the requirement on that from the city On how wide he would have to widen it? And if he was required to widen the street how far down would he have to go?
>
> Response: Street widening and the required width along Mr. Solis's property would be determined during the NTA process based on LDC Sections 25-6-114 and 25-6-116.
>
> 8. What about street lights for our street what about sidewalks for our street? Who would be responsible for all of the improvements?
>
> Response: Sidewalks would be required at the time of site plan. Off-site sidewalks (on adjacent or nearby properties) would only be triggered through the NTA or mitigation. The installation of street lights would be determined by Austin Energy.
>
> Mrs. Wendy we absolutely do not want access on the Chisholm Trail, And we absolutely do not want LR...we really don't want a business there at all as it does not fit the neighborhood, especially with the unimproved street we have. It does not make sense and it's unsafe for us all.
>
> Thank in advance to always answering my calls and thank you for answering these questions
>
> Dawn Grunwaldt
> 9503 South Chisholm Trail
> Austin Texas 78748
> 512-785-0067
>
>
>
>
> Sent from my iPhone
> <Site devt stds by zoning district.pdf>

Rhoades, Wendy

From: Land Answers <[redacted]>
Sent: Wednesday, November 22, 2017 1:16 PM
To: 'Solis, Mario A'
Cc: [redacted]
Subject: Chisholm Trail Rezoning

Mario,

Following my meeting last Friday evening with the south Chisholm Trail Neighborhood members, I wanted to summarize their position, your options, and my recommendations.

The meeting was attended by 15 members of the neighborhood. Their position was very clear: if you proceed with an LR rezoning request, enough neighbors within a 200 foot radius of your property will file a petition with the City in opposition to LR zoning, asking instead for the City Council to grant only SF-2 zoning, which currently exists. I calculated that the residents who said they would sign the petition would constitute 71,400 square feet, or 23.4% of the petition area. Any petition that exceeds 20% is considered to be a "valid" petition, which automatically would require a 75% majority of the City Council (8 of 10 members) for approval. Due to the political make-up of this Council, it would be extremely unlikely for you to garner 8 Council votes, in light of the neighborhood's strong opposition.

However, the neighborhood stated that if you would agree to amend your application to LO zoning, they would provide you with a letter of support.

In my opinion, you will have three options: you can move forward with LR zoning and face a valid petition, you can amend your application to LO zoning and garner neighborhood support, or you can choose the one or two LR uses that you feel are really important for your property, and try to negotiate a compromise with the neighborhood. To help you with this decision, I have summarized the LO and LR uses with you below.

LO Zoning- The City's definition of LO zoning is "office use predominantly serving neighborhood or community needs; such as professional, semiprofessional, medical offices." There are 21 permitted land uses under LO zoning as follows:

- Bed and Breakfast
- Administrative/business offices
- Art and Craft Studio (ltd.)
- *Communications Services (i.e., sound or film studios)
- Medical Offices
- Professional Office
- Software Development (development or testing of magnetic discs, tapes and operating manifolds)
- Communication Service Facilities
- *Convalescent Services
- Counseling Services
- Cultural Services (i.e., library or museum)
- Daycare
- Family Home
- Group Home
- Local Utility Services
- Private Primary Educational Facilities
- Public Edu. Facilities

- Public Secondary Edu. Facilities
- Religious Assembly
- Safety Services (police, fire, EMS)
- Urban Farm

Of the 21 LO uses, the 19 uses in without an asterisk in front of them are also approved land uses under LR zoning, and the 7 uses highlighted are unlikely to be utilized on your site, leaving 14 legitimate LO uses.

LR Zoning- The City's definition of LR zoning is "Shopping facilities that provide limited business services and office facilities to the residents of the neighborhood; such as consumer repair services, food sales, pet services." In addition to the 19 uses that are also permitted in LO zoning, LR zoning allows 13 addition uses:

- Consumer Convenience Services (private postal boxes, ATM's)
- Consumer Repair Services (appliances, jewelry repair)
- Financial Services
- Food Sales (deli, bakery, grocery store)
- General Retail Sales-Convenience (drugs, cards, books, tobacco products, apparel, cameras, sporting equip., paint, bicycles, office supplies, etc.)
- Off-site Accessory Parking
- Personal Services (barber shop, dry cleaning pick-up)
- Pet Services
- Restaurant (ltd)
- Service Station
- College and University Facilities
- Guidance Services (daytime counseling)
- Private Secondary Educational Facilities

The uses highlighted are unlikely to be appropriate for your site, due to traffic, noise, and compatibility with the residential lots nearby, leaving 6 legitimate uses, plus the 19 uses also approved in LO zoning. In my opinion, it is unlikely that this property would be used for Consumer Convenience Services or General Retail Sales-Convenience, leaving four appropriate LR uses. You must decide if you want to fight to retain all four of those uses, or if you want to keep one or two LR uses, such as Food Sales and Personal Services.

Driveway Access- Ms. Rory Meze, one of the neighbors who was a TxDOT engineer for over 20 years, has committed to working with us to get TXDOT and the City of Austin to allow you to utilize the existing driveway apron that TxDOT poured as part of the Slaughter Land widening. If she is successful, the neighborhood would ask you to agree to prohibit driveway access to South Chisholm Trail.

Please call or email me at your convenience to discuss this matter further. We are currently scheduled for a Planning Commission public hearing on December 12th.

Thank you,

Jim Wittliff

Rhoades, Wendy

From: Land Answers <[redacted]>
Sent: Wednesday, November 29, 2017 3:51 PM
To: 'Dawn Grunwaldt'; 'Lynn'; [redacted]; 'TJ Greaney'; 'Steve And Brandon'; [redacted]
Cc: Rhoades, Wendy
Subject: 9401 Chisholm Trail Rezoning
Attachments: Chisholm Trail Rezoning

Hello Chisholm Trial Neighborhood members,

Please review the email below and the attached email for the previous discussions following my meeting with you on Friday, November 17th. As you can see below and attached, Mr. Solis is amenable to getting rid of all LR uses, except for Personal Services, because he thinks his site would be a good location for a small barber shop or beauty salon. After speaking with Wendy Rhoades, the City's Case Manager, Wendy reminded me that Personal Services is also allowed in GO zoning. Therefore, in order to help you not have an LR zoning associated with this property, even though the only LR use would have been Personal Services, we are proposing to change the LR zoning request to GO-CO for the entire site. The prohibited land uses under GO would be:

Offsite Accessory Parking
Group Home Class II
Guidance Services
Hospital Services (Limited)

We can also restrict the height for any proposed buildings the site to two stories or 30 feet. Since TJ is out of town until December 1, Wendy Rhoades asked me to get your opinion on whether the neighborhood could support this GO-CO zoning.

Thanks,

Jim Wittliff

-----Original Message-----
From: Land Answers [mail[redacted]net]
Sent: Monday, November 27, 2017 3:37 PM
To: 'TJ Greaney' <[redacted]>
Subject: RE: What's the status?

TJ,

Following our meeting last Friday evening with your neighborhood, I prepared a letter to Mario Solis that outlined your position and my opinion of each of his options moving forward. A copy of that email is attached for your review. Because of the Thanksgiving Holiday, I was unable to speak with Mario until today. He now more clearly understands the neighborhoods position regarding LR zoning, however, he was still interested in 3 of the LR uses: Consumer Repair Services, Food Sales, and Personal Services. I explained to him that the neighborhood would probably not agree to Consumer Repair Services because they would not want a warehouse of stoves and refrigerators. I also explained to him that the problem with a deli, bakery or grocery store would be the volume of organic refuse that would be generated,

likely causing odors and possible rodent problems. Mario's desire to personal services is that he really thinks his site would be a perfect location for a small beauty shop or barber shop.

Therefore, Mario is requesting your support for his zoning, whereby he would agree to prohibit all LR uses that are not allowed in LO zoning, except for personal services. This would result in a zoning designation of LR-CO. Please let me know if the neighborhood is willing to support this agreement.

Thank you,

Jim Wittliff

-----Original Message-----
From: TJ Greaney [mailto:[redacted]]
Sent: Monday, November 27, 2017 10:21 AM
To: Land Answers <[redacted]>
Subject: What's the status?

Hi Jim - The Neighborhood Assoc. is going to have to move forward if we don't hear from you today before 5pm today.

Kind Regards,

TJ Greaney

> On Nov 6, 2017, at 5:36 PM, Land Answers <[redacted]> wrote:
>
> Dawn and TJ,
>
> Regrettably, I need to reschedule our November 14th meeting. I am very sorry to have to do this. I was just informed that I have an obligation that evening that I simply cannot miss. I will make myself available for your neighborhood at the same time any day later that week (15th-17th) or the following week (20th-24th). Again, my sincerest apologies for having to reschedule!
>
> However, there is some good news. I spoke with Mr. Solis and we will be able to meet inside at Mr. Solis's property. Please let me know what day works best for you and the rest of your neighborhood.
>
> Thank you,
>
> Jim Wittliff
>
> -----Original Message-----
> From: Dawn Grunwaldt [mailto:[redacted]]
> Sent: Monday, November 06, 2017 9:24 AM
> To: Land Answers <[redacted]>
> Cc: Wendy.Rhoades@austintexas.gov; [redacted], Wife Sandra Greaney <[redacted]>; [redacted]
> Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>
> thank you
>
> Sent from my iPhone
>

SLAUGHTER LANE NEIGHBORHOOD ASSOCIATION

11/2/2017

To:
Land Owner: Mario A. Solis and Nicholas David Solis
9401 South Chisolm Trail, Austin, Texas

Representative: Jim Wittliff, Land Answers

Dear Sirs,

I am forwarding this letter in representation of the Slaughter Lane Neighborhood Association on the recent applications for rezoning of the properties at 9401 South Chisholm Trail. From SF-2 to LR (originally LO): Case #C14-2017-0123

Our community was in support of your original requests and letter and offered support for your proposed use and development conditions: per your email to us all Monday October 16,

I want to extend my thanks to Dawn and the family for including me in the recent e-mail.

As you are aware, our family has invested into the renovation of the property on 9401 South Chisolm Trail and tried to maintain its original beauty. It has been a long journey in getting the house in shape, but I am extremely appreciative of the hard work my son Nic has done in assisting me regarding the house and its outcome.

It was a pleasure meeting many of you at Rick's potluck almost a year ago and listening to your thoughts and concerns relative to the neighborhood. I can truly understand how precious and the unique setting of the neighborhood is to all of us. As such, I do want to express that I have contracted with Land Answer, which is a two man firm in Austin, to assist me with the proper paperwork regarding the rezoning process as well as informing them of the neighborhood's input and views. In my conversations with them, I shared that my intentions are to ensure that the neighborhood street is not impacted by this request. My intent is that the property serve the community from a service perspective .....law office, doctor's office, real estate, or an accounting office. This perspective allows in minimizing traffic to and from the building.

Furthermore in the renovation of the property, I took into account the probability of entering/exiting the property from Slaughter Road (north part of the property) and thus maximizing and utilizing the existing "access" entry/exit currently in place which was built when Slaughter Road was expanded/widen years ago. This arrangement and design is to ensure that the current neighborhood South Chisolm Trail Street used by our families remains safe and unique only to our families. Therefore, the entry/exit to the existing house would now be the back part of the building for any new office space being proposed.

Once again I appreciate the opportunity to share with all of you the proposal in order that there not be any misunderstandings

After recent review of the now proposed zoning and use we are disappointed in the "ramped up use" requested after offering to you our communities goodwill.

Slaughter Lane Neighborhood Association

>> On Nov 6, 2017, at 9:22 AM, Land Answers <[redacted]> wrote:
>>
>> Good morning Dawn,
>>
>> Thank you for your email letting me know about TJ, as I did reply to him this morning. We are available to meet at Mr. Solis's property at 5:30pm on November 14th. I look forward to meeting you then.
>>
>> Thank you,
>>
>> Jim Wittliff
>>
>> -----Original Message-----
>> From: Dawn Grunwaldt [mailto:[redacted]]
>> Sent: Monday, November 06, 2017 8:10 AM
>> To: [redacted]
>> Cc: Land Answers <[redacted]>; Wendy.Rhoades@austintexas.gov; [redacted]; [redacted]; Wife Sandra Greaney <[redacted]>; [redacted]
>> Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>>
>> Good Morning Jim,
>>
>> I am replying from the response that Tj Greaney sent to you on November 3, 2017 at 9:50 AM regarding your reply to the neighbors on Chisholm Trail.
>>
>> I wanted to let you know that Tj will not be available to reply to your response confirming the meeting date at Mario Solis property on November 14th 2017 5:30 PM
>>
>> Please respond to me on this chain of email and if you have any questions I'll be more than happy to reply, if this date does not work for you that is completely fine please let us know sooner than later as I have to coordinate with everyone on our street to make sure that these dates work for them as well.
>>
>> Thank you very much in advance,
>> Dawn Grunwaldt
>> 9503 S Chisholm Trail
>>
>> Sent from my iPhone
>>
>>> On Nov 3, 2017, at 9:48 AM, TJ Greaney <[redacted]> wrote:
>>>
>>> Hello Jim,
>>>
>>> Thank you for your prompt reply.
>>>
>>> The SLNA will not accept anything but LO, low traffic professional as an option for this rezoning. Anything else will not fit. (see our previous email from 11/2/2017) The businesses across the street, professional and low traffic (as suggested by your client in his original letter to SLNA) seem fine.
>>>
>>> As far as the street goes, we had this conversation years ago about S. Chisholm Trail with City of Austin engineers. The street is non-conforming, at some places only 12' wide, asphalt, no sidewalks, drainage. Because of that the COA worked with us to require any building on S. Chisholm Trail to widen the street to conforming width, put in sidewalks and drainage gutters (both sides).

>>>
>>> Adding to our CO we will also include now, just to clarify: No retail. A traffic control light at the intersection.
>>>
>>> As far as your comments on the "Supreme Court" as our reference to group homes. Some felt that you were characterizing our association as being racist or intolerant, our only concern was traffic.
>>>
>>> We are available to meet at the subject property Monday November 14, 5:30 pm.
>>>
>>> Please let us know if you can meet.
>>>
>>> Kind regards,
>>>
>>>
>>> TJ Greaney
>>> SLNA
>>>
>>>
>>>
>>> On 11/2/17, 3:17 PM, "Land Answers" <[redacted]> wrote:
>>>
>>> Hello Mr. Greaney,
>>>
>>> Thank you for your letter from Slaughter Lane NA. I would like to address a few of the points in your letter.
>>>
>>> Driveway Locations:
>>>
>>> Because Mr. Solis' property only has 185.75 feet of frontage along Slaughter Lane, the City will force him to remove his existing Slaughter Lane driveway, as a condition of site plan approval, per Section 25-6-381 of Austin's Land Development Code. All driveway access must be from Chisholm Trail South. We will attempt to locate driveway access onto Chisholm Trail South as far from Slaughter Lane as possible.
>>>
>>> Sidewalks:
>>>
>>> Mr. Solis will be required to install sidewalks along Chisholm Trail South and Slaughter Lane as part of his site plan.
>>>
>>> Roadway Capacity:
>>>
>>> Per Section 25-6-116 of Austin's Land Development Code, Chisholm Trail South currently has a traffic capacity for up to 1,200 vehicles per day. Based on the 14 current residences that access Chisholm Trail South and the institute of Traffic Engineer's Handbook, which estimates 8.6 vehicle trips per day per residence, traffic on Chisholm Trail South is approximately 120 trips per day, or 10% of the road's capacity.
>>>
>>> Compatibility Buffer:
>>>
>>> The City will require Mr. Solis to provide a 25 foot wide buffer adjacent to any residential property, per LDC 25-2-1063. No buildings, parking or driveways may be built within the buffer area.
>>>
>>> Building Height:
>>>
>>> Per LDC 25-2-1062(D), building height may not exceed 30 feet or two stories within 50 feet of a residential property, and may not exceed 40 feet or three stories within 100 feet of a residential property.
>>>

>>> Signage and Lighting:
>>>
>>> Austin's Sign Ordinance and Commercial Design standards Ordinance will assure compliance in these areas.
>>>
>>> Prohibited Land Uses:
>>>
>>> Mr. Solis will agree to prohibit the following land uses:
>>> • Off-site Accessory Parking
>>> • Restaurant
>>> • Service Station
>>> • Urban Farm
>>> • College and University Facilities
>>> • Club or Lodge
>>> • Public Primary and Secondary Educational Facilities
>>>
>>> You can check with Wendy Rhoades, but I do not believe the Supreme Court will allow us to prohibit Group Homes. I hope this information is helpful. I look forward to meeting with you and the neighbors sometime soon.
>>>
>>> Sincerely,
>>>
>>> Jim Wittliff
>>> Land Answers, Inc.
>>> 3606 Winfield Cove
>>> Austin, Texas 78704
>>> (512) 416-6611
>>>
>>> -----Original Message-----
>>> From: TJ Greaney [mailto:[redacted]]
>>> Sent: Thursday, November 02, 2017 10:29 AM
>>> To: Land Answers <[redacted]>; Wendy.Rhoades@austintexas...gov
>>> Cc: [redacted]; Dawn Grunwaldt <[redacted]>; Wife Sandra Greaney <[redacted]>
>>> Subject: Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>>>
>>> 9401 South Chisholm Trail. Case #C14-2017-0123
>>>
>>> Good morning Jim,
>>>
>>> Attached please find out, (Slaughter Lane Neighborhood Association), reply to the Zoning request at 9401 S. Chisholm trail.
>>>
>>> We look forward to meeting with you regarding any questions or thoughts you have on our reply and concerns.
>>>
>>> Kind regards,
>>>
>>>
>>> TJ Greaney
>>> 9508 S. Chisholm Trail
>>>
>>>
>>> cc: Wendy Rhodes
>>>

Rhoades, Wendy

From: Dawn Grunwaldt <[redacted]>
Sent: Thursday, November 30, 2017 10:12 PM
To: Land Answers
Cc: Lynn; [redacted]; TJ Greaney; Steve And Brandon; [redacted]; Rhoades, Wendy; [redacted]; Tye Wilson; [redacted]; Connie Soto; [redacted]
Subject: Re: 9401 Chisholm Trail Rezoning

Thank you Jim we are doing lots of research and we have been corresponding back-and-forth all day with the neighborhood hopefully we will have our feedback and we will be in touch with you sooner than later.

Have a nice evening,
Dawn

Sent from my iPhone

> On Nov 30, 2017, at 5:40 PM, Land Answers <[redacted]> wrote:
>
> Dawn,
>
> Thank you for your reply. Please take the time necessary to get educated on the GO-CO option. Wendy can help you with that, if you wish. I will wait to hear back from your group.
>
> Thanks,
>
> Jim Wittliff
>
> -----Original Message-----
> From: Dawn Grunwaldt [mailto:[redacted]]
> Sent: Wednesday, November 29, 2017 5:21 PM
> To: Land Answers <[redacted]>
> Cc: Lynn <[redacted]>; [redacted]; TJ Greaney <[redacted]>; Steve And Brandon <[redacted]>; [redacted]; Wendy.Rhoades@austintexas.gov; [redacted]; Tye Wilson <[redacted]>; [redacted]; Connie Soto <[redacted]>; [redacted]
> Subject: Re: 9401 Chisholm Trail Rezoning
>
> Hi Jim & Wendy,
>
> I was going to send the neighbors the correspondence that you had with Tj which is listed below on your email here regarding the conversation you had with Mario on the 22nd after our meeting on the 17th.
>
> I haven't had the opportunity in doing so but I do have everything composed.

>
> I will reach out to the neighbors and we will discuss LO, LR and GO all with CO we absolutely are not educated on GO whatsoever so we will take the time to research that and discuss we will give you everyone's feedback after that happens.
>
> I did speak to Wendy also due to the fact that We Had not heard from you which we thought we were going to by Wednesday the 22nd
>
> I did reach out to Wendy-on Monday the 27th asking her how we could get an extension if we didn't hear from you.
>
> I know that TJ reached out to you on Monday the 27th letting you know that we needed to hear from you by 5 o'clock in which we did at 4:36pm so thanks for that.
>
> I haven't had the opportunity to share this with everyone but Wendy let me know that she did not scheduled for a public hearing on December 5 my plan was to correspond with everybody tomorrow on Thursday as I have been super busy Tuesday and today.
>
> We will have a meeting among us and we will get back with you...
>
> Thank you for reaching out we will Be In Touch very soon.
>
> And sorry I thought TJ was going to email you to let you know that we would be in touch with you regarding the email that you sent to him by the end of this week...
>
> Thanks and have a nice evening
> Dawn
>
> Sent from my iPhone
>
>> On Nov 29, 2017, at 3:50 PM, Land Answers <[redacted]> wrote:
>>
>> Hello Chisholm Trial Neighborhood members,
>>
>> Please review the email below and the attached email for the previous discussions following my meeting with you on Friday, November 17th. As you can see below and attached, Mr. Solis is amenable to getting rid of all LR uses, except for Personal Services, because he thinks his site would be a good location for a small barber shop or beauty salon. After speaking with Wendy Rhoades, the City's Case Manager, Wendy reminded me that Personal Services is also allowed in GO zoning. Therefore, in order to help you not have an LR zoning associated with this property, even though the only LR use would have been Personal Services, we are proposing to change the LR zoning request to GO-CO for the entire site. The prohibited land uses under GO would be:
>>
>> Offsite Accessory Parking
>> Group Home Class II
>> Guidance Services
>> Hospital Services (Limited)
>>
>> We can also restrict the height for any proposed buildings the site to two stories or 30 feet. Since TJ is out of town until December 1, Wendy Rhoades asked me to get your opinion on whether the neighborhood could support this GO-CO zoning.
>>
>> Thanks,
>>

>> Jim Wittliff
>>
>> -----Original Message-----
>> From: Land Answers [mailto:[redacted]]
>> Sent: Monday, November 27, 2017 3:37 PM
>> To: 'TJ Greaney' <[redacted]>
>> Subject: RE: What's the status?
>>
>> TJ,
>>
>> Following our meeting last Friday evening with your neighborhood, I prepared a letter to Mario Solis that outlined your position and my opinion of each of his options moving forward. A copy of that email is attached for your review. Because of the Thanksgiving Holiday, I was unable to speak with Mario until today. He now more clearly understands the neighborhoods position regarding LR zoning, however, he was still interested in 3 of the LR uses: Consumer Repair Services, Food Sales, and Personal Services. I explained to him that the neighborhood would probably not agree to Consumer Repair Services because they would not want a warehouse of stoves and refrigerators. I also explained to him that the problem with a deli, bakery or grocery store would be the volume of organic refuse that would be generated, likely causing odors and possible rodent problems. Mario's desire to personal services is that he really thinks his site would be a perfect location for a small beauty shop or barber shop.
>>
>> Therefore, Mario is requesting your support for his zoning, whereby he would agree to prohibit all LR uses that are not allowed in LO zoning, except for personal services. This would result in a zoning designation of LR-CO. Please let me know if the neighborhood is willing to support this agreement.
>>
>> Thank you,
>>
>> Jim Wittliff
>>
>> -----Original Message-----
>> From: TJ Greaney [mailto:[redacted]]
>> Sent: Monday, November 27, 2017 10:21 AM
>> To: Land Answers <[redacted]>
>> Subject: What's the status?
>>
>> Hi Jim - The Neighborhood Assoc. is going to have to move forward if we don't hear from you today before 5pm today.
>>
>> Kind Regards,
>>
>> TJ Greaney
>>
>>> On Nov 6, 2017, at 5:36 PM, Land Answers <[redacted]> wrote:
>>>
>>> Dawn and TJ,
>>>
>>> Regrettably, I need to reschedule our November 14th meeting. I am very sorry to have to do this. I was just informed that I have an obligation that evening that I simply cannot miss. I will make myself available for your neighborhood at the same time any day later that week (15th-17th) or the following week (20th-24th). Again, my sincerest apologies for having to reschedule!
>>>
>>> However, there is some good news. I spoke with Mr. Solis and we will be able to meet inside at Mr. Solis's property. Please let me know what day works best for you and the rest of your neighborhood.

>>>
>>> Thank you,
>>>
>>> Jim Wittliff
>>>
>>> -----Original Message-----
>>> From: Dawn Grunwaldt [m[redacted]]
>>> Sent: Monday, November 06, 2017 9:24 AM
>>> To: Land Answers <[redacted]>
>>> Cc: Wendy.Rhoades@austintexas.gov; [redacted]; Wife Sandra Greaney <[redacted]>; [redacted]
>>> Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>>>
>>> thank you
>>>
>>> Sent from my iPhone
>>>
>>>> On Nov 6, 2017, at 9:22 AM, Land Answers <[redacted]> wrote:
>>>>
>>>> Good morning Dawn,
>>>>
>>>> Thank you for your email letting me know about TJ, as I did reply to him this morning. We are available to meet at Mr. Solis's property at 5:30pm on November 14th. I look forward to meeting you then.
>>>>
>>>> Thank you,
>>>>
>>>> Jim Wittliff
>>>>
>>>> -----Original Message-----
>>>> From: Dawn Grunwaldt [[redacted]]
>>>> Sent: Monday, November 06, 2017 8:10 AM
>>>> To: [redacted]
>>>> Cc: Land Answers <[redacted]>; Wendy.Rhoades@austintexas.gov; [redacted], Wife Sandra Greaney <[redacted]>; [redacted]
>>>> Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>>>>
>>>> Good Morning Jim,
>>>>
>>>> I am replying from the response that Tj Greaney sent to you on November 3, 2017 at 9:50 AM regarding your reply to the neighbors on Chisholm Trail.
>>>>
>>>> I wanted to let you know that Tj will not be available to reply to your response confirming the meeting date at Mario Solis property on November 14th 2017 5:30 PM
>>>>
>>>> Please respond to me on this chain of email and if you have any questions I'll be more than happy to reply, if this date does not work for you that is completely fine please let us know sooner than later as I have to coordinate with everyone on our street to make sure that these dates work for them as well.
>>>>
>>>> Thank you very much in advance,
>>>> Dawn Grunwaldt

>>>> 9503 S Chisholm Trail
>>>>
>>>> Sent from my iPhone
>>>>
>>>>> On Nov 3, 2017, at 9:48 AM, TJ Greaney <[redacted]> wrote:
>>>>>
>>>>> Hello Jim,
>>>>>
>>>>> Thank you for your prompt reply.
>>>>>
>>>>> The SLNA will not accept anything but LO, low traffic professional as an option for this rezoning. Anything else will not fit. (see our previous email from 11/2/2017) The businesses across the street, professional and low traffic (as suggested by your client in his original letter to SLNA) seem fine.
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>>>>> As far as the street goes, we had this conversation years ago about S. Chisholm Trail with City of Austin engineers. The street is non-conforming, at some places only 12' wide, asphalt, no sidewalks, drainage. Because of that the COA worked with us to require any building on S. Chisholm Trail to widen the street to conforming width, put in sidewalks and drainage gutters (both sides).
>>>>>
>>>>> Adding to our CO we will also include now, just to clarify: No retail. A traffic control light at the intersection.
>>>>>
>>>>> As far as your comments on the "Supreme Court" as our reference to group homes. Some felt that you were characterizing our association as being racist or intolerant, our only concern was traffic.
>>>>>
>>>>> We are available to meet at the subject property Monday November 14, 5:30 pm.
>>>>>
>>>>> Please let us know if you can meet.
>>>>>
>>>>> Kind regards,
>>>>>
>>>>>
>>>>> TJ Greaney
>>>>> SLNA
>>>>>
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>>>>> Hello Mr. Greaney,
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>>>>> Thank you for your letter from Slaughter Lane NA. I would like to address a few of the points in your letter.
>>>>>
>>>>> Driveway Locations:
>>>>>
>>>>> Because Mr. Solis' property only has 185.75 feet of frontage along Slaughter Lane, the City will force him to remove his existing Slaughter Lane driveway, as a condition of site plan approval, per Section 25-6-381 of Austin's Land Development Code. All driveway access must be from Chisholm Trail South. We will attempt to locate driveway access onto Chisholm Trail South as far from Slaughter Lane as possible.
>>>>>
>>>>> Sidewalks:
>>>>>

>>>>> Mr. Solis will be required to install sidewalks along Chisholm Trail South and Slaughter Lane as part of his site plan.
>>>>>
>>>>> Roadway Capacity:
>>>>>
>>>>> Per Section 25-6-116 of Austin's Land Development Code, Chisholm Trail South currently has a traffic capacity for up to 1,200 vehicles per day. Based on the 14 current residences that access Chisholm Trail South and the institute of Traffic Engineer's Handbook, which estimates 8.6 vehicle trips per day per residence, traffic on Chisholm Trail South is approximately 120 trips per day, or 10% of the road's capacity.
>>>>>
>>>>> Compatibility Buffer:
>>>>>
>>>>> The City will require Mr. Solis to provide a 25 foot wide buffer adjacent to any residential property, per LDC 25-2-1063. No buildings, parking or driveways may be built within the buffer area.
>>>>>
>>>>> Building Height:
>>>>>
>>>>> Per LDC 25-2-1062(D), building height may not exceed 30 feet or two stories within 50 feet of a residential property, and may not exceed 40 feet or three stories within 100 feet of a residential property.
>>>>>
>>>>> Signage and Lighting:
>>>>>
>>>>> Austin's Sign Ordinance and Commercial Design standards Ordinance will assure compliance in these areas.
>>>>>
>>>>> Prohibited Land Uses:
>>>>>
>>>>> Mr. Solis will agree to prohibit the following land uses:
>>>>> • Off-site Accessory Parking
>>>>> • Restaurant
>>>>> • Service Station
>>>>> • Urban Farm
>>>>> • College and University Facilities
>>>>> • Club or Lodge
>>>>> • Public Primary and Secondary Educational Facilities
>>>>>
>>>>> You can check with Wendy Rhoades, but I do not believe the Supreme Court will allow us to prohibit Group Homes. I hope this information is helpful. I look forward to meeting with you and the neighbors sometime soon.
>>>>>
>>>>> Sincerely,
>>>>>
>>>>> Jim Wittliff
>>>>> Land Answers, Inc.
>>>>> 3606 Winfield Cove
>>>>> Austin, Texas 78704
>>>>> (512) 416-6611
>>>>>
>>>>> -----Original Message-----
>>>>> From: TJ Greaney [mailto:[redacted]]
>>>>> Sent: Thursday, November 02, 2017 10:29 AM
>>>>> To: Land Answers <[redacted]>; Wendy.Rhoades@austintexas...gov
>>>>> Cc: [redacted]; Dawn Grunwaldt <[redacted]>; Wife Sandra Greaney <[redacted]>

>>>>> Subject: Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123
>>>>>
>>>>> 9401 South Chisholm Trail. Case #C14-2017-0123
>>>>>
>>>>> Good morning Jim,
>>>>>
>>>>> Attached please find out, (Slaughter Lane Neighborhood Association), reply to the Zoning request at 9401 S. Chisholm trail.
>>>>>
>>>>> We look forward to meeting with you regarding any questions or thoughts you have on our reply and concerns.
>>>>>
>>>>> Kind regards,
>>>>>
>>>>>
>>>>> TJ Greaney
>>>>> 9508 S. Chisholm Trail
>>>>>
>>>>>
>>>>> cc: Wendy Rhodes
>>>>>
>>>>>
>>>>>
>>>>>
>>>>>
>>>>>
>>>>>
>>>>
>>>>
>>>
>>>
>>
>> <mime-attachment>
>
>

Rhoades, Wendy

From: Dawn Grunwaldt <[redacted]>
Sent: Thursday, November 30, 2017 10:15 PM
To: Rhoades, Wendy
Subject: Re: 9401 Chisholm Trail Rezoning

Thank you Wendy
Dawn

Sent from my iPhone

> On Nov 30, 2017, at 7:14 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:
>
> Hi Dawn,
> Below are my responses and please let me know if you have additional questions.
>
> Wendy
>
> -----Original Message-----
> From: Dawn Grunwaldt [[redacted]]
> Sent: Thursday, November 30, 2017 9:51 AM
> To: Rhoades, Wendy
> Subject: Re: 9401 Chisholm Trail Rezoning
>
> Good morning Wendy,
>
> Can you please explain a few things on this email to me.
>
> 1. What is the difference between zoning and planning commission versus planning commission? What is the difference between the two departments? And what does that mean for us? And was that something that was changed by you/or Jim or did he just made a mistake When telling that to Mr. Mario?
>
> The Zoning and Platting Commission reviews zoning cases and other development applications in areas outside of neighborhood plan areas, such as this particular area. The Planning Commission covers areas within neighborhood plan areas such as downtown and its surrounding area (this is generally the area north of William Cannon). Mr. Wittliff was mistaken in citing the Planning Commission as the land use body that will hear this rezoning case. The Zoning and Platting Commission will hold a public hearing to hear this case and consider the backup material that includes the Applicant's request, the Staff recommendation, and input from the Neighborhood. The public hearing notice that is mailed will include a form for neighbors to comment on the proposed zoning and return to me by mail or email. That correspondence from the Neighborhood Association can also be included in the backup materials that are forwarded to the ZAP for their consideration. At the ZAP meeting, Staff will present the case and its recommendation (not yet finalized, since there is a lot of back and forth between the Applicant and the Neighborhood at this time), the Applicant will have the opportunity to present his request, and the Neighborhood will have the opportunity to speak in favor or in opposition to the request. The ZAP will then deliberate and then provide a recommendation at the meeting.
>
> 2. And what is it mean that "subsequently the city Council" also?
>
> The final decision on rezoning cases is made by the City Council. The Council reviews the Staff recommendation, the ZAP recommendation, and considers the correspondence and input from the surrounding property owners and

residents in making their decision. This is another public hearing which consists of a Staff presentation, an Applicant presentation and then a presentation/input from the Neighborhood. The City Council will then deliberate and issue a final decision on the case.
>
> 3. What is a ZAP meeting, what does that mean for us? As the neighborhood? Do we get to choose the dates or is that something that your setting?
>
> The ZAP meeting consists of public hearings on zoning cases, subdivisions, and site plans. As previously stated, I have not scheduled this case for a public hearing at ZAP. ZAP regularly meets on the 1st and 3rd Tuesdays of every month, at 6 p.m. at City Hall. The next ZAP meeting date is December 5th and the proceedings can be viewed through the link below. It is instructive to watch at least part of a ZAP meeting, just so you're familiar with how the proceedings go. The next available ZAP meeting dates that this case could be scheduled are December 19th, January 2nd, and January 16th. I will touch base with you and Jim to discuss scheduling this case for ZAP after the Neighborhood has had a chance to consider the GO-CO option and ask any follow-up questions. ZAP must take action before City Council will consider the rezoning request.
>
> http://www.austintexas.gov/atxn - If watching next Tuesday, December 5th at 6 pm, click on LIVE. If viewed the next day, go to ARCHIVES and then go to the Planning tab and look for most recent Zoning and Platting Commission meeting.
>
> 4. What does it mean that the earliest this case would approach city Council is February 2 2018? What happens when were in front of the city Council?
>
> Assuming this case is heard by the ZAP at one of the meeting dates above, then this case would be ready for the February 1st City Council meeting. Council meetings can also be viewed through the link above, except go to the City Council tab and click on the City Council Meetings tab below. The zoning hearings are held at 2 p.m. and the next City Council meeting is December 7th and December 14th.
>
> Sorry to ask you so many questions but we are just a "neighborhood "
> not wanting a business in our street : /
>
> we don't know all of the importance of all of these meetings and I
> believe that we need to be privy to everything going forward as we are
> having a hard time agreeing and understanding everything. It's a lot
> and I am doing the best I can :)
>
> And it's not like we've been educated on the city part of it so if you
> could take the time and let me know what's important for us as a
> neighborhood I sure would appreciate it I thank you very much Miss
> Wendy for all of your help ☺
>
> Thanks
> Dawn
> 9503 South Chisholm
>
> Sent from my iPhone
>
>> On Nov 29, 2017, at 5:47 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:
>>
>> Hi Dawn and Jim,
>>
>> I need to clarify that this rezoning case will be reviewed by the Zoning and Platting Commission (rather than the Planning Commission as cited in an attached email to Mario Solis) and subsequently by City Council. The next available

ZAP meeting dates are December 19th, January 2nd and January 16th. All ZAP meetings occur on Tuesdays at 6 p.m. at City Hall. The earliest this case would reach City Council would be on Thursday, February 1st at 2 p.m.
>>
>> Wendy
>>
>> -----Original Message-----
>> From: Dawn Grunwaldt [mailto:[redacted]]
>> Sent: Wednesday, November 29, 2017 5:21 PM
>> To: Land Answers
>> Cc: Lynn; [redacted]; TJ Greaney;
>> Steve And Brandon; [redacted];
>> [redacted];
>> [redacted]; Rhoades, Wendy; [redacted];
>> [redacted]; Tye Wilson;
>> [redacted]; Connie Soto; [redacted];
>> [redacted]
>> Subject: Re: 9401 Chisholm Trail Rezoning
>>
>> Hi Jim & Wendy,
>>
>> I was going to send the neighbors the correspondence that you had with Tj which is listed below on your email here regarding the conversation you had with Mario on the 22nd after our meeting on the 17th.
>>
>> I haven't had the opportunity in doing so but I do have everything composed.
>>
>> I will reach out to the neighbors and we will discuss LO, LR and GO all with CO we absolutely are not educated on GO whatsoever so we will take the time to research that and discuss we will give you everyone's feedback after that happens.
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>> I did speak to Wendy also due to the fact that We Had not heard from
>> you which we thought we were going to by Wednesday the 22nd
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>> I did reach out to Wendy-on Monday the 27th asking her how we could get an extension if we didn't hear from you.
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>> I know that TJ reached out to you on Monday the 27th letting you know that we needed to hear from you by 5 o'clock in which we did at 4:36pm so thanks for that.
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>> I haven't had the opportunity to share this with everyone but Wendy let me know that she did not scheduled for a public hearing on December 5 my plan was to correspond with everybody tomorrow on Thursday as I have been super busy Tuesday and today.
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>> We will have a meeting among us and we will get back with you...
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>> Thank you for reaching out we will Be In Touch very soon.
>>
>> And sorry I thought TJ was going to email you to let you know that we would be in touch with you regarding the email that you sent to him by the end of this week...
>>
>> Thanks and have a nice evening
>> Dawn
>>
>> Sent from my iPhone

>>
>>> On Nov 29, 2017, at 3:50 PM, Land Answers <[redacted]> wrote:
>>>
>>> Hello Chisholm Trial Neighborhood members,
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>>> Please review the email below and the attached email for the previous discussions following my meeting with you on Friday, November 17th. As you can see below and attached, Mr. Solis is amenable to getting rid of all LR uses, except for Personal Services, because he thinks his site would be a good location for a small barber shop or beauty salon. After speaking with Wendy Rhoades, the City's Case Manager, Wendy reminded me that Personal Services is also allowed in GO zoning. Therefore, in order to help you not have an LR zoning associated with this property, even though the only LR use would have been Personal Services, we are proposing to change the LR zoning request to GO-CO for the entire site. The prohibited land uses under GO would be:
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>>> Offsite Accessory Parking
>>> Group Home Class II
>>> Guidance Services
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>>> We can also restrict the height for any proposed buildings the site to two stories or 30 feet. Since TJ is out of town until December 1, Wendy Rhoades asked me to get your opinion on whether the neighborhood could support this GO-CO zoning.
>>>
>>> Thanks,
>>>
>>> Jim Wittliff
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>>> -----Original Message-----
>>> From: Land Answers [mailto:[redacted]]
>>> Sent: Monday, November 27, 2017 3:37 PM
>>> To: 'TJ Greaney' <[redacted]>
>>> Subject: RE: What's the status?
>>>
>>> TJ,
>>>
>>> Following our meeting last Friday evening with your neighborhood, I prepared a letter to Mario Solis that outlined your position and my opinion of each of his options moving forward. A copy of that email is attached for your review. Because of the Thanksgiving Holiday, I was unable to speak with Mario until today. He now more clearly understands the neighborhoods position regarding LR zoning, however, he was still interested in 3 of the LR uses: Consumer Repair Services, Food Sales, and Personal Services. I explained to him that the neighborhood would probably not agree to Consumer Repair Services because they would not want a warehouse of stoves and refrigerators. I also explained to him that the problem with a deli, bakery or grocery store would be the volume of organic refuse that would be generated, likely causing odors and possible rodent problems. Mario's desire to personal services is that he really thinks his site would be a perfect location for a small beauty shop or barber shop.
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>>> Therefore, Mario is requesting your support for his zoning, whereby he would agree to prohibit all LR uses that are not allowed in LO zoning, except for personal services. This would result in a zoning designation of LR-CO. Please let me know if the neighborhood is willing to support this agreement.
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>>> Thank you,
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>>> Jim Wittliff
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>>> -----Original Message-----
>>> From: TJ Greaney [mailto:[redacted]]
>>> Sent: Monday, November 27, 2017 10:21 AM
>>> To: Land Answers <[redacted]>
>>> Subject: What's the status?
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>>> Hi Jim - The Neighborhood Assoc. is going to have to move forward if we don't hear from you today before 5pm today.
>>>
>>> Kind Regards,
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>>> TJ Greaney
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>>>> Dawn and TJ,
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>>>> Sent: Monday, November 06, 2017 9:24 AM
>>>> To: Land Answers <[redacted]>
>>>> Cc: Wendy.Rhoades@austintexas.gov; [redacted];
>>>> [redacted]; Wife Sandra Greaney
>>>> <[redacted]>;[redacted]
>>>> Subject: Re: Response 11/3/2017 - Slaughter Lane Neighborhood
>>>> Association reply to Zoning Request Case #C14-2017-0123
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>>>> thank you
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>>>>> Good morning Dawn,
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>>>>> Thank you for your email letting me know about TJ, as I did reply to him this morning. We are available to meet at Mr. Solis's property at 5:30pm on November 14th. I look forward to meeting you then.
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>>>>> Thank you,
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>>>>> From: Dawn Grunwaldt [redacted]
>>>>> Sent: Monday, November 06, 2017 8:10 AM
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>>>>> Cc: Land Answers <[redacted]>;
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>>>>>> Adding to our CO we will also include now, just to clarify: No retail. A traffic control light at the intersection.
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>>>>>> SLNA
>>>>>>
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>>>>>> Driveway Locations:
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>>>>>> • College and University Facilities
>>>>>> • Club or Lodge
>>>>>> • Public Primary and Secondary Educational Facilities
>>>>>>
>>>>>> You can check with Wendy Rhoades, but I do not believe the Supreme Court will allow us to prohibit Group Homes. I hope this information is helpful. I look forward to meeting with you and the neighbors sometime soon.
>>>>>>
>>>>>> Sincerely,
>>>>>>
>>>>>> Jim Wittliff
>>>>>> Land Answers, Inc.
>>>>>> 3606 Winfield Cove
>>>>>> Austin, Texas 78704
>>>>>> (512) 416-6611
>>>>>>
>>>>>> -----Original Message-----
>>>>>> From: TJ Greaney [mailto:tj@[redacted]]
>>>>>> Sent: Thursday, November 02, 2017 10:29 AM
>>>>>> To: Land Answers <[redacted]>;
>>>>>> Wendy.Rhoades@austintexas...gov
>>>>>> Cc: [redacted]; Dawn Grunwaldt
>>>>>> <[redacted]>; Wife Sandra Greaney
>>>>>> <[redacted]>
>>>>>> Subject: Slaughter Lane Neighborhood Association reply to Zoning
>>>>>> Request Case #C14-2017-0123
>>>>>>
>>>>>> 9401 South Chisholm Trail. Case #C14-2017-0123
>>>>>>
>>>>>> Good morning Jim,
>>>>>>
>>>>>> Attached please find out, (Slaughter Lane Neighborhood Association), reply to the Zoning request at 9401 S. Chisholm trail.
>>>>>>
>>>>>> We look forward to meeting with you regarding any questions or thoughts you have on our reply and concerns.
>>>>>>
>>>>>> Kind regards,
>>>>>>
>>>>>>
>>>>>> TJ Greaney
>>>>>> 9508 S. Chisholm Trail
>>>>>>
>>>>>>
>>>>>> cc: Wendy Rhodes
>>>>>>
>>>>>>
>>>>>>

Rhoades, Wendy

From: Dawn Grunwaldt <[redacted]>
Sent: Wednesday, December 13, 2017 1:31 PM
To: Rhoades, Wendy
Cc: [redacted]
Subject: Re: Slaughter lane Access

Hi Wendy ~

Thank you very much Wendy this is very informative and helpful we appreciate your due diligence on all of this.

Thanks,
Dawn

Sent from my iPhone

> On Dec 13, 2017, at 1:09 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:
>
> Hi Dawn,
>
> Earlier I received confirmation that Slaughter Lane is a City-owned and maintained roadway, and that the Austin Transportation Department would require access to the rezoning area be taken from Chisolm Trail and not via Slaughter Lane.
>
> Additionally, Land Development Code Section 25-6-381(A) (Minimum Frontage For Access) prohibits access to arterials if the lot has less than 200' of frontage and access is available from other roadways. This code section is a life/safety issue for the purposes of reducing the number of curb cuts and thus traffic conflict points on major roadways. The width of this rezoning area (2 lots) on Slaughter Lane is 187 feet.
>
> I have not received any type of conceptual site plan from Jim showing how the property could be redeveloped and he has not filed a formal site plan application with the City.
>
> Wendy
>
> -----Original Message-----
> From: Dawn Grunwaldt [[redacted]]
> Sent: Wednesday, December 13, 2017 11:22 AM
> To: Rhoades, Wendy
> Cc: [redacted]
> Subject: Slaughter lane Access
>
> Hi Wendy~
>
> I know at one point that you said that you were going to hold off on finding out if Mr.Solis property could be accessed from Slaughter Lane at that time.
>
> Jim from land answer has drawn up a site plan is that something that has been turned in by his company to the city and the city is reviewing to see if slaughter Lane access is an option?

>
> Can you please fill us in on that process and Where we are with that on this rezoning case?
>
> I have CCed Chris on this email due to the fact that he is the neighbor that is mostly impacted from these decisions.
>
> Please let us know the answers to these questions
>
> Thanks
> Dawn
> 9503 S Chisholm trail
>
> Sent from my iPhone

Rhoades, Wendy

From: Dawn Grunwaldt <[redacted]>
Sent: Tuesday, December 05, 2017 10:45 AM
To: TJ Greaney
Cc: [redacted]; [redacted]; Rhoades, Wendy; [redacted]; Rick Burr
Subject: Re: 12/4/2017 - Case #C14-2017-0123

Good Morning Everyone~

I wanted to reach out to let everybody know that I did speak to Miss Wendy yesterday and she stated to me that she did receive the email and the letter from the association regarding our stand on the current rezoning yesterday.

Wendy shared that she had a phone call/email into the Area Engineer to double check if slaughter Lane was an option for this rezoning?

We would think at this point of how far we are into all of this with extensive conversations back-and-forth and phone calls and research on all parties that this would have been something that was already done and we should know the answer to that pretty quickly (We are assuming) We know the city doesn't tend to move quickly so maybe that's a poor choice of words LOL ;)

This has been our number one concern from the beginning absolutely no access to Chisholm Trail.

I wanted to make everyone aware that the families and homes that are immediately affected by this rezoning wish to go "straight to petition" they want to give the benefit of the doubt but they are absolutely worried about a business being so close to their homes and do not that impact to be on the street.

I promised them that I would let all parties be aware of this today as they have a right to be included on this email just like the gentleman that is for it is included on this email.

I hope you find this email well, sent with respect and looking out for all of us ☺

Thank you,
Dawn
9503 S. Chisholm Trail
Austin Texas 78748

Sent from my iPhone

On Dec 4, 2017, at 10:42 AM, TJ Greaney <[redacted]> wrote:

> 12/4/2017
>
> To:
> Land Owner: Mario A. Solis and Nicholas David Solis

9401 South Chisolm Trail, Austin, Texas

Representative: Jim Wittliff, Land Answers

Dear Sirs,

I am forwarding this letter in representation of the Slaughter Lane Neighborhood Association and the residents of S. Chisholm Trail (78748) on the recent applications for rezoning of the properties at 9401 South Chisholm Trail. From SF-2 to LR (originally LO): Case #C14-2017-0123

Kind Regards,

TJ Greaney
9508 S. Chisholm Trail
Austin, Texas 78748
512-789-3838

<SLNA 12:3:17.pdf>

SLAUGHTER LANE NEIGHBORHOOD ASSOCIATION

12/4/2017

To:
Land Owner: Mario A. Solis and Nicholas David Solis
9401 South Chisolm Trail, Austin, Texas

Representative: Jim Wittliff, Land Answers

Dear Sirs,

I am forwarding this letter in representation of the Slaughter Lane Neighborhood Association and the residents of S. Chisholm Trail (78748) on the recent applications for rezoning of the properties at 9401 South Chisholm Trail. From SF-2 to LR (originally LO): Case #C14-2017-0123

After meeting with your agent Jim Whittliff and numerous meetings among ourselves our conclusions as an association and a community are as follows:

We feel that any access for other than the current SF-2 off Slaughter Lane would be hazardous to both incoming and outgoing traffic. Even with the heavy reconstructions of both sides of S. Chisholm Trail at Slaughter, widening of the street, curbs and gutters, sidewalks etc. we feel it would create a dangerous ingress and egress from S. Chisholm Trail.

The only option we would consider may be with access only from Slaughter Lane with an LO use and CO that includes no retail use, light office as requested by you in your original conversations and letter to the residents of S. Chisholm Trail.

The residents effected are prepared to implement the use of the "Petition" at this point, which they are fully entitled to do should they choose.

The Slaughter Lane Neighborhood Association and residents of S. Chisholm Trail are for positive and Smart growth along the Slaughter Lane corridor.

Kind Regards,

TJ Greaney
9508 S. Chisholm Trail
512-789-3838

cc: Wendy Rhodes, City of Austin

Slaughter Lane Neighborhood Association

Rhoades, Wendy

From: Rhoades, Wendy
Sent: Friday, February 09, 2018 3:29 PM
To: Dawn Grunwaldt
Subject: RE: 9401 Chisholm Trail Rezoning
Attachments: Site devt stds by zoning district.pdf; Land Use Classifications Described.pdf; Chisholm Trail Estates plat.pdf; C14-2017-0123 staff report.pdf

Hi Dawn,
Please see my responses to the neighborhood's questions in green highlight.

Wendy

From: Dawn Grunwaldt [mailto:[redacted]]
Sent: Thursday, February 08, 2018 4:14 PM
To: Rhoades, Wendy
Subject: Re: 9401 Chisholm Trail Rezoning

Good Afternoon Wendy,

Thank you very much for your responses to our questions, I have read the yellow highlighted answers from you.

Please "see below" the questions that we have for you regarding some of the answers

Our questions are in red below the answers from you in yellow highlight.

thank you,

Dawn

9503 South Chisholm trail

Good morning Wendy~

I want to make sure that I have everything crystal-clear from my conversation that we had yesterday.

I'm going to recap a few things and if you can make sure that I'm understanding everything correctly please ma'am.

I apologize if this is going to be lengthy but I need to make sure that I can convey this 150% correct to all of the neighbors that deserve to know exactly how this transpired.

Mario has retracted his rezoning application for lot 4 which is the lot that has the house on it closest to Chisholm Trail ~he is only rezoning lot 5 which is the empty lot closest to the drainage ditch. Is this correct? Yes. Lot 5 includes a segment of the drainage ditch. Please see the updated zoning map and petition results.

Mario is keeping the property with the house on it (lot 4) zoned SF2 for now, he is most definitely welcome to put in a new application for new rezoning anytime after he gets lot 5 rezoned to LO-MU? This is correct right? Yes.

Now that the application has been retracted on the lot 4 closest to Chisholm Trail, Lot 5 that is closest to the drainage ditch will only have access to slaughter Lane, Correct? Yes.

Since this is the case now that he has divided his property, we the neighbors that live on Chisholm Trail "will no longer" have a say-so on how lot 5 is going to be used now that he's asking for LO MU zoning? Is that correct? No. The neighbors still have a say on the Applicant's request for LO-MU by correspondence or speaking to the Zoning and Platting Commission (ZAP) and/or City Council (CC). Right now I have the zoning petition, a letter from SLNA dated 12-4-2017 from TJ Greaney that addresses LR zoning, plus correspondence from Lynn Ciavarini, Robert Rodriguez, John Fasano, Duane Keele, and TJ and Sandra Greaney. Is there other correspondence that you would like added to the packet? ~We would like to see the packet that is has been or will be submitted to the ZAP or/and ZAP that you are referring to above, and I do have other correspondences also to be submitted with the letters that you already have from the neighbors on Chisholm trail.

Please see the attached Staff report.

You stated to me yesterday that lot 5 is not directly affecting Chisholm trail so we have very little voice? really truly NONE! Is this correct? Please see answer above.

So we cannot put in request as conditional overlays (CO) on that rezoning of lot 5 because that lot does not directly affect Chisholm Trail? Is that correct ~did I understand that correctly from our conversation yesterday? Staff cannot add a -CO to prohibit access to S Chisholm Trail b/c the property does not have direct access to S Chisholm Trail. You can request other -COs for Lot 5 as they relate to site development regulations however. The CO's on lot 5 please define "development regulations" we would like to see examples please of Development Regulations.

Please see attached site development standards by zoning district.

Please see attached land use definitions for the land uses listed in the permitted/conditional/prohibited use chart below.

Please refer to link below for the permitted/conditional/prohibited use chart below:

http://www.austintexas.gov/sites/default/files/files/Planning/Zoning/permitted_use_chart.pdf

You did stated yesterday on our phone conversation that if I wanted to put together a list of "our request" (CO's) for that lot 5 that you would be more than happy to send it to "them" ~Which I did not ask you yesterday who is "them" are you

referring to Mario and Jim or are you referring to the city? You also stated yesterday that it probably would not be very well received "our request" at this point but you would send it anyways. Is that correct? Any correspondence I receive will be included as part of the packet that is sent to the ZAP and CC. The Staff position is that the Applicant's request for LO-MU zoning for this property is a reasonable request because it only has access to Slaughter Lane (a major arterial), and is located adjacent to an electrical substation, has a City maintained drainage channel running through it, and there is a pattern of LO-CO and LO-MU zonings in the vicinity on Slaughter Lane. The property is zoned SF-2 which limits residential use to one sf residence, plus civic uses permitted in the SF-2 district, such as religious assembly and day care facilities. I would like to suggest that the Neighborhood be prepared to offer an alternative to maintaining SF-2 zoning on the property in case the question is asked by the ZAP or CC. Please explain your statement of "suggest that the neighborhood be prepared to offer an alternative to maintaining SF2 zoning on the property in case the question is asked by ZAP or CC" What does that mean? Would the neighborhood support another zoning district between the existing SF-2 and the proposed LO-MU on this property, for example, townhome and condominium residence (SF-6), multi-family residence-limited density (MF-1) or neighborhood mixed use (NO-MU)? Below is a link to the base zoning districts.

http://www.austintexas.gov/page/zoning-districts

Also you stated that we are not going to get a formal letter in the mail showing our postponement for the public hearing which has changed from February 6 to February 20 2018 and we will not receive a formal letter in the mail showing our city Council meeting changing from February 16 to March 8. Is that correct also? Yes, see my detailed answer below.

Staff requested approval for postponement to the February 20th meeting. The Staff request was approved by the ZAP at last night's meeting. Below is a link to the ZAP backup:

http://www.austintexas.gov/edims/document.cfm?id=292342

Staff has also requested that the case be postponed at the February 15th City Council meeting to March 8th. Below is a link to the CC backup:

http://www.austintexas.gov/edims/document.cfm?id=292506

Postponements to a date certain (such as February 20th for ZAP and March 8th for CC) do not require an additional mailed out notification because they are read into the record at the meeting, and that in itself is a form of notification. As indicated above, Staff does not approve postponements. Approval of postponement requests is the function of the ZAP (its membership is appointed by the CC) and the CC (elected officials). Staff provides information and makes recommendations to the ZAP and CC only.

Your email that you sent me is notification that these dates have been changed and postponed by you and Jim Whitliff (Mario's representative) because he changed the application again and you need time to get the correct paperwork processed? Correct? Staff requested postponement to February 20th for ZAP because the Applicant's request changed within hours of the report deadline and I did not have sufficient time to fully revise the backup and maps. Staff is also requesting postponement to CC on March 8th so as to allow time for the case to be reviewed by the ZAP on February 20th.

Yesterday also when we are talking on the phone it was stated that you were under the impression that we were no longer going to have a "valid petition" because the new lot was smaller in acreage and the petition area would be a lot smaller (this would affect the calculation of the petition)

so you felt that we would not have the numbers to have a valid petition is that correct? Due to the reduced zoning area (see attached map) and therefore, reduced petition area, I do not believe the petition will remain valid. UPDATE: The petition results have just been returned to me at 18.98%, and because a petition is only valid at 20% or greater, this petition is no longer valid. We are challenging the petition results of not being valid. Please provide the data that

shows why Lynn Ciavarini at 9501 S. Chisholm Trail is no longer included on the petition, as she was on the 1st Valid Petition? What has changed on that side of the street with that Lot 5 that she would not be included now? The result of 18.98% is so close to 20% that we need to see the data that got this number of 18.98%, as the polygon line is on Mrs. Ciavarini property per the attachment that was sent. Is this an official drawing or is this a rough drawing? We have come too far with all of this not to see the hard facts of the 1.02% not being there in our favor of a valid petition. We hope that this is well received but we absolutely have to have an official drawing of that petition area and a recap of everyone's property that there is not a 1.02% chance of us having a valid petition on any one of the properties that are included on the petition area. Do you draw up this map Wendy or is there a contact department within the COA that is in charge of these drawings for the Petition areas? The map is drawn by the GIS Mapping staff at the Communications & Technology Management (CTM) Department. It is an official list and map that is generated by a computer program. Mrs. Ciavarini accounted for 0.66 square feet on the petition dated 12-21-2017 (this figure accounted for less than 0.01% of the petition area which is why the percentage is shown as 0 even though the signature column is checked yes). I am attaching the 1969 subdivision plat map of the 2 lots addressed as 9415 and 9417 S Chisholm Trl. Each lot is 100 feet wide (I highlighted the 100' width in this scan). The property addressed as 9501 S Chisholm Trail is 200 feet away from 1109 W Slaughter Lane. Surveying methods have become more precise over time and the 0.66 square feet was likely picked up when Lot 4 was part of the rezoning request, but now that Lot 4 has been removed from the zoning case, the area no longer appears on the list.

I asked you yesterday if we were going to be able to see the revised map and the revised petition and you said that you would do your very best but it was not required for the February 20 meeting but it was required for the March 8 meeting, is that correct? Yes. Petition results are not required for ZAP to take action, but the information is always useful to have. When do you think that we will see the revised paperwork for this new application change or is that something that the neighbors on Chisholm Trail will never see? I believe the petition results will be ready by February 20th, however I do not know how quickly they will be returned to me.

Yesterday we also discussed that the re-zoning application would take place before any building permits, site plans, any future plans that were going to happen for that property ~you said that he would get the rezoning first and then later would come the intentions of the property. Is this correct? Yes, the property is undeveloped and any new development will require a site plan application with details about the building location, height, setbacks, parking, landscaping, fencing, driveway location, sidewalks, and utility connections.

You also stated to me yesterday that it's not required that we show up to the meetings that we are welcome to but it's not required~ it kind of made me feel like we just don't even have a voice in this anymore? Kind of like well this is what it is and it's over for us? That's how I felt, do we not have a presence in this anymore? It is not necessary to show up at the ZAP and CC hearings when the case is requested for postponement and the case report has not been finalized, like the ZAP 2-6 and CC 2-15 hearings. I fully encourage the neighbors to attend the ZAP and CC meetings when the public hearings are scheduled to occur on February 20th and March 8th as outlined above.

Are you saying now that he divided his property and is only going for rezoning on lot 5 "at this moment" that really it does not affect Chisholm trail? So we no longer have a say so? I feel that the petition area has to have at least our neighbor that lives closest to that property (on his same side) on there and we absolutely know how he feels about all of this, as the LOMU ~Lot 5 property will definitely affect his home. Please clarify this clearly for me (for all of us on Chisholm Trail). Yes, the petition area will still include the adjacent neighbor to the south. Access cannot be taken to Chisholm Trail because the adjacent lot retains SF-2 zoning and commercial driveway type of construction (required for 3 or more residential units and office uses) cannot access through SF-2 zoning, even it may continue under one ownership. The Owner can file another rezoning application for Lot 4 at any time, although the issues associated with taking access to Chisholm Trail are known to some extent (neighborhood opposition, Code requirements that require access to be taken to S Chisholm Trail, and upgrades to the Applicant's frontage on S Chisholm Trail would be provided by the Applicant.

The reason I am being extremely detailed on this is because this is absolutely a hard pill to swallow!

I'm going to be blatantly honest and I'm going to be a little vulnerable here by putting this in an email BUT WENDY I feel like we have been bamboozled and really taken for a ride with all of this by Mr. Solis and Mr. Whittlif.

I feel that this was their last resort and ace in the hole when they realized that they could not get what they wanted so easily from the very beginning, I feel that he divided those properties on purpose. (Smart move on his part) I guess

number #1 to get the neighbors on Chisholm trail off of his back because without a valid petition we have a little voice ~if the current application stayed in place we had a much stronger voice and a much stronger presence and now he has reduce that dramatically by dividing the properties and having the city gain his access to slaughter Lane which he is entitled to as Lot 5 is a platted lot that is recognized with the city (he is entitled to that as the owner) makes sense to him not to spend his money on that access, have the city do it . (Smart as well) I guess

Wendy at the end of the day this would seem like a victory for the neighbors on Chisholm Trail and I apologize for being skeptical we should be celebrating that lot 4 is going to stay SF2 and we should celebrate that lot 5 has only access to slaughter Lane

BUT I call massive bullshit I don't believe that he's going to put a for sale sign in lot 4 and sell it as a residential property

I don't believe he's going to put a for sale sign in Lot 5 and sell it as a commercial property

I believe that he's going to get access to slaughter Lane from Lot 5 and then sit on lot 4 possibly with the renter and then go back for rezoning once he gets Lot 5 all complete with the rezoning and the access to his property from the city..

I pray " I am completely wrong" about this~ but the way that this has went on this wild merry go round of "yes we can do this, no we can't, yes we can, no we can't, yes we can "game" that has been played it's hard to believe :(

I mean for goodness sake's the application for just rezoning designation has changed numerous amounts of times it has went from its original application of LO to LR back to LO, then GO now they want LO-MU!!!! True, the Applicant has the ability to amend the request (like LO to LR, and/or amend the boundaries to add or subtract property they own), withdraw it or let it expire. Zoning cases with valid petitions such as this one are occasionally amended by the Applicant. This is due to more stringent voting requirements at Council.

It's been an awful journey that has divided some of the neighbors, and now look at the end result, screw the little people let the big assholes Win (sorry)

Lots of emotions and passion has went into this since October because these are our homes ❤

Please reply as soon as you can because

I need to have a meeting with our street,

Thank you for always answering my calls thank you for always answering my questions

Dawn & Family

9503 South Chisholm Trail

Peace and Blessings,
Dawn Grunwaldt
512.785.0067 cell

On Wednesday, February 7, 2018 04:34:14 PM CST, Dawn Grunwaldt <[redacted]> wrote:

Thank you very much for the response Wendy I will review this this evening and get back with you in the morning.

Thanks
Dawn

Sent from my iPhone

On Feb 7, 2018, at 2:10 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

Dawn,

Please see my answers below.

Wendy

From: Dawn Grunwaldt [redacted]
Sent: Tuesday, February 06, 2018 6:20 AM
To: Rhoades, Wendy
Subject: Re: 9401 Chisholm Trail Rezoning

Good morning Miss Wendy I know that you're in jury duty but when you have time please answer these questions so I can get back to the Neighbors ASAP thank you very much

Dawn

Sent from my iPhone

On Feb 3, 2018, at 8:02 AM, Dawn Grunwaldt <redacted> wrote:

> Good morning Wendy~
>
> I want to make sure that I have everything crystal-clear from my conversation that we had yesterday.
>
> I'm going to recap a few things and if you can make sure that I'm understanding everything correctly please ma'am.
>
> I apologize if this is going to be lengthy but I need to make sure that I can convey this 150% correct to all of the neighbors that deserve to know exactly how this transpired.
>
> Mario has retracted his rezoning application for lot 4 which is the lot that has the house on it closest to Chisholm Trail ~he is only rezoning lot 5 which is the empty lot closest to the drainage ditch. Is this correct? Yes. Lot 5 includes a segment of the drainage ditch. Please see the updated zoning map and petition results.
>
> Mario is keeping the property with the house on it (lot 4) zoned SF2 for now, he is most definitely welcome to put in a new application for new rezoning anytime after he gets lot 5 rezoned to LO-MU? This is correct right? Yes.
>
> Now that the application has been retracted on the lot 4 closest to Chisholm Trail, Lot 5 that is closest to the drainage ditch will only have access to slaughter Lane, Correct? Yes.

Since this is the case now that he has divided his property, we the neighbors that live on Chisholm Trail "will no longer" have a say-so on how lot 5 is going to be used now that he's asking for LO MU zoning? Is that correct? No. The neighbors still have a say on the Applicant's request for LO-MU by correspondence or speaking to the Zoning and Platting Commission (ZAP) and/or City Council (CC). Right now I have the zoning petition, a letter from SLNA dated 12-4-2017 from TJ Greaney that addresses LR zoning, plus correspondence from Lynn Ciavarini, Robert Rodriguez, John Fasano, Duane Keele, and TJ and Sandra Greaney. Is there other correspondence that you would like added to the packet?

You stated to me yesterday that lot 5 is not directly affecting Chisholm trail so we have very little voice? really truly NONE! Is this correct? Please see answer above.

So we cannot put in request as conditional overlays (CO) on that rezoning of lot 5 because that lot does not directly affect Chisholm Trail? Is that correct ~did I understand that correctly from our conversation yesterday? Staff cannot add a -CO to prohibit access to S Chisholm Trail b/c the property does not have direct access to S Chisholm Trail. You can request other -COs for Lot 5 as they relate to site development regulations however.

You did stated yesterday on our phone conversation that if I wanted to put together a list of "our request" (CO's) for that lot 5 that you would be more than happy to send it to "them" ~Which I did not ask you yesterday who is "them" are you referring to Mario and Jim or are you referring to the city? You also stated yesterday that it probably would not be very well received "our request" at this point but you would send it anyways. Is that correct? Any correspondence I receive will be included as part of the packet that is sent to the ZAP and CC. The Staff position is that the Applicant's request for LO-MU zoning for this property is a reasonable request because it only has access to Slaughter Lane (a major arterial), and is located adjacent to an electrical substation, has a City maintained drainage channel running through it, and there is a pattern of LO-CO and LO-MU zonings in the vicinity on Slaughter Lane. The property is zoned SF-2 which limits residential use to one sf residence, plus civic uses permitted in the SF-2 district, such as religious assembly and day care facilities. I would like to suggest that the Neighborhood be prepared to offer an alternative to maintaining SF-2 zoning on the property in case the question is asked by the ZAP or CC.

Also you stated that we are not going to get a formal letter in the mail showing our postponement for the public hearing which has changed from February 6 to February 20 2018 and we will not receive a formal letter in the mail showing our city Council meeting changing from February 16 to March 8. Is that correct also? Yes, see my detailed answer below.

Staff requested approval for postponement to the February 20th meeting. The Staff request was approved by the ZAP at last night's meeting. Below is a link to the ZAP backup:

http://www.austintexas.gov/edims/document.cfm?id=292342

Staff has also requested that the case be postponed at the February 15th City Council meeting to March 8th. Below is a link to the CC backup:

http://www.austintexas.gov/edims/document.cfm?id=292506

Postponements to a date certain (such as February 20th for ZAP and March 8th for CC) do not require an additional mailed out notification because they are read into the record at the meeting, and that in itself is a form of notification. As indicated above, Staff does not approve postponements. Approval of postponement requests is the function of the ZAP (its membership is appointed by the CC) and the CC (elected officials). Staff provides information and makes recommendations to the ZAP and CC only.

Your email that you sent me is notification that these dates have been changed and postponed by you and Jim Whitliff (Mario's representative) because he changed the application again and you need time to get the correct paperwork processed? Correct? Staff requested postponement to February 20th for ZAP because the Applicant's request changed within hours of the report deadline and I did not have sufficient time to fully revise the backup and maps. Staff is also requesting postponement to CC on March 8th so as to allow time for the case to be reviewed by the ZAP on February 20th.

Yesterday also when we are talking on the phone it was stated that you were under the impression that we were no longer going to have a "valid petition" because the new lot was smaller in acreage and the petition area would be a lot smaller (this would affect the calculation of the petition)

so you felt that we would not have the numbers to have a valid petition is that correct? Due to the reduced zoning area (see attached map) and therefore, reduced petition area, I do not believe the petition will remain valid. UPDATE: The petition results have just been returned to me at 18.98%, and because a petition is only valid at 20% or greater, this petition is no longer valid. I asked you yesterday if we were going to be able to see the revised map and the revised petition and you said that you would do your very best but it was not required for the February 20 meeting but it was required for the March 8 meeting, is that correct? Yes. Petition results are not required for ZAP to take action, but the information is always useful to have. When do you think that we will see the revised paperwork for this new application change or is that something that the neighbors on Chisholm Trail will never see? I believe the petition results will be ready by February 20th, however I do not know how quickly they will be returned to me.

Yesterday we also discussed that the re-zoning application would take place before any building permits, site plans, any future plans that were going to happen for that property ~you said that he would get the rezoning first and then later would come the intentions of the property. Is this correct? Yes, the property is undeveloped and any new development will require a site plan application with details about the building location, height, setbacks, parking, landscaping, fencing, driveway location, sidewalks, and utility connections.

You also stated to me yesterday that it's not required that we show up to the meetings that we are welcome to but it's not required~ it kind of made me feel like we just don't even have a voice in this anymore? Kind of like well this is what it is and it's over for us? That's how I felt, do we not have a presence in this anymore? It is not necessary to show up at the ZAP and CC hearings when the case is requested for postponement and the case report has not been finalized, like the ZAP 2-6 and CC 2-15 hearings. I fully encourage the neighbors to attend the ZAP and CC meetings when the public hearings are scheduled to occur on February 20th and March 8th as outlined above.

Are you saying now that he divided his property and is only going for rezoning on lot 5 "at this moment" that really it does not affect Chisholm trail? So we no longer have a say so? I feel that the petition area has to have at least our neighbor that lives closest to that property (on his same side) on there and we absolutely know how he feels about all of this, as the LOMU ~Lot 5 property will definitely affect his home. Please clarify this clearly for me (for all of us on Chisholm Trail). Yes, the petition area will still include the adjacent neighbor to the south. Access cannot be taken to Chisholm Trail because

the adjacent lot retains SF-2 zoning and commercial driveway type of construction (required for 3 or more residential units and office uses) cannot access through SF-2 zoning, even it may continue under one ownership. The Owner can file another rezoning application for Lot 4 at any time, although the issues associated with taking access to Chisholm Trail are known to some extent (neighborhood opposition, Code requirements that require access to be taken to S Chisholm Trail, and upgrades to the Applicant's frontage on S Chisholm Trail would be provided by the Applicant.

The reason I am being extremely detailed on this is because this is absolutely a hard pill to swallow!

I'm going to be blatantly honest and I'm going to be a little vulnerable here by putting this in an email BUT WENDY I feel like we have been bamboozled and really taken for a ride with all of this by Mr. Solis and Mr. Whittlif.

I feel that this was their last resort and ace in the hole when they realized that they could not get what they wanted so easily from the very beginning, I feel that he divided those properties on purpose. (Smart move on his part) I guess

number #1 to get the neighbors on Chisholm trail off of his back because without a valid petition we have a little voice ~if the current application stayed in place we had a much stronger voice and a much stronger presence and now he has reduce that dramatically by dividing the properties and having the city gain his access to slaughter Lane which he is entitled to as Lot 5 is a platted lot that is recognized with the city (he is entitled to that as the owner) makes sense to him not to spend his money on that access, have the city do it . (Smart as well) I guess

Wendy at the end of the day this would seem like a victory for the neighbors on Chisholm Trail and I apologize for being skeptical we should be celebrating that lot 4 is going to stay SF2 and we should celebrate that lot 5 has only access to slaughter Lane

BUT I call massive bullshit I don't believe that he's going to put a for sale sign in lot 4 and sell it as a residential property

I don't believe he's going to put a for sale sign in Lot 5 and sell it as a commercial property

I believe that he's going to get access to slaughter Lane from Lot 5 and then sit on lot 4 possibly with the renter and then go back for rezoning once he gets Lot 5 all complete with the rezoning and the access to his property from the city..

I pray " I am completely wrong" about this~ but the way that this has went on this wild merry go round of "yes we can do this, no we can't, yes we can, no we can't, yes we can "game" that has been played it's hard to believe :(

I mean for goodness sake's the application for just rezoning designation has changed numerous amounts of times it has went from its original application of LO to LR back to LO, then GO now they want LO-MU!!!! True, the Applicant has the ability to amend the request (like LO to LR, and/or amend the boundaries to add or subtract property they own), withdraw it or let it expire. Zoning cases with valid petitions such as this one are occasionally amended by the Applicant. This is due to more stringent voting requirements at Council.

It's been an awful journey that has divided some of the neighbors, and now look at the end result, screw the little people let the big assholes Win (sorry)

Lots of emotions and passion has went into this since October because these are our homes ❤

Please reply as soon as you can because

I need to have a meeting with our street,

Thank you for always answering my calls thank you for always answering my questions

Dawn & Family

9503 South Chisholm Trail

Sent from my iPhone

On Feb 1, 2018, at 1:33 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

> Hi Dawn,
>
> Yes, the Applicant has just amended his rezoning request to only Lot 5, Swanson's Ranchettes, located at 1109 W Slaughter Lane (see attached map). Lot 4 at the corner is no longer part of this application and will retain SF-2 zoning. Because Lot 5 rezoned only

has access to Slaughter, it will have to take its access to Slaughter. Access to Chisholm is not permitted for uses other than single family residences. That is, office uses cannot take access through an SF-2 zoned lot to Chisholm Trail.

]

Based on the timing of his amended request, the Staff is requesting postponement of this case to the Tuesday, February 20th ZAP meeting. I was ready with a Staff report based on the original two lots, and I now need to revise the report, obtain new maps for the reduced area, and revise the petition results. Taken as a whole, these revisions will take longer than the time I had remaining to produce a revised report, hence my request for postponement.

The February 20th meeting will be held at 6 p.m. at the One Texas Center, located at 505 Barton Springs Road (the building where you dropped off the petition to me), in Room 325 (3rd Floor). I will request postponement of the February 15th City Council meeting to March 8th at 2 p.m.

Wendy

From: Dawn Grunwaldt [redacted]
Sent: Thursday, February 01, 2018 9:52 AM
To: Rhoades, Wendy
Subject: Fwd: 9401 Chisholm Trail Rezoning

Good morning Wendy,

I wanted to reach out to you this morning ~this is an email chain listed below between myself and Jim At Land Answers that happened last night.

Jim stated that he was reaching out to you and that we are changing the hearing dates?

Do you know anything about this? Have the dates changed from February 6 and the 16th?

Please read the emails below and advise your interpretation of this and what we should do next?

thank you in advance for your help,

Dawn

9503 South Chisholm Trail

Sent from my iPhone

Begin forwarded message:

From: "Land Answers" <[redacted]>
Date: January 31, 2018 at 6:20:46 PM CST
To: "'Dawn Grunwaldt'" <[redacted]>
Subject: RE: 9401 Chisholm Trail Rezoning

Dawn,

Thank you for pointing out the error. LO-MU will only be on Lot 5. All access to Lot 5 will be from slaughter Lane only.

Jim Wittliff

From: Dawn Grunwaldt [[redacted]]
Sent: Wednesday, January 31, 2018 6:06 PM
To: Land Answers <[redacted]>
Subject: Re: 9401 Chisholm Trail Rezoning

Jim,

I have a question if Mr. Solis kept the current zoning SF-2 on Lot 4 where house is located and asked for LO-MU zoning on lot 5 which is closest to the drainage side (I believe you made a mistake below by saying that "asking for LO-MU zoning only on Lot 4 " you meant to say Lot 5 correct?) want to make sure we're clear on which lot you referring to.

My question is if he keeps SF2 on the house lot 4 and ask for LO MU on the adjacent "lot 5" if that Is agreed upon with the new zoning change LO MU would the property still have to have access from Chisholm Trail or only the residential lot 4 with the House?

Thanks

Dawn Grunwaldt

9503 S Chisholm Trail

Sent from my iPhone

On Jan 31, 2018, at 5:44 PM, Land Answers <[redacted]> wrote:

Dawn,

In an attempt to appease the fears of the neighborhood, Mr. Solis has made a change to his rezoning request. Rather than asking for LO zoning on both Lots 4 and 5, Mr. Solis has agreed to keep the current SF-2 zoning on Lot 4 (where the house is located), and ask for LO-MU zoning on Lot 4 only.

IN order to provide Wendy Rhoades with ample time to revise her backup material, I have agreed to postpone the Zoning and Platting Commission hearing to February 20th, and the City Council hearing to march 8th. Please note that the Zoning and Platting Commission hearing will be at a different location: 505 Barton Springs Road, Suite 325 at 6:00pm.

Thank you,

Jim Wittliff

Land Answers, Inc.

3606 Winfield Cove

Austin, Texas 78704

(512) 416-6611

<C14-2017-0123-a.pdf>

<C14-2017-0123 revised map and petition.pdf>

Rhoades, Wendy

From: Dawn Grunwaldt <[redacted]>
Sent: Monday, February 19, 2018 8:10 AM
To: Rhoades, Wendy
Cc: CBrom; Brandon Thompson; Steve And Brandon; Connie Soto; Lynn Ciavarini; Erin Rooney; Giovanna Montalvo; Austin Texas Xeriscapes; [redacted]; Rory; ROBERT RODRIGUEZ; Sylvia Diaz; Marie Ledoux; Ted Bruner; Dad; TJ Greaney; Wife Sandra Greaney
Subject: Fw: Our Reply 2/18/2018 regarding ~The correct timeline regarding Chisholm trail ~ Reply to Jim Whitliff's email on Mario Solis behalf

Good Morning Wendy,

This was sent yesterday to Mr. Wittliff, Mario Solis and Nick Solis.

WE the homes and families on South Chisholm Trail want the truth and the facts to be heard and seen tomorrow in the ZAP meeting and for any future hearings regarding this case, as its only fair and reasonable that it seen and known on" how we are where we are" with this rezoning case.

We understand that LR is no longer what the applicant is trying to get rezoning for but its the MOST Important fact in our case as this is how the tone was set 3 days into the notification letter sent from the COA back on 10/10/2017.

We are opposed to the MU overlay in his request for LO on Lot 5, if the applicant gets denied access through the COA (which) he should not as that is a legal platted lot that the City must grant access to, then we would like it to stay residential with his current zoning of SF2.

We still to this day on 2/19/2018 have not gotten all our questions answered regarding this case that we were notified on 10/10/2017 it has been 4 months of a lot of back and forth and changes.

Please included ALL of our correspondences from the last 4 months regarding the majority of the street's oppositions in Case C14-2017-0123 including yesterdays email 2/18/2018 to Jim, Mario and Nick and this email 2/19/2018 in the Packet that is "Staffing Recommendations" for the ZAP members in tomorrow's meeting at 6pm and the 2/20/2018 meeting for the City Council on March 6, 2018 at 2pm.

We would like to request a "packet" that will be presented at both hearings ZAP and CC prior to our meeting tomorrow at 6pm for ZAP.

We would like a reasonable amount of time for all of us time to review the packet before our hearing.

I am including everyone on this email that has submitted an opposition in to the COA regarding this rezoning case.

Thank you,
Dawn Wilson and Neighbors of South Chisholm Trail
512-785-0067

----- Forwarded Message -----
From: Dawn Grunwaldt <[redacted]>
To: Land Answers <[redacted]>; Mario A. Solis <[redacted]>; Nicholas Solis <[redacted]>; Nick Solis <[redacted]>; Wendy Rhoades <wendy.rhoades@austintexas.gov>
Cc: Brandon Thompson <[redacted]>; Steve And Brandon <[redacted]>; Connie Soto <[redacted]>; Erin Rooney <[redacted]>; Giovanna Montalvo <[redacted]>; Lynn Ciavarini <[redacted]>; Austin Texas Xeriscapes <[redacted]>; [redacted]; CBrom <[redacted]>; Rory <[redacted]>; ROBERT RODRIGUEZ <[redacted]>; TJ Greaney <[redacted]>; Sylvia Diaz <[redacted]>; Marie Ledoux <[redacted]>; Wife Sandra Greaney <[redacted]>; Sandra Greaney <[redacted]>; TJ Greaney <[redacted]>; Rick Burr <[redacted]>; Tina Burr <[redacted]>; Dad <[redacted]>; Rick Burr <[redacted]>; Ted Bruner <[redacted]>; [redacted]
Sent: Sunday, February 18, 2018 05:30:00 PM CST
Subject: Our Reply 2/18/2018 regarding ~The correct timeline regarding Chisholm trail ~ Reply to Jim Whitliff's email on Mario Solis behalf

Please see my replies below in blue and the green replies are the (side notes).
My replies are below the red comments.

Dawn Wilson
2/18/2018

Please see my replies below in red.
Thank you,

Jim Wittliff

From: Dawn Grunwaldt [[redacted]]

Sent: Friday, February 16, 2018 10:04 AM

To: Land Answers <[redacted]>; wendy.rhoades@austintexas.gov; [redacted]

Cc: Steve And Brandon <[redacted]>; [redacted]; Connie Soto <[redacted]>; [redacted]; Sandra@kidsoutdoorzone.com; [redacted]; TJ Greaney <[redacted]>; Dad <[redacted]>

Subject: The correct timeline regarding Chisholm trail ~ Reply to Jim Whitliff's email

Good Morning Jim,

Thank you very much for the response that we sent to Mario back on February 12th 2018.

This is just for the record so that Everyone understands the chronological order of how everything has transpired in the last 5 months regarding this rezoning case with Mr. Solis.

We the neighbors feel that conveying the correct order is pertinent to this rezoning case.

As this will be expressed at all hearings.

1. Mario's First intention for the property, as told us at Mr. Burr's home during a chili dinner we had for all of the neighbors on Chisholm trail was that he purchased the property Initially to have his son Nick Solis leave there, He also shared that evening that his son was not going to reside here as he did not want to live on slaughter Lane and that he was thinking about having a low impact business there, but really he wasn't 100% certain at that time what he wanted to do.

Our exact reply to Mr. Mario that night was we will cross that bridge when it comes.

2. Mario then decided to apply for LO, back in October 2017 and the neighbors that live 500 feet from that property received a notification via mail stating that there has been an application turned into the city of Austin for LO rezoning. An email went out (that I was omitted on) for whatever reason by Mr. Burr asking all the neighbors on Chisholm trail to help our new neighbor expedite approval of his zoning change application. I was then notified by a neighbor (a phone call) on the street asking me what I thought about this? I stated to them I wasn't notified and I was not on that email from Mr. Burr but I did receive a notification on that Friday regarding the rezoning application but I was super busy that weekend with ACL and I was not capable of sending out an email to all of the Neighbors letting them know about this (as I have always done in the past) regarding any notifications that we receive making sure that we all are aware of what's going on regarding our residential street. That is what we do for each other.

I sent out an email Sharing with the neighborhood what was going on with the property on the corner of Chisholm Trail and slaughter Lane And I did include Mario and Nick on that email and Mr. Solis Emailed us back sharing his thoughts regarding that property also that's the timeframe that Mario introduced you to the neighborhood and we started corresponding back-and-forth with you (Jim his representative) around that timeframe as well. We have a lot of questions for you.

3. Within a few days of that time we gathered in TJ and Sandra's yard for a neighborhood meeting regarding that case. Around that time frame there was an email that you had sent out Mr.Wittliff stating that the property was actually getting re-zoned LR not LO? I actually questioned you on that because there was no notification that a new application and I found out there actually already had been an application submitted to Wendy Rhoades with the city of Austin stating that the property owner actually made a mistake he meant to file on the property LR not LO and if I had not seen that email no one would have told us that, until I had questioned it. The application had already been filed before I even noticed it on that email.

This change was discussed with you and your neighbors in emails and the meeting we held. The LR is no longer an issue, since Mario has withdrawn it.

Mr. Wittliff you may have notified 1 {neighbor} on this street that supports your rezoning case sir, but you did not inform the opposing side {most neighbors} on South Chisholm Trail of the change.

Mr. Burr obviously knew way before anyone on this street did sir, as we had not even started our discussions as a "Neighborhood" at that time of his email nor had we even heard from Mr. Solis at that time introducing you Mr.Wittliff as Mario's representative.

It was discussed at the meeting as that was a month after the neighbor(s) were already upset and had questions for you regarding the "mistake" that your client Mr. Solis made on his application from LO to LR (these are your words and what Wendy) stated to me when I saw the email and questioned it.

The LR rezoning was "the BIGGEST issue" Mr.Wittliff as that is what made the neighbors feel "skeptical and that this was creating doubt that made everyone feel we were getting fast talked and conversations were going in circles" We never felt like this has been consistent with answers sir, because of finding out information after the fact. This is how we started this rezoning case (it set the tone from the very beginning).

This is **explained in great detail** so you know WHY we are where we are Jim.

Please see below the emails in order that proves the Facts

•Email sent to Everyone on our street on 10/16/17 by Me (Dawn) at 10:37 am
[redacted] Oct 16, 2017 at 10:37 AM

Hi Neighbors, :)
I got this last week and I have been super busy working and I haven't had the opportunity to address this with everybody on the street, but I wanted to bring it to everyone's attention as I know that this is super important to all of us on how we maintain our street...
It looks like our neighbors across from Mr. Rick next to Mr. Chris have requested to have a rezone hearing sometime in the near future regarding their property being turned from residential to commercial
It looks like they have turned in their application, but the hearing has not been set yet, I am sending this out to everybody, so we can keep it on our radar 👍😉
And Mr. Mario you are definitely included on this as you are part of our Chisholm Trail neighbor/family so don't take this personally this is something that we addressed to you when we all had the potluck at Mr. Rick's house ~ as it's very important to all of us to keep this a private residential street as much as possible 💝 for our families and homes 🏠
If you would like to share with us what your intentions are that would be awesome ~ if you don't that is A-OK also will see you at the hearing 👍
Thanks
Dawn Wilson and Family
9503
~Side Note
regarding this email please **see attachment (at the bottom of this email)** referring to the City of Austin notification on the application on rezoning from SF2 to LO on Lot 4 only NOT Lot 5. This is the original official notification sent by the City of Austin.

- Email sent to Everyone on street on 10/16/17 by Rick Burr at 10:51am

Rick Burr [redacted]et
Oct 16, 2017 at 10:51 AM

This is the same notice I sent to everybody last week. Spoke with Mario and the zoning they are actually going for is LR-CO just like my property. New notices to come soon with the zoning correction.
Rick Burr

~ Side Note
I was left off that email that Rick is referring too that "he sent everybody last week"
Rick's email contradicts the "official" notice that the City of Austin sent out on 10/10/2017

- Email sent to Everyone on street on 10/16/17 by Mario Solis at 6:56pm

Oct 16, 2017 at 6:56 PM [redacted]

Good evening everyone,

I want to extend my thanks to Dawn and the family for including me in the recent e-mail.

As you are aware, our family has invested into the renovation of the property on 9401 South Chisolm Trail and tried to maintain its original beauty. It has been a long journey in getting the house in shape, but I am extremely appreciative of the hard work my son Nic has done in assisting me regarding the house and its outcome.

It was a pleasure meeting many of you at Rick's potluck almost a year ago and listening to your thoughts and concerns relative to the neighborhood. I can truly understand how precious and the unique setting of the neighborhood is to all of us. As such, I do want to express that I have contracted with Land Answer, which is a two-man firm in Austin, to assist me with the proper paperwork regarding the rezoning process as well as informing them of the neighborhood's input and views. In my conversations with them, I shared that my intentions are to ensure that the neighborhood street is not impacted by this request. My intent is that the property serve the community from a service perspective .....law office, doctor's office, real estate, or an accounting office. This perspective allows in minimizing traffic to and from the building.

Furthermore, in the renovation of the property, I took into account the probability of entering/exiting the property from Slaughter Road (north part of the property) and thus maximizing and utilizing the existing "access" entry/exit currently in place which was built when Slaughter Road was expanded/widen years ago. This arrangement and design is to ensure that the current neighborhood South Chisolm Trail Street used by our families remains safe and unique only to our families. Therefore, the entry/exit to the existing house would now be the back part of the building for any new office space being proposed.

Once again, I appreciate the opportunity to share with all of you the proposal in order that there not be any misunderstandings and also to allow for continued information exchange. Should anyone have any questions or need for clarification, you are welcome to call me at (956) 655-7254 or e-mail Nick at [redacted] or me at [redacted]. If possible, I would prefer that both Nick and I be e-mailed together since at times my e-mails go to SPAM here at work. By doing so, it will ensure that at least one of us is able to get back to you quickly.
Thank you again for your patience and support.
Mario A. Solis and Nicholas David Solis
9401 South Chisolm Trail
Austin, Texas

- Email sent to Everyone on street on 10/19/17 by Jim Wittliff at 2:34 pm

[redacted]
Oct 19, 2017 at 2:34 PM

Thanks Dawn,

I also wish to point out that there are several land uses allowed in LR zoning that we feel are not appropriate for this site. We will agree to prohibit the following uses as part of the rezoning ordinance:

Restaurants (Limited and General)
Service Station
Off-site Accessory Parking
Urban Farm

Thank you,
Jim Wittliff

~Side Note

Prior to this email Jim it was never discussed with the NEIGHBOR(s) that your client wanted LR not LO. The official notification stated from the City of Austin that we received on 10/10/2017. The only notification prior to this email was Rick Burr's email on 10/16/17 stating that "Spoke with Mario and the zoning they are actually going for is LR-CO just like my property. New notices to come soon with the zoning correction". Is Rick Burr's email the notification to the neighborhood that you are referencing too?

- Email sent to Everyone on street on 10/19/17 by Tj Greaney at 4:15pm

[redacted]> Oct 19, 2017 at 4:15 PM

I am confused here. I thought we were LO Commercial -The owner told us, "My intent is that the property serve the community from a service perspective .....law office, doctor's office, real estate, or an accounting office."

I now see LR – Neighborhood Commercial And what exactly does the "overlay" consist of?

What changed?

TJ Greaney
Founder, Kids Outdoor Zone Youth Adventure Ministry (KOZ)
Host, The Outdoor Zone Radio Show
Owner, Country Line Magazine
Past President, Texas Outdoor Writers Association

- Email sent to Everyone on street on 10/19/17 by Dawn Wilson at 5:13pm

[redacted]

Oct 19, 2017 at 5:13 PM

Jim

I just got finished speaking with the city of Austin representative for this notice of filing application for rezoning, she stated to me that there was a new application filed recently meaning with in the last 24 hours due to the fact that someone in your office or yourself accidentally filed the wrong zoning for this property?

This is your business correct this is what you do on a day-to-day basis?

How did you accidentally file an application for zoning on LO and then want to turn around and file an application for LR those are big differences on zoning

Filing for LR is giving you the opportunity to build retail offices on the space and that is exactly what we didn't want
And then change it from professional office for the land-use and now you have changed it to retail office?

That is obviously the intent of Mr. Solis is too put Retail there and sell I am sure.
And it would be very hard to convince me otherwise.

I'm very confused also like TJ is
why would you not share that with us?
Did I miss an email? am I not seen something? This is exactly what we were scared of happening.

I'm very disappointed that you would not tell me that when you and I have been emailing each other and you know that we are very concerned on the usage of this property that makes me feel like this is very shady.

Also I was told the property that is east of 9401 which is zoned SF to also is wanting to be rezoned as LR which will put your foot print at 1.3 acres which could have a multi buildings in retail space in that area. (Just what we don't want) :(

Well Jim I guess I will figure out when everybody wants to meet with you and I guess we will see what you have to say at this point..

I have a meeting scheduled for tomorrow with the city to get straight answers and the facts of your zoning changes.

I asked if we could try to have an open and honest forum for everybody from the moment you emailed us and to try to be as neighborly as possible~ I hope that this does not set the tone for how you/we are going to go forward?

When we are barely beginning...

From a Mother of 3 kids trying to protect her INVESTMENT!!! And look out for my NEIGHBORS BECAUSE I REALLY DO CARE!

Dawn
9503

- Email sent to Everyone on street on 10/20/17 by Jim Wittliff at 10:54am
[redacted]> Oct 20, 2017 at 10:54 AM

Dawn,

After reading my explanation of why the application changed from LO to LR, HOW DARE YOU disseminate inflammatory inaccurate innuendo like "As far as Mario being upfront with his intentions for the property you're actually not correct by saying that he was because that's not the truth, changing it from a limited office space to retail commercial?" Call the Case Manager at the City and hear their explanation of what happened and why. Mario is unfamiliar with zoning regulations, and he made an honest mistake. Now you're trying to turn it into some sort of conspiracy to ruin your neighborhood. Please refer to Section 25-2-97 of Austin's Land Development Code, which states:

§ 25-2-97 - NEIGHBORHOOD COMMERCIAL (LR) DISTRICT DESIGNATION.

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

"Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment." This says that the City's process ensures compatibility. Please don't suggest your neighbors children will "choke on exhaust fumes;" the exhaust fumes from Slaughter Lane traffic are 50x what this site could ever generate.

Dawn, I am starting to get the feeling that you are leading a lynch mob. When we meet, I will insist on respect from both sides. No shouting, no interrupting, no threats. I once had a neighbor threaten to harm my children if zoning went through (which it did). I will remind people twice of the rules of decorum, then I will leave. I am not anyone's piñata.

Jim Wittliff

~Side Note

on this email "Jim stating" to me that "you are leading a lynch mob and I am not anyone's piñata". I never stated to you sir my resentments or the neighbors resentments of your statement (I do believe you received multiple emails from neighbors on this street resenting your statements to myself.

- Email sent to Everyone on street on 10/20/17 by Jim Wittliff at 11:24am

[redacted]t> Oct 20, 2017 at 11:24 AM

Dawn,

I consider your remarks to be very snippy and condescending. I didn't "name drop" officials; I gave you character references. I didn't do it to "impress" you; I did it to help alleviate your fears. Do not tell me to not be offended when my actions are referred to as "shady;" I will be offended every time. Do not say "we understand what your intentions are now and why you hired this company," when in fact you have no idea why Mr. Solis hired me. Do not sat you weren't notified of the LR zoning.

As far as walking your children in the street, I am sure you understand that any customers to Mr. Solis' property will have absolutely no reason to drive any further down South Chisolm Lane than to Mr. Solis' driveway. City policy dictates that the driveway be on South Chisolm Land and not on Slaughter Lane, which Mr. Solis would greatly prefer.

Your emails keep getting longer and more frequent. I have nothing more to say, so I will not be responding to your future emails, except to confirm a meeting time and date.

Good day,

Jim Wittliff

~Side Note regarding this email

1. You can "not predict the future Mr. Wittliff regarding your statement of "***As far as walking your children in the street, I am sure you understand that any customers to Mr. Solis' property will have absolutely no reason to drive any further down South Chisolm Lane than to Mr. Solis' driveway". This is not true as traffic does come down Chisholm Trail and they do turn around at John Fasanos address my side yard at 9503 and they go all the way to the very end at The Cox's.***

2. Mr. Solis's email that he sent on 10/16/17 to the Neighbors of South Chisholm Trail contradicts your statement of "***City policy dictates that the driveway be on South Chisolm Land and not on Slaughter Lane, which Mr. Solis would greatly prefer***" these are the statements that have been noticed by the neighbors to warrant the inconsistency of answers to the neighborhood which has created doubt and skepticism.

3. Regarding my statement of that you discontinued communicating with me please note the last paragraph of this email. ***"I have nothing more to say, so I will not be responding to your future emails, except to confirm a meeting time and date".***

1. On 11/2/2017 you started corresponding only to Tj Greaney regarding the neighborhoods requests and letters. Tj would then have me forward those emails to all the neighbors.
2. On 11/30/17 Wendy Rhodes corresponded with you and I on the same email regarding the ZAP and City Council meeting being rescheduled and would we consider a GO rezoning. That was verification of yet another zoning request "change".
3. On 12/8/2017 you emailed TJ, Wendy and Mario only, again LEAVING me out.

Here is proof you left me out of a VERY IMPORTANT email that everyone on the street should have been privy too. Its from Wendy Rhoades on 12/8/2017

Wendy.Rhoades@austintexas.gov>To: [redacted]
Dec 8, 2017 at 5:30 PM

Dawn,
I wanted to be sure you saw this correspondence as well.

Wendy

-----Original Message-----
From: Land Answers [mailto:landanswers@sbcglobal.net]
Sent: Friday, December 08, 2017 3:38 PM
To: 'TJ Greaney'
Cc: [redacted]; Rhoades, Wendy
Subject: RE: 9401 South Chisholm Trail. Case #C14-2017-0123 - 12/6/2017 Slaughter Lane Neighborhood Association

TJ,

We will amend our rezoning request to LO-MU-CO. The CO will state in the rezoning ordinance that any office/ LO allowed use of the site is prohibited from using Chisolm Trail for driveway access. The MU will allow Mario to develop the property as residential in the event the City of Austin does not allow a driveway onto Slaughter Lane.

Jim

This is the end of my replies/facts to the 1st "Red Line" from you Jim.
YES, its long and there are lots of Emails that Prove How We are Where We are today.
The rest of the Red Lines that need to be answered below might reference some of the emails that are listed above. New Proof of emails will be listed if necessary going forward.

At that meeting in TJ's yard we all agreed to on our VERY FIRST official stance as a community that we would accept LO-CO ONLY AND the primary CO being NO Access from Chisholm Trail. which can be easily verified w TJ's first neighborhood letter (that has never changed even to this day) we the neighbors of Chisholm Trail have never steered away from that until a lot of fast talking and suggestions of different zoning designation had taken place.

We resent your innuendo that we were "fast talking."
You tried to establish a narrative on multiple emails that we were 'Inconsistent". That has never been true. And "that" is the "fast talking" I am referring too. I feel all this talk of resentment really just distracts from the facts. We have always been consistent. NO ACCESS ON CHISHOLM TRAIL and NO RETAIL.

We asked you for a meeting and you met us at Mr. Solis's property and honestly Jim none of our questions got answered down there you had a whole lot of "you weren't sure what was going to happen with that property" and you were not sure what Mr. Solis's intentions either?

I told you the truth- I cannot predict the future.

It was a bunch of circle talk that the neighbors left out of there feeling like what in the hell is going on here? Our questions did not get answered at that meeting by no means nobody had a clear idea of what was going on when they left there, and I mean nobody.

We resent your innuendo that we were giving you "a bunch of circle talk." I was very open and honest at the meeting. I shared all relevant information concerning City policy, TxDot policy, driveway access strategies, and the City's approval process. My recollection of the meeting is apparently very different from yours. I had neighbor after neighbor (including you) come up to me at the conclusion, to thank me for the information I shared, and our commitments moving forward (i.e., me working with Rory Meza to try to get Slaughter Lane driveway access). Every person in the room was smiling, and either shook my hand or hugged me. The mood was sea shells and balloons.
Multiple neighbors commented that the presentation was unprofessional it seemed to many that it was thrown together last minute. Almost all the neighbors agreed that we came away with more questions then answers.
You are welcome to call them, email them and ask them yourself.

1. Chris Brom
2. Brandon Thompson and Steve Jones
3. Else Montalvo
4. Lynn Ciavarini
5. Tye Wilson
6. Connie Soto
7. Marie Ledoux
8. Erin Rooney
9. Robert Rodriquez
10. Rory Meza
11. Rose Cox
12. John Fasano

As far as the one HUG you received at that meeting Mr. Wittliff that was John Fasano, after I made the comment when Mr. Fasano had to leave early. I said 'Hey John' give TJ a hug before you leave. John hugged Tj then turned to you just to be respectful and friendly hugged you too. That was not in the mood of "seashells and balloons".
John is on the record with agreeing with that group of "our questions were not answered".

Shortly after that GO was suggested if we would take that into consideration, it has never been consistent on the applicant's part of their rezoning.

I resent your innuendo that I have "never been consistent."
It has never been consistent on the part of rezoning. This is another distraction away from the facts in this paragraph. Verified by the emails on 11/30/2017 and 12/5/2017 where you were asking for consideration over GO CO zoning.

It made and has the neighborhood very skeptical to trust what was ever being said.

I resent your innuendo that we have made the neighborhood "skeptical to trust whatever was being said."
Skeptical because of all the changes over the last 5 months, not being consistent on the rezoning.
John Fasano sent email on 10/20/2017 questioning
Marie Ledoux sent email on 10/20/2017 questioning
Steve Jones sent email on 10/20/2017 questioning
Erin Rooney sent email on 10/31/2017 questioning
You are welcome to contact anyone of the names I listed above. They will confirm that these are the feelings of pretty much the entire neighborhood.

We the neighbors on Chisholm Trail have never changed our minds regarding how we feel about "no access on Chisholm trail" and how we wanted a limited footprint on that property down there as that corner is dangerous for entrance and exiting regarding accessing Chisholm Trail.

Whether you want to prohibit Chisholm Trail access or not, the City of Austin has gone on record to say that Slaughter Lane access cannot be approved, and Chisholm Trail access will be "safer."

- Email listed below contradicts this.

  It was sent to Tj, Nick, Mario and CC'ed to Wendy, Myself and Rick on 12/5/17 by Jim Wittliff at 10:57am

[redacted]> Dec 5, 2017 at 10:57 AM

Mario and Neighbors,

In light of the neighborhood's position regarding driveway access, and as a follow-up to our recent meeting, I met yesterday with Amber Mitchell, the city's Transportation Reviewer in the Development Assistance Center. Amber confirmed the following:

The City agrees that commercial driveway access to Chisholm Trail is not a good solution, due to the substandard width of Chisholm Trial's pavement.
The Slaughter Lane right-of-way is managed by the City of Austin, not by TxDot. Therefore, all decisions regarding driveway access are made by Austin, not by TxDot.
City policy for driveway access is that the closest point of the driveway must be 60% of the frontage distance of the property from the nearest point of the intersection, to the nearest point of the driveway (which in this case would be 137 feet), or 100 feet, whichever is less. The current driveway that was constructed by TxDot is

approximately 81 feet from the intersection, meaning the driveway would need to move approximately 19 fee to the east to meet Austin's requirement.
Unfortunately, Amber does not have final say on driveway access for this tract; that power belongs to the Transportation Reviewers "upstirs" on the 4th floor, who do not finalize their decision until a site plan has been submitted. The highest likelihood that Amber can provide is that a driveway on Slaughter Lane that is relocated to be 100 feet form the intersection would "probably" be approved, in which case the driveway onto Chisholm Trail would be removed.

This new is encouraging, yet still frustrating. My advice is that we add language to the GO-CO rezoning as follows: "No commercial use of the property can take place until after driveway access to Slaughter Lane has been approved by the City of Austin, and after the driveway access to Chisholm Trail has been removed." (note; the neighborhood has not agreed to GO-CO zoning at this time.) This would allow the zoning to get finalized, while still protecting the neighborhood from commercial traffic onto Chisholm Trail.
Please give me your thoughts. Thank you, Jim Wittliff

WE have never steered away from our safety.

4. It was at about that time WE all made the ONLY change to our position, since the parties that are involved in the rezoning application had not been honest and forthcoming with all this. WE decided NO to ANY Zoning Change And really at the end of the day the person that really sealed that decision was Chris Brom and his family (he is the neighbor that lives directly next door to Solis's property) they stated they absolutely wanted no LO or LR business zoning for the property and that they only wanted SF2 next door to them and Chris feels the exact same way today or at least he did on January 11, 2018 ~I don't know if his mind has been changed since then.

A petition was filed you are correct about that due to the fact that we had no other choice you quit talking to us, the applications for rezoning we're changing left and right and there was no straight consistency of your case on what the intentions were for this property and still to this day that question has not been answered "what are the intentions for that property"?

I disagree that I ever "quit talking" to the neighborhood. Please provide evidence of emails I failed to reply to. Neither I nor Mario can predict the future. Mario's intention is to utilize his property in a fair and compatible way.

- I have been spearheading all the communications between all parties involved and then you stopped communicating with me. Please refer to the email sent on 10/20/17 stating that you "will not responding in future emails with me only to set up meetings".

5. ZAP meetings and CC meetings have been rescheduled/cancelled due to bad weather and not being ready for the meetings at that time frame.

Then AGAIN BAM another change by you and your applicant Mario Solis here we have new talk of a new application that was submitted by you with no notification again of LO MU.

Our change is strategy. By rezoning only Lot 5, we will force the City to give us Slaughter Lane driveway access. Isn't that what you want?

- We want it to be a permanent solution not a temporary solution.

Now you're stating that you have retracted the application for Lot 4 and it will stay SF2 to "appease the neighborhood" so are you stating Mr. Wittliff that Mr. Solis will never try to rezone lot 4 after he divides the property and only goes for rezoning on lot 5 ~ Is that what you're trying to convey here that he is doing us a favor by dividing the properties and having the city of Austin pay for his access on slaughter Lane for lot 5 and that he is appeasing the neighborhood and will keep lot 4 SF2 is that what you're trying to convey here ? So, Mr. Solis will be selling lot 4 as residential property now for the neighbors on Chisholm trail?
We withdrew Lot 4 because it is insane to try to fight a neighborhood with a valid petition. Again, I cannot predict the future, to tell you Mario's future plans for Lot 4. He will do what he thinks is right with his property.

- We believe it's reasonable to ask for the near future plans of Lot 4. Will there be a application for rezoning any time in the "near" future?

We all will see about that ~ let's see how open and honest everyone will be on this.

Mr. Wittliff, we have never changed our mind Sir we have never been inconsistent on how we feel regarding this rezoning case at the corner.

We have always said and we will stand tall on this all the way to the end Because our "safety" is what matters the most THIS IS WERE WE LIVE (not you or Mr. Solis). These are our homes Sir.

We agree on the importance of safety. However, your idea of what is safer conflicts with the City's idea.

- Email sent to Tj, Nick, Mario and CC'ed to Wendy, Myself and Rick on 12/5/17 by Jim Wittliff at 10:57am
  From the City.
  The City agrees that commercial driveway access to Chisholm Trail is not a good solution, due to the substandard width of Chisholm Trial's pavement.

Keeping the street, a residential street has always been our #1 objective. Keeping traffic off at Chisholm trail as it's a dead-end street.

Perhaps you do not understand the history of how and when Mario's property was platted. Lots 4 and 5 were platted on November 26, 2962, with their only frontage and access on Slaughter Lane. Most of what is now your neighborhood was platted as a 12.14 acre flag lot. On December 9, 1969, more than seven years after

Mario's lots were platted, the four lots at 9411, 9412, 9413 and 9414 were platted, with a note that the developer would be responsible for constructing Chisholm Trail South. On May 21, 2970, another plat was approved to create the lots at 9500, 9503, 9508, 9602, 9606 and 9702, and extend Chisholm Trial south, with a note that the responsibility to build the road was on the developer. On August 14, 1984, a plat was approved to divide the property previously platted as 9500 Chisholm Trial into two lots, 9500 and 9502.

Mario's property is not and never has been a part of your neighborhood. Lots 4 and 5 were created in 1962. The lots in your neighborhood were created from 1969 to 1984, seven to twenty-two years after Mario's lots were created. Mario's lots are in the Swanson's Ranchettes subdivision, whereas the lots in your neighborhood are in three plats known as Chisholm Trail Estates, Stroman Subdivision and Joe Palmaro Subdivision

- Based on all this information you said going back to 1962. If these 2 lots are not even a part of South Chisholm Trail Neighborhood then WHY are we even involved in this fight Mr. Wittliff? What point are you actually trying to make with these addresses listed above? Is there something legal that you know that we have not been privy too? Is this to be our official "notification" that we have been told about it just in case the ZAP hearing board members and/or the City Council members ask if we knew about this? Let the record show that we have not been notified in the last 5 months of this information until this email on 2/16/2018 . Seems unfair to us.

We all would love to know Mr.Wittliff how you're going to be able to guarantee that our street will become "safer" due to Mr. Solis's so called "improvements"?
We cannot guarantee the future. We will comply with City regulations intended to assure safety.

- Pardon Me, Mr. Wittliff you did not answer my question.

You have your orders incorrect in the email that you sent out to us ~this is to set the record straight on actually how it happened and what the timelines actually are, and I have the emails and the conversations to prove everything that I just stated in this email that are the facts.

If anyone would like tangible factual evidence to back up what is being said here I will be more than happy to send it.
Can you please send all of that tangible factual evidence to me?

- Yes, Mr. Wittliff I can. Please see the 18 pages above and the attachments below.

Just so all is on the same page Mr. Solis and Mr. Wittliff and Mrs. Rhodes ~

the neighbors on the street are AGAINST the MU and we definitely have CO's for the LO-MU rezoning case regarding lot 5.

This is really baffling for me. You want Lot 5 to remain residential, yet you oppose a rezoning overlay that would allow Lot 5 to be developed with a residential use? Please share your CO's.

- We just know how expansion LO MU can be, as you well know Mr. Wittliff what a MU overlay allows for.

Permitted Uses such as:
Residential Townhouse

Residential Multifamily
Residential Single-Family
Residential Single-Family Attached
Residential Small-Lot Single-Family Residential
Two-Family Residential Condominium
Residential Duplex
Residential Group Residential

This is not baffling we don't mind a Single Family Residence there Jim like SF2 (the current zoning). We were only recently educated regarding the zoning of MU from Wendy Rhoades from the City of Austin, We DO NOT want a multiple residential door(s) community at the end of Chisholm Trail that could have multiple parking spaces for the residents on that property.
If Lot 5 cannot have access to Slaughter lane then keep it SF2 (its current zoning) for "residential use" .

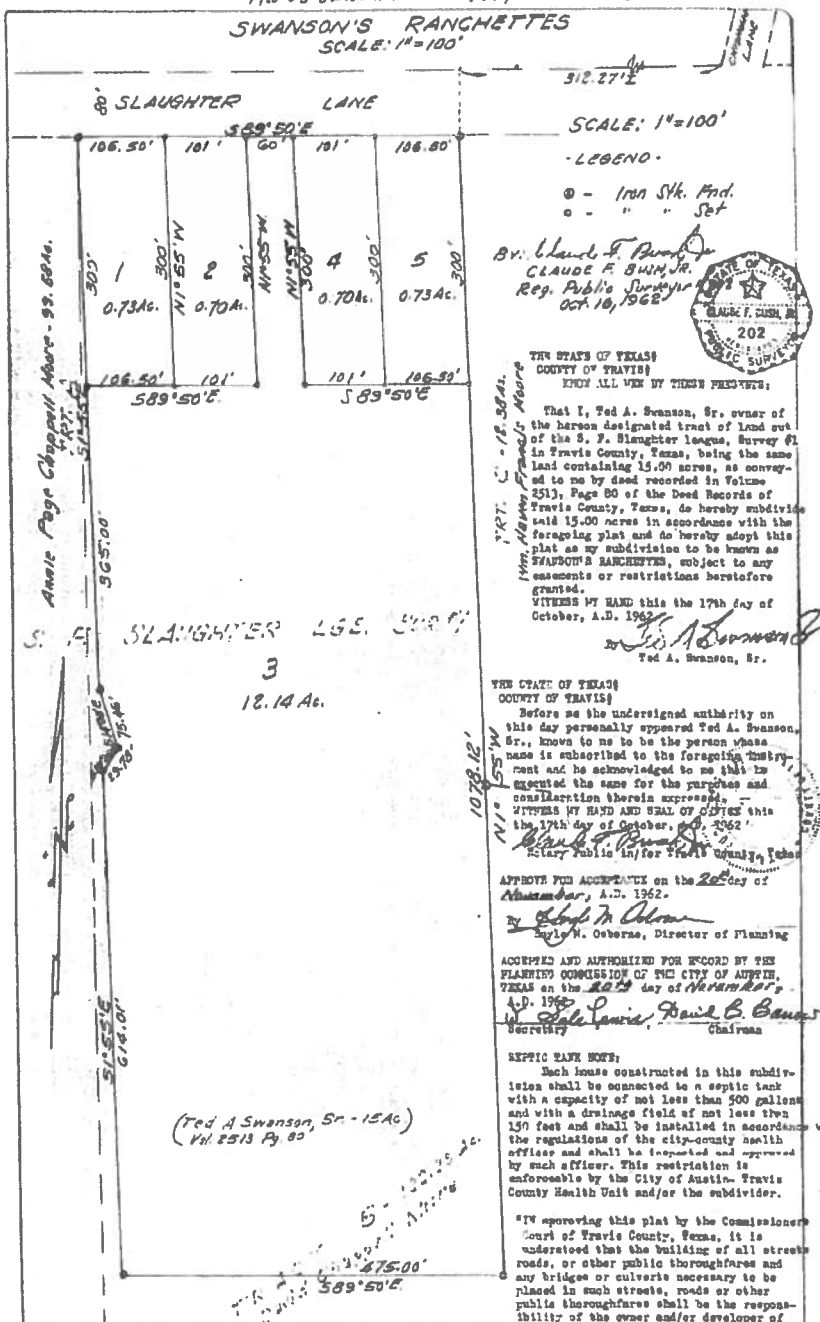
CO's have always been and have never changed for LOT 4 and LOT 5
Please refer to the emails and letters from SLNA that were sent from TJ Greaney on 11/2/2017 and 12/4/2017 WE have never steered away from our safety and our concerns regarding this rezoning case C14-2017-0123

Thank you,
Dawn and The Neighbors of South Chisholm Trail

Nov 26-62 Recha 9794 45

SWANSON'S RANCHETTES

SCALE: 1"=100'



By: Claude F. Bush Jr.
CLAUDE F. BUSH, JR.
Reg. Public Surveyor
Oct. 10, 1962

STATE OF TEXAS
CLAUDE F. BUSH, JR.
202
REGISTERED PUBLIC SURVEYOR

THE STATE OF TEXAS}
COUNTY OF TRAVIS}
KNOW ALL MEN BY THESE PRESENTS:

That I, Ted A. Swanson, Sr. owner of the hereon designated tract of land out of the S. F. Slaughter league, Survey #1 in Travis County, Texas, being the same land containing 15.00 acres, as conveyed to me by deed recorded in Volume 2513, Page 80 of the Deed Records of Travis County, Texas, do hereby subdivide said 15.00 acres in accordance with the foregoing plat and do hereby adopt this plat as my subdivision to be known as SWANSON'S RANCHETTES, subject to any easements or restrictions heretofore granted.

WITNESS MY HAND this the 17th day of October, A.D. 1962.

By Ted A Swanson
Ted A. Swanson, Sr.

THE STATE OF TEXAS}
COUNTY OF TRAVIS}

Before me the undersigned authority on this day personally appeared Ted A. Swanson, Sr., known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE this the 17th day of October, A.D. 1962.

Notary Public in for Travis County, Texas

APPROVED FOR ACCEPTANCE on the 26th day of November, A.D. 1962.

By Boyle W. Osborne
Boyle W. Osborne, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS on the 20th day of November, A.D. 1962.

Secretary Dale Lewis David B. Baum
Chairman

SEPTIC TANK NOTE:

Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with a drainage field of not less than 150 feet and shall be installed in accordance with the regulations of the city-county health officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin- Travis County Health Unit and/or the subdivider.

"In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets roads, or other public thoroughfares and any bridges or culverts necessary to be placed in such streets, roads or other public thoroughfares shall be the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas and said court assumes no obligation to build any of the streets, roads or other public thoroughfares or any bridges or culverts in connection therewith."

THE STATE OF TEXAS}
COUNTY OF TRAVIS}

I, Miss Emilie Limberg, County Clerk of Travis County, Texas, do hereby certify that on the 26 day of November A.D. 1962, the Commissioners Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order has been duly entered in the Minutes of said court in Book 3 Page 358

WITNESS MY HAND AND SEAL OF OFFICE this the 26 day of November A.D. 1962

Miss Emilie Limberg, County Clerk, Travis County, Texas
By Stacy Harris Deputy

FILED FOR RECORD on the 26 day of Nov A.D. 1962 at 10:30 o'clock A.M.

Miss Emilie Limberg, County Clerk, Travis County, Texas
By Elsie Pruitt Deputy

OCT 1962
RECEIVED

THE STATE OF TEXAS}
COUNTY OF TRAVIS}

I, Miss Emilie Limberg, clerk of the County Court within and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 26 day of Nov A.D. 1962 at 10:30 o'clock A.M. and duly recorded on the 26 day of Nov A.D. 1962 at 10:35 o'clock A.M. in the Plat Records of said county in Book 12 Page 52

WITNESS MY HAND AND SEAL OF OFFICE the date last written above.

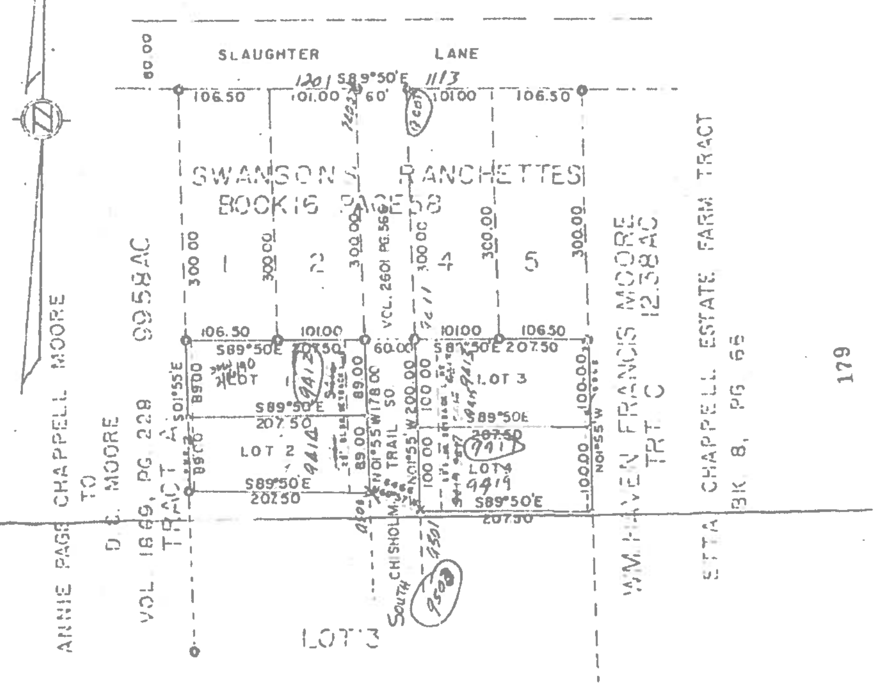
Miss Emilie Limberg, County Clerk, Travis County, Texas
By Elsie Pruitt Deputy

C8-62-137

Ref. Map # B-13 21

CHISHOLM TRAIL ESTATES

E - 14, F.1 A



LEGEND

○ IRON STAKE PLACED
● IRON STAKE FOUND

In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads or other public thoroughfares shown on this plat or any bridges or culverts necessary to be placed in such streets, roads or other public thoroughfares, or in connection therewith shall be the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and the Commissioners Court of Travis County, Texas, assumes no responsibility to build any of the streets, roads or other public thoroughfares shown on this plat or any bridges or culverts in connection therewith.

Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with a drain field of not less than 150 feet and shall be installed in accordance with the regulations of the City-County Health Officer and shall be inspected and approved by such Officer. This restriction is enforceable by the City of Austin-Travis County Health Unit and/or the subdivider.

No lot in this subdivision shall be occupied until water satisfactory for human consumption is available from a source on the land, a community source, or a public utility source in adequate and sufficient supply for family use and operation of the septic tank and system.

STATE OF TEXAS:
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS:

That we, Country Air Inc., owner of that 1.20 acres of acres of land, being a portion of Swansons Ranchettes, a subdivision of record as recorded in Book 15, Page 58, of the Plat Records of Travis County, Texas, conveyed to us by deed as recorded in Volume [illegible], Page 529, of the Deed Records of Travis County, Texas, acting herein by and through its President, Margaret H. Eichelberger, do hereby subdivide said 1.20 acres in accordance with the attached plat and do hereby adopt this plat as my subdivision, to be known as

" CHISHOLM TRAIL ESTATES "

and do hereby dedicate to the public all streets and easements as shown hereon.
WITNESS MY HAND this the 12 day of December, A. D. 1969.

Margaret H. Eichelberger
Margaret H. Eichelberger, President
of Country Air Inc.

STATE OF TEXAS:
COUNTY OF TRAVIS:

Before me, the undersigned authority, on this day personally appeared Margaret H. Eichelberger, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and she acknowledged to me that she executed the same for the purposes and consideration therein expressed.
WITNESS MY HAND AND SEAL OF OFFICE this the 12 day of December, A. D. 1969.

William M. Brooks
Notary Public in and for Travis County, Texas

APPROVED FOR ACCEPTANCE on the 9 day of December A. D. 1969.

[illegible signature]

ACCEPTED AND AUTHORIZED FOR RECORD:
By the Planning Commission of the City of Austin, this the 9th of December A. D. [illegible]

[illegible signature] Secretary [illegible signature] Chairman

STATE OF TEXAS:
COUNTY OF TRAVIS:

I, [illegible], Clerk of the County Court, within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of writing with its certificate of authentication was filed for record in my office on the [illegible] day of [illegible], A. D. [illegible], at [illegible] o'clock [illegible] M., and duly recorded on the [illegible] day of [illegible], A. D. [illegible], at [illegible] o'clock [illegible] M., in the Plat Records of said County in Book [illegible], Page 5.
WITNESS MY HAND AND SEAL OF COURT of said County the date last written above.
[illegible], Clerk, County Court, Travis County, Texas.

By [illegible signature]
Deputy

STATE OF TEXAS:
COUNTY OF TRAVIS:

I, [illegible], County Clerk of Travis County, Texas, do hereby certify that on the [illegible] day of Dec, A. D. 1969, the Commissioners Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said Court in Book 3, Page 378.
WITNESS MY HAND AND SEAL OF COURT this the 16 day of Dec, A. D. 1969.
[illegible], Clerk, County Court, Travis County, Texas.

L. Ramirez
Deputy

This is to certify that Austin City Code Chapter 23.27 of 1954 has been complied with.

SURVEYED DECEMBER, 1969
BY William M. Brooks
WILLIAM M. BROOKS
REG. PUBLIC SURVEYOR
NO. 1358

CITY OF AUSTIN 2 | H | 3520

FB 25 PG. 4
PLAN-1102

SCALE 1" = 100'

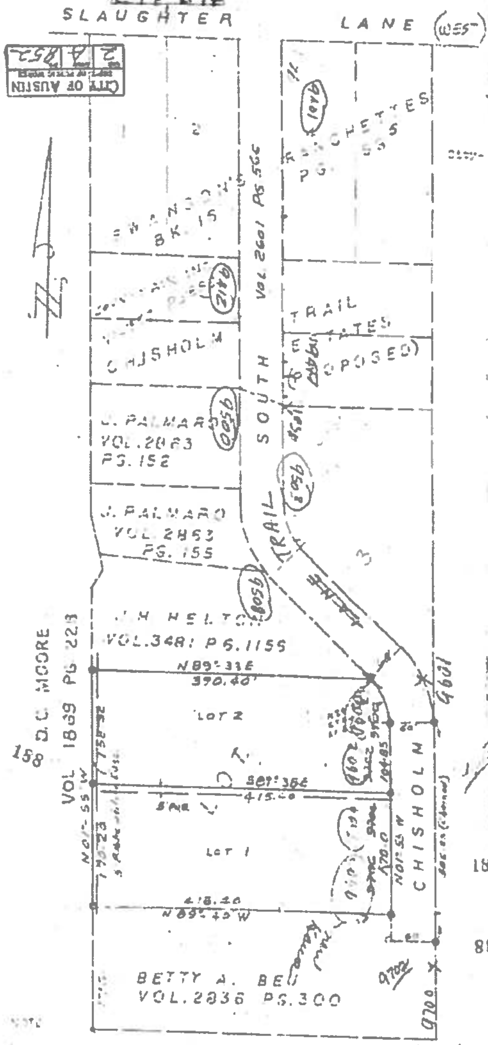
C8s-70-1

179

HOUSE NUMBER

STROMAN SUBDIVISION

E-14 E-14



In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads or other public thoroughfares and any bridges or culverts necessary to be placed in such streets, roads or other public thoroughfares shall be the responsibility of the owner/or developer of the tract of land covered by this plat in accordance with the plans and specifications prescribed by the Commissioners Court of said County, and said Court assumes no obligation to build any of the streets, roads or other public thoroughfares on any bridges or culverts in connection therewith.

SEPTIC TANK NOTE Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than [illegible] gallons, with a drain field of not less than 150 feet and shall be installed in accordance with the regulations of the City-County-Health department and shall be inspected and approved by such officer.

THE STATE OF TEXAS:
COUNTY OF TRAVIS :

KNOW ALL MEN BY THESE PRESENTS: That we, Carroll E. Stroman and wife Dorothy Stroman, owners of 1.62 acres of land out of and part of the S. P. Slaughter League, situated in Travis County, Texas, said 1.62 acres being a portion of Lot No. 3 of the Swanson's Ranchettes, a subdivision of record in Plat Book 16, Page 58 of the Travis County, Texas Plat Records, said 1.62 acres having been deeded to them by deed of record in Volume 3095, Page 555 of the Travis County Deed Records, and being shown as Lot 1 on the attached Map or Plat, do hereby subdivide said 1.62 acres in accordance with the attached Map or Plat to be known as the STROMAN SUBDIVISION and we do hereby dedicate to the public use the streets and easements as shown thereon.

WITNESS OUR HANDS this the 28 day of April A.D.1970.

Carroll Stroman
Carrol Stroman

Dorothy Stroman
Dorothy Stroman (wife)

THE STATE OF TEXAS:
COUNTY OF TRAVIS :

BEFORE ME, the undersigned authority, a Notary Public in and for Travis County, Texas, on this day personally appeared Carrol Stroman and his wife Dorothy Stroman, both known to me to be the persons whose names are subscribed to the foregoing instrument and they both acknowledged to me that they executed the same for the purposes and considerations therein expressed.

Aubrey Maurice Everhard
Notary Public in and for Travis County, Texas

THE STATE OF TEXAS:
COUNTY OF TRAVIS :

KNOW ALL MEN BY THESE PRESENTS: That I, Howard Wolff, owner of 1.52 acres of land out of and part of the S. P. Slaughter League, situated in Travis County, Texas, said 1.52 acres being a portion of Lot 3 of the Swanson's Ranchettes according to the map or plat of said subdivision recorded in Plat Book 16, Page 58 of the Travis County Plat Records, said 1.52 acres having been deeded to me by deed of record in Volume 3042, Page 674 of the Travis County Deed Records, said 1.52 acres being shown as Lot 2 on the attached Map or Plat, do hereby join in said subdivision to be known as the STROMAN SUBDIVISION and I do hereby dedicate to the public use the streets and easements as shown thereon.

WITNESS MY HAND this the 21th day of April A.D. 1970.

Howard Wolff
Howard Wolff

THE STATE OF TEXAS:
COUNTY OF TRAVIS :

BEFORE ME, the undersigned authority, a Notary Public in and for Travis County, Texas, on this day personally appeared Howard Wolff known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Velma R Johnson
Notary Public in and for Travis County, Texas

NOTE: Lots in this subdivision are hereby restricted against occupancy until an approved water supply is available from a source on the land or a public water supply. Such water supply shall be approved by the City-County Health Office. This restriction is enforceable by the City of Austin.

CURVE DATA
Δ: 45°00'
T: 37.72
L: 64.[illegible]
R: 84.75
A: [illegible]

-LEGEND-
• IRON STAKE FOUND
Scale, 1" = 100'

APPROVED FOR ACCEPTANCE:

Date May 18, 1970.

[signature]
[illegible], Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION, CITY OF AUSTIN, TEXAS, this the 18th day of May, A.D.1970.

[signature]
Secretary

[signature]
Chairman

FILED FOR RECORD: at 2:40 o'clock P.M., this the 21st day of May A. D. 1970.

By: Lerene Lee
Deputy

Emilie Limberg
Emilie Limberg, County Clerk, Travis County, Texas

THE STATE OF TEXAS:
COUNTY OF TRAVIS :

I, Emilie Limberg, Clerk of the County Court within and for the County and State aforesaid do hereby certify that the foregoing instrument of writing with its Certificate of Authentication was filed for record in my office on the 21st day of May, A. D. 1970, at 2:40 o'clock P.M., and duly recorded on the 21st day of May A.D.1970, at 2:45 o'clock P. M., in the Plat Records of said County and State, in Plat Book 50, Page 22.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY the date last written above.

By: Lerene Lee
Deputy

Emilie Limberg
Emilie Limberg, County Clerk, Travis County, Texas

APR 1970 RECEIVED

THIS IS TO CERTIFY THAT AUSTIN CITY CODE CHAPTER 23.27 OF 1954 HAS BEEN COMPLIED WITH.

Date of Survey: April 25, 1970

By: Clinton P. Rippy
Clinton P. Rippy
Registered Public Surveyor
No. 1453

STATE OF TEXAS CLINTON P. RIPPY 1453

C8s-70-76

THE STATE OF TEXAS:
COUNTY OF TRAVIS :

I, Miss Emilie Limberg County Clerk of Travis County, Texas, do hereby certify that on the 18th day of May A.D. 1970 the Commissioner's Court of Travis County Texas, passed an order authorizing the filing for record of this plat and that said order has been duly entered in the Minutes of said Court in Book 3 Page 375.

WITNESS MY HAND AND SEAL of the Court of said County this the 21st day of May A. D. 1970.

Sarah P Harris
Deputy

Emilie Limberg
Emilie Limberg, Clerk, County Court, Travis County, Texas

CITY OF AUSTIN 2 A 252

6498

6498

A 26498

JOE PALMARO SUBDIVISION

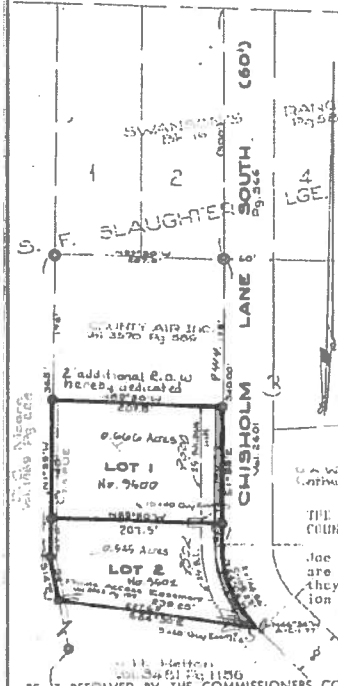
Note: Each lot 1 Single Family Residential Only

SLAUGHTER LANE (80')

- LEGEND -
● Iron Stake Found
° Iron Stake Set

- SCALE -
1" = 100'

Surveyed: October 25, 1972
By: Claude F. Bush, Jr.
Reg. Public Surveyor #202



APPROVED FOR ACCEPTANCE on the 24 DAY OF July 1984
By: Lilas Kinch
LILAS KINCH, ACTING DIRECTOR, OFFICE OF LAND DEVELOPMENT SERVICES

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS on the 24 day of JULY A.D. 1984

Secretary: G. GRANGER MacDONALD
Chairman: GILBERT M. MARTINEZ

THE STATE OF TEXAS]
COUNTY OF TRAVIS] KNOW ALL MEN BY THESE PRESENTS:

That we, Joe Palmaro and wife Onida Palmaro, owners of the hereon designated land, being out of Lot 3 of Swanson's Ranchettes, according to the map or plat of said subdivision recorded in Book 16, Page 58 of the Plat Records of Travis County, Texas, being the same land conveyed to us by two(2) deeds recorded in Volume 2683, Page 152 and Volume 2863, Page 155 of the Deed Records of Travis County, Texas, do hereby adopt this plat as our subdivision of a part of the said Lot 3 to be known as JOE PALMARO SUBDIVISION, subject to any easements or restrictions heretofore granted.

WITNESS OUR HANDS this the 2nd day of November, A.D. 1972

CURVE DATA:
Δ 45°00'
R 144.86
A 113.77
T 60.00
C 110.87

Joe Palmaro
Joe Palmaro

Onida Palmaro
Onida Palmaro

9500 SOUTH CHISHOLM LANE
AUSTIN, TEXAS 78748

THE STATE OF TEXAS]
COUNTY OF TRAVIS]

Before me the undersigned authority on this day personally appeared Joe Palmaro and wife, Onida Palmaro, known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they executed the same as their act and deed for the purposes and consideration expressed therein.

WITNESS MY HAND AND SEAL OF OFFICE this the 2nd day of November A.D. 1972

Notary Public in for Travis County, Texas
CLAUDE F. BUSH, JR.

BE IT RESOLVED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS: THAT THE ACCEPTANCE FOR MAINTAINING BY TRAVIS COUNTY, TEXAS OF THE ROADS OR STREETS IN REAL ESTATE SUBDIVISIONS DOES NOT OBLIGATE THE COUNTY TO INSTALL STREET MARKING SIGNS, AS THIS IS CONSIDERED TO BE A PART OF THE DEVELOPER'S CONSTRUCTION; BUT THAT SIGNS FOR TRAFFIC CONTROL, SUCH AS FOR SPEED LIMITS AND STOP AND YIELD SIGNS, SHALL REMAIN THE RESPONSIBILITY OF THE COUNTY

In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads or other public thoroughfares or any bridges or culverts necessary to be placed in such roads, streets or other public thoroughfares shall be the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas and said court assumes no obligation to build any of the streets, roads or other public thoroughfares or any bridges or culverts in connection therewith.

THE STATE OF TEXAS]
COUNTY OF TRAVIS]

I, Doris Shropshire, County Clerk of Travis County, Texas, do hereby certify that on the 13 day of August A.D. 1984, the Commissioners Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said court in Book 5 Page 469

WITNESS MY HAND AND SEAL OF OFFICE this the 14 day of August A.D. 1984

Doris Shropshire, County Clerk, Travis County, Texas
By E. Wall Deputy

FILED FOR RECORD on the 27th day of August A.D. 1984 at 9:40 o'clock A.M.

Doris Shropshire, County Clerk, Travis County, Texas
By K. Terrell Deputy

THE STATE OF TEXAS]
COUNTY OF TRAVIS]

I, Doris Shropshire, clerk of the County Court within and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 27th day of August A.D. 1984 at 9:40 o'clock A.M. and duly recorded on the 27th day of August A.D. 1984 at 9:45 o'clock A.M. in the Plat Records of said county in Book 84 Page 187B

WITNESS MY HAND AND SEAL OF OFFICIAL this the day of A.D. 1984

Doris Shropshire, County Clerk, Travis County, Texas
By K. Terrell Deputy

SEP 14 1984
E-14
2-H-6759

NO LOT IN THIS SUBDIVISON IS WITHIN THE 100 YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMIN., DEPT. OF H.U.D. AS SHOWN FEMA MAP, COMMUNITY PANEL NUMBER 481026 0260 B, EFFECTIVE DATE APRIL, 1. 1982.

VICINITY MAP

OCCUPANCY OF ANY LOT IN THIS SUBDIVISON IS PROHIBITED UNTIL CONNECTION IS MADE TO A PUBLIC WATER SYSTEM AND, AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM APPROVED BY THE APPROPRIATE HEALTH DEPT.

THIS SUBDIVISION HAS BEEN ACCEPTED FOR DEVELOPMENT UTILIZING SOME TYPE OF ONE SITE WASTEWATER SYSTEM AS APPROVED BY THE AUSTIN-TRAVIS COUNTY HEALTH DEPARTMENT.

2-H-6759
Tommie E. Green, RE. 7-9-84 C8s-72-382
HEALTH OFFICER DATE

FB 21 P 21

AB-26498

ADD 6498

6498

Rhoades, Wendy

From: Dawn Grunwaldt <dgrunwaldt@yahoo.com>
Sent: Tuesday, February 20, 2018 1:12 PM
To: Rhoades, Wendy
Cc: Austin Texas Xeriscapes; Land Answers; Mario A. Solis; Nicholas Solis; Nick Solis; Brandon Thompson; Steve And Brandon; Connie Soto; Erin Rooney; Giovanna Montalvo; Lynn Ciavarini; r[redacted]; CBrom; Rory; ROBERT RODRIGUEZ; TJ Greaney; Sylvia Diaz; Marie Ledoux; Wife Sandra Greaney; Sandra Greaney; TJ Greaney; Rick Burr; Tina Burr; Dad; Rick Burr; Ted Bruner
Subject: Re: Our Reply 2/18/2018 regarding ~The correct timeline regarding Chisholm trail ~ Reply to Jim Whitliff's email on Mario Solis behalf

Thank you Wendy

Dawn

Sent from my iPhone

On Feb 20, 2018, at 1:04 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

> All,
> Please see the answers in yellow highlight below. If there are other questions, please let me know.
>
> Wendy
>
> ---
>
> **From:** Dawn Grunwaldt [[redacted]]
> **Sent:** Monday, February 19, 2018 5:18 PM
> **To:** Austin Texas Xeriscapes <[redacted]>
> **Cc:** Land Answers <[redacted]>; Mario A. Solis <[redacted]>; Nicholas Solis <[redacted]>; Nick Solis <[redacted]>; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Brandon Thompson <[redacted]>; Steve And Brandon <[redacted]>; Connie Soto <[redacted]>; Erin Rooney <[redacted]>; Giovanna Montalvo <[redacted]>; Lynn Ciavarini <[redacted]>; [redacted]; CBrom <[redacted]>; Rory <[redacted]>; ROBERT RODRIGUEZ <[redacted]>; TJ Greaney <[redacted]>; Sylvia Diaz <[redacted]>; Marie Ledoux <[redacted]>; Wife Sandra Greaney <[redacted]>; Sandra Greaney <[redacted]>; TJ Greaney <[redacted]>; Rick Burr <[redacted]>; Tina Burr <[redacted]>; Dad <[redacted]>; Rick Burr <[redacted]>; Ted Bruner <[redacted]>
> **Subject:** Re: Our Reply 2/18/2018 regarding ~The correct timeline regarding Chisholm trail ~ Reply to Jim Whitliff's email on Mario Solis behalf
>
> Wendy,

John Fasano at 9502 asked a question below pertaining to Jim Wittliff's email he sent earlier.

Can you please answer this question for John and the neighbors on Chisholm trail?

John's Question~

> "Regarding his #3, does Lot 5 have to be LO-MU to get driveway access from Slaughter Ln? Or would SF2 or LO-CO suffice?" Access from Lot 5 (the rezoning area) to Slaughter Lane is allowed regardless of its zoning. It is a platted lot and has a legal right to access Slaughter Lane.

John, if I recall correctly and Wendy correct me if I'm wrong , but Lot 5 does not have to be LO– MU to get driveway access from Slaughter Lane.
It's a legal platted Lot that is recognized by the COA. So access will be granted whether it is zoned SF2 or LO-CO correct? Yes, this is correct.

I believe, I have an email between Wendy and I that states "that". I would have to go back and research.

As far, as Mr. Wittliff asking questions that I did not ask. Regarding the 18 pages of extensive emails of tangible factual evidence that he requested.
Is not baffling to me that he distracted from the questions being asked about the truth at hand.

It's "How we got here and Where we are"

We will stand tall and tell the truth all the way up that hill" ❤□

Thanks, Wendy the sooner we can get that question answered we would appreciate it.

Dawn Wilson
9503

Sent from my iPhone

On Feb 19, 2018, at 2:24 PM, Austin Texas Xeriscapes <[redacted]> wrote:

Dawn,

Not sure why, but seems Mr, Whitliff answered questions you didn't ask.

Regarding his #3, does Lot 5 have to be LO-MU to get driveway access from Slaughter Ln? Or would SF2 or LO-CO suffice?

John 9502

On Mon, Feb 19, 2018 at 10:50 AM, Land Answers <[redacted]> wrote:

Dawn,

Thank you for your extensive email. I want to reiterate:

1. There is no current request for LR zoning.
2. There is no current rezoning application for Lot 4.
3. We are requesting LO-MU zoning on Lot 5 only, for the purpose of securing direct driveway access to Slaughter Lane. This is the only rezoning on the table. It has zero impact on Chisholm Trail.

"Where we are" is getting ready for a Zoning and Platting Commission recommendation to City Council on February 20th, and a City Council public hearing on March 8th. These hearings are only to discuss the appropriateness of LO-MU rezoning on Lot 5. There is no request for LR zoning.

You and most of your neighborhood's position has been clearly stated- no commercial uses and no driveway access to Chisholm Trail. Since we are only rezoning Lot 5, the issue of driveway access becomes moot- Lot 5's only access is on Slaughter Lane.

I never planned or intended to make a "presentation" to your neighborhood. I was there to hear your concerns and answer your questions. I had no pre-planned presentation, only a Q&A. If your neighbors were expecting some sort of presentation, I am sorry they were disappointed not to get one.

What is the most appropriate future use of Lot 5? That is what the upcoming public hearing will determine. I appreciate that the property owner,

neighborhood, City staff and ZAP Commissioners will have an opportunity to deliberate the appropriate use of Lot 5 on February 20th.

Jim Wittliff

From: Dawn Grunwaldt [mailto:[redacted]]
Sent: Sunday, February 18, 2018 5:30 PM
To: Land Answers <[redacted]>; Mario A. Solis <[redacted]>; Nicholas Solis <[redacted]>; Nick Solis <[redacted]>; Wendy Rhoades <wendy.rhoades@austintexas.gov>
Cc: Brandon Thompson <[redacted]>; Steve And Brandon <[redacted]>; Connie Soto <[redacted]>; Erin Rooney <[redacted]>; Giovanna Montalvo <[redacted]>; Lynn Ciavarini <[redacted]>; Austin Texas Xeriscapes <[redacted]>; [redacted]; CBrom <[redacted]>; Rory <[redacted]>; ROBERT RODRIGUEZ <[redacted]>; TJ Greaney <[redacted]>; Sylvia Diaz <[redacted]>; Marie Ledoux <[redacted]>; Wife Sandra Greaney <[redacted]>; Sandra Greaney <[redacted]>; TJ Greaney <[redacted]>; Rick Burr <[redacted]>; Tina Burr <[redacted]>; Dad <[redacted]>; Rick Burr <[redacted]>; Ted Bruner <[redacted]>; [redacted]
Subject: Our Reply 2/18/2018 regarding ~The correct timeline regarding Chisholm trail ~ Reply to Jim Whitliff's email on Mario Solis behalf

Please see my replies below in blue and the green replies are the (side notes). My replies are below the red comments.

Dawn Wilson
2/18/2018

Please see my replies below in red.

Thank you,

Jim Wittliff

From: Dawn Grunwaldt [mailto:[redacted]]

Sent: Friday, February 16, 2018 10:04 AM

To: Land Answers <[redacted]>;
wendy.rhoades@austintexas.gov; [redacted]

Cc: Steve And Brandon <[redacted]>; [redacted]; Connie Soto
<[redacted]>; [redacted]; TJ Greaney
<[redacted]>; Dad <[redacted]>

Subject: The correct timeline regarding Chisholm trail ~ Reply to Jim Whitliff's email

Good Morning Jim,

Thank you very much for the response that we sent to Mario back on February 12th 2018.

This is just for the record so that Everyone understands the chronological order of how everything has transpired in the last 5 months regarding this rezoning case with Mr. Solis.

We the neighbors feel that conveying the correct order is pertinent to this rezoning case.

As this will be expressed at all hearings.

1. Mario's First intention for the property, as told us at Mr. Burr's home during a chili dinner we had for all of the neighbors on Chisholm trail was that he purchased the property Initially to have his son Nick Solis leave there, He also shared that evening that his son was not going to reside here as he did not want to live on slaughter Lane and that he was thinking about having a low impact business there, but really he wasn't 100% certain at that time what he wanted to do.

Our exact reply to Mr. Mario that night was we will cross that bridge when it comes.

2. Mario then decided to apply for LO, back in October 2017 and the neighbors that live 500 feet from that property received a notification via mail stating that there has been an application turned into the city of Austin for LO rezoning. An email went out (that I was omitted on) for whatever reason by Mr. Burr asking all the neighbors on Chisholm trail to help our new neighbor expedite approval of his zoning change application. I was then notified by a neighbor (a phone call)

on the street asking me what I thought about this? I stated to them I wasn't notified and I was not on that email from Mr. Burr but I did receive a notification on that Friday regarding the rezoning application but I was super busy that weekend with ACL and I was not capable of sending out an email to all of the Neighbors letting them know about this (as I have always done in the past) regarding any notifications that we receive making sure that we all are aware of what's going on regarding our residential street. That is what we do for each other.

I sent out an email Sharing with the neighborhood what was going on with the property on the corner of Chisholm Trail and slaughter Lane And I did include Mario and Nick on that email and Mr. Solis Emailed us back sharing his thoughts regarding that property also that's the timeframe that Mario introduced you to the neighborhood and we started corresponding back-and-forth with you (Jim his representative) around that timeframe as well. We have a lot of questions for you.

3. Within a few days of that time we gathered in TJ and Sandra's yard for a neighborhood meeting regarding that case. Around that time frame there was an email that you had sent out Mr.Wittliff stating that the property was actually getting re-zoned LR not LO? I actually questioned you on that because there was no notification that a new application and I found out there actually already had been an application submitted to Wendy Rhoades with the city of Austin stating that the property owner actually made a mistake he meant to file on the property LR not LO and if I had not seen that email no one would have told us that, until I had questioned it. The application had already been filed before I even noticed it on that email.
This change was discussed with you and your neighbors in emails and the meeting we held. The LR is no longer an issue, since Mario has withdrawn it.
Mr. Wittliff you may have notified 1 {neighbor} on this street that supports your rezoning case sir, but you did not inform the opposing side {most neighbors} on South Chisholm Trail of the change.
Mr. Burr obviously knew way before anyone on this street did sir, as we had not even started our discussions as a "Neighborhood" at that time of his email nor had we even heard from Mr. Solis at that time introducing you Mr.Wittliff as Mario's representative.
It was discussed at the meeting as that was a month after the neighbor(s) were already upset and had questions for you regarding the "mistake" that your client Mr. Solis made on his application from LO to LR (these are your words and what Wendy) stated to me when I saw the email and questioned it.
The LR rezoning was "the BIGGEST issue" Mr.Wittliff as that is what made the neighbors feel "skeptical and that this was creating doubt that made everyone feel we were getting fast talked and conversations were going in circles" We never felt like this has been consistent with answers sir, because of finding out information after the fact. This is how we started this rezoning case (it set the tone from the very beginning).

This is **explained in great detail** so you know WHY we are where we are Jim.

Please see below the emails in order that proves the Facts

•Email sent to Everyone on our street on 10/16/17 by Me (Dawn) at 10:37 am
[redacted] Oct 16, 2017 at 10:37 AM

Hi Neighbors, :)
I got this last week and I have been super busy working and I haven't had the opportunity to address this with everybody on the street, but I wanted to bring it to everyone's attention as I know that this is super important to all of us on how we maintain our street...
It looks like our neighbors across from Mr. Rick next to Mr. Chris have requested to have a rezone hearing sometime in the near future regarding their property being turned from residential to commercial
It looks like they have turned in their application, but the hearing has not been set yet, I am sending this out to everybody, so we can keep it on our radar 👍😊
And Mr. Mario you are definitely included on this as you are part of our Chisholm Trail neighbor/family so don't take this personally this is something that we addressed to you when we all had the potluck at Mr. Rick's house ~ as it's very important to all of us to keep this a private residential street as much as possible 💝 for our families and homes 🏠
If you would like to share with us what your intentions are that would be awesome ~ if you don't that is A-OK also will see you at the hearing 👍
Thanks
Dawn Wilson and Family
9503
~Side Note
regarding this email please **see attachment (at the bottom of this email)** referring to the City of Austin notification on the application on rezoning from SF2 to LO on Lot 4 only NOT Lot 5. This is the original official notification sent by the City of Austin.

- Email sent to Everyone on street on 10/16/17 by Rick Burr at 10:51am

Rick Burr [redacted]
Oct 16, 2017 at 10:51 AM

This is the same notice I sent to everybody last week. Spoke with Mario and the zoning they are actually going for is LR-CO just like my property. New notices to come soon with the zoning correction.

Rick Burr

~ Side Note
I was left off that email that Rick is referring too that "he sent everybody last week"

Rick's email contradicts the "official" notice that the City of Austin sent out on 10/10/2017

- Email sent to Everyone on street on 10/16/17 by Mario Solis at 6:56pm

Oct 16, 2017 at 6:56 PM [redacted]>

Good evening everyone,

I want to extend my thanks to Dawn and the family for including me in the recent e-mail.

As you are aware, our family has invested into the renovation of the property on 9401 South Chisolm Trail and tried to maintain its original beauty. It has been a long journey in getting the house in shape, but I am extremely appreciative of the hard work my son Nic has done in assisting me regarding the house and its outcome.

It was a pleasure meeting many of you at Rick's potluck almost a year ago and listening to your thoughts and concerns relative to the neighborhood. I can truly understand how precious and the unique setting of the neighborhood is to all of us. As such, I do want to express that I have contracted with Land Answer, which is a two-man firm in Austin, to assist me with the proper paperwork regarding the rezoning process as well as informing them of the neighborhood's input and views. In my conversations with them, I shared that my intentions are to ensure that the neighborhood street is not impacted by this request. My intent is that the property serve the community from a service perspective .....law office, doctor's office, real estate, or an accounting office. This perspective allows in minimizing traffic to and from the building.

Furthermore, in the renovation of the property, I took into account the probability of entering/exiting the property from Slaughter Road (north part of the property) and thus maximizing and utilizing the existing "access" entry/exit currently in place which was built when Slaughter Road was expanded/widen years ago. This arrangement and design is to ensure that the current neighborhood South Chisolm Trail Street used by our families remains safe and unique only to our families. Therefore, the entry/exit to the existing house would now be the back part of the building for any new office space being proposed.

Once again, I appreciate the opportunity to share with all of you the proposal in order that there not be any misunderstandings and also to allow for continued information exchange. Should anyone have any questions or need for clarification, you are welcome to call me at (956) 655-7254 or e-mail Nick at [redacted] or me at [redacted]. If possible, I would prefer that both Nick and I be e-mailed together since at times my e-mails go to SPAM here at work. By doing so, it will ensure that at least one of us is able to get back to you quickly.

Thank you again for your patience and support.

Mario A. Solis and Nicholas David Solis

9401 South Chisolm Trail

Austin, Texas

- Email sent to Everyone on street on 10/19/17 by Jim Wittliff at 2:34 pm

[redacted]

Oct 19, 2017 at 2:34 PM

Thanks Dawn,

I also wish to point out that there are several land uses allowed in LR zoning that we feel are not appropriate for this site. We will agree to prohibit the following uses as part of the rezoning ordinance:

Restaurants (Limited and General)

Service Station

Off-site Accessory Parking

Urban Farm

Thank you,

Jim Wittliff

~Side Note

Prior to this email Jim it was never discussed with the NEIGHBOR(s) that your client wanted LR not LO. The official notification stated from the City of Austin that we received on 10/10/2017. The only notification prior to this email was Rick Burr's email on 10/16/17 stating that "Spoke with Mario and the zoning they are actually going for is LR-CO just like my property. New notices to come soon with the zoning correction". Is Rick Burr's email the notification to the neighborhood that you are referencing too?

- Email sent to Everyone on street on 10/19/17 by Tj Greaney at 4:15pm

[redacted]> Oct 19, 2017 at 4:15 PM

I am confused here. I thought we were LO Commercial -The owner told us, "My intent is that the property serve the community from a service perspective .....law office, doctor's office, real estate, or an accounting office."

I now see LR – Neighborhood Commercial And what exactly does the "overlay" consist of?

What changed?

TJ Greaney

Founder, Kids Outdoor Zone Youth Adventure Ministry (KOZ)

Host, The Outdoor Zone Radio Show

Owner, Country Line Magazine

Past President, Texas Outdoor Writers Association

- Email sent to Everyone on street on 10/19/17 by Dawn Wilson at 5:13pm

[redacted]

Oct 19, 2017 at 5:13 PM

Jim

I just got finished speaking with the city of Austin representative for this notice of filing application for rezoning, she stated to me that there was a new application filed recently meaning with in the last 24 hours due to the fact that someone in your office or yourself accidentally filed the wrong zoning for this property?

This is your business correct this is what you do on a day-to-day basis?

How did you accidentally file an application for zoning on LO and then want to turn around and file an application for LR those are big differences on zoning

Filing for LR is giving you the opportunity to build retail offices on the space and that is exactly what we didn't want

And then change it from professional office for the land-use and now you have changed it to retail office?

That is obviously the intent of Mr. Solis is too put Retail there and sell I am sure.

And it would be very hard to convince me otherwise.

I'm very confused also like TJ is

why would you not share that with us?

Did I miss an email? am I not seen something? This is exactly what we were scared of happening.

I'm very disappointed that you would not tell me that when you and I have been emailing each other and you know that we are very concerned on the usage of this property that makes me feel like this is very shady.

Also I was told the property that is east of 9401 which is zoned SF to also is wanting to be rezoned as LR which will put your foot print at 1.3 acres which could have a multi buildings in retail space in that area. (Just what we don't want) :(

Well Jim I guess I will figure out when everybody wants to meet with you and I guess we will see what you have to say at this point..

I have a meeting scheduled for tomorrow with the city to get straight answers and the facts of your zoning changes.

I asked if we could try to have an open and honest forum for everybody from the moment you emailed us and to try to be as neighborly as possible~ I hope that this does not set the tone for how you/we are going to go forward?

When we are barely beginning...

From a Mother of 3 kids trying to protect her INVESTMENT!!! And look out for my NEIGHBORS

BECAUSE I REALLY DO CARE!

Dawn

9503

- Email sent to Everyone on street on 10/20/17 by Jim Wittliff at 10:54am

[redacted]> Oct 20, 2017 at 10:54 AM

Dawn,

After reading my explanation of why the application changed from LO to LR, HOW DARE YOU disseminate inflammatory inaccurate innuendo like "As far as Mario being upfront with his intentions for the property you're actually not correct by saying that he was because that's not the truth, changing it from a limited office space to retail commercial?" Call the Case Manager at the City and hear their explanation of what happened and why. Mario is unfamiliar with zoning regulations, and he made an honest mistake. Now you're trying to turn it into some sort of conspiracy to ruin your neighborhood. Please refer to Section 25-2-97 of Austin's Land Development Code, which states:

§ 25-2-97 - NEIGHBORHOOD COMMERCIAL (LR) DISTRICT DESIGNATION.

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards

applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

"Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment." This says that the City's process ensures compatibility. Please don't suggest your neighbors children will "choke on exhaust fumes;" the exhaust fumes from Slaughter Lane traffic are 50x what this site could ever generate.

Dawn, I am starting to get the feeling that you are leading a lynch mob. When we meet, I will insist on respect from both sides. No shouting, no interrupting, no threats. I once had a neighbor threaten to harm my children if zoning went through (which it did). I will remind people twice of the rules of decorum, then I will leave. I am not anyone's piñata.

Jim Wittliff

~Side Note

on this email "Jim stating" to me that "you are leading a lynch mob and I am not anyone's piñata". I never stated to you sir my resentments or the neighbors resentments of your statement (I do believe you received multiple emails from neighbors on this street resenting your statements to myself.

- Email sent to Everyone on street on 10/20/17 by Jim Wittliff at 11:24am

[redacted] Oct 20, 2017 at 11:24 AM

Dawn,

I consider your remarks to be very snippy and condescending. I didn't "name drop" officials; I gave you character references. I didn't do it to "impress" you; I did it to help alleviate your fears. Do not tell me to not be offended when my actions are referred to as "shady;" I will be offended every time. Do not say "we understand what your intentions are now and why you hired this company," when in fact you have no idea why Mr. Solis hired me. Do not sat you weren't notified of the LR zoning.

As far as walking your children in the street, I am sure you understand that any customers to Mr. Solis' property will have absolutely no reason to drive any further down South Chisolm Lane than to Mr. Solis' driveway. City policy dictates that the driveway be on South Chisolm Land and not on Slaughter Lane, which Mr. Solis would greatly prefer.

Your emails keep getting longer and more frequent. I have nothing more to say, so I will not be responding to your future emails, except to confirm a meeting time and date.

Good day,

Jim Wittliff

~Side Note regarding this email

1. You can "not predict the future Mr. Wittliff regarding your statement of "***As far as walking your children in the street, I am sure you understand that any customers to Mr. Solis' property will have absolutely no reason to drive any further down South Chisolm Lane than to Mr. Solis' driveway". This is not true as traffic does come down Chisholm Trail and they do turn around at John Fasanos address my side yard at 9503 and they go all the way to the very end at The Cox's.***

2. Mr. Solis's email that he sent on 10/16/17 to the Neighbors of South Chisholm Trail contradicts your statement of "***City policy dictates that the driveway be on South Chisolm Land and not on Slaughter Lane, which Mr. Solis would greatly prefer***" these are the statements that have been noticed by the neighbors to warrant the inconsistency of answers to the neighborhood which has created doubt and skepticism.

3. Regarding my statement of that you discontinued communicating with me please note the last paragraph of this email. ***"I have nothing more to say, so I will not be responding to your future emails, except to confirm a meeting time and date"***.

1. On 11/2/2017 you started corresponding only to Tj Greaney regarding the neighborhoods requests and letters. Tj would then have me forward those emails to all the neighbors.

2. On 11/30/17 Wendy Rhodes corresponded with you and I on the same email regarding the ZAP and City Council meeting being rescheduled and would we consider a GO rezoning. That was verification of yet another zoning request "change".

3. On 12/8/2017 you emailed TJ, Wendy and Mario only, again LEAVING me out.

Here is proof you left me out of a VERY IMPORTANT email that everyone on the street should have been privy too. Its from Wendy Rhoades on 12/8/2017

Wendy.Rhoades@austintexas.gov>To: [redacted]

Dec 8, 2017 at 5:30 PM

Dawn,

I wanted to be sure you saw this correspondence as well.

Wendy

-----Original Message-----

From: Land Answers [mailto:[redacted]]

Sent: Friday, December 08, 2017 3:38 PM

To: 'TJ Greaney'

Cc: [redacted], Rhoades, Wendy

Subject: RE: 9401 South Chisholm Trail. Case #C14-2017-0123 - 12/6/2017 Slaughter Lane Neighborhood Association

TJ,

We will amend our rezoning request to LO-MU-CO. The CO will state in the rezoning ordinance that any office/ LO allowed use of the site is prohibited from using Chisolm Trail for driveway access. The MU will allow Mario to develop the property as

residential in the event the City of Austin does not allow a driveway onto Slaughter Lane.

Jim

This is the end of my replies/facts to the 1st "Red Line" from you Jim.
YES, its long and there are lots of Emails that Prove How We are Where We are today.
The rest of the Red Lines that need to be answered below might reference some of the emails that are listed above. New Proof of emails will be listed if necessary going forward.

At that meeting in TJ's yard we all agreed to on our VERY FIRST official stance as a community that we would accept LO-CO ONLY AND the primary CO being NO Access from Chisholm Trail. which can be easily verified w TJ's first neighborhood letter (that has never changed even to this day) we the neighbors of Chisholm Trail have never steered away from that until a lot of fast talking and suggestions of different zoning designation had taken place.

We resent your innuendo that we were "fast talking."
You tried to establish a narrative on multiple emails that we were 'Inconsistent". That has never been true. And "that" is the "fast talking" I am referring too. I feel all this talk of resentment really just distracts from the facts. We have always been consistent. NO ACCESS ON CHISHOLM TRAIL and NO RETAIL.

We asked you for a meeting and you met us at Mr. Solis's property and honestly Jim none of our questions got answered down there you had a whole lot of "you weren't sure what was going to happen with that property" and you were not sure what Mr. Solis's intentions either?

I told you the truth- I cannot predict the future.

It was a bunch of circle talk that the neighbors left out of there feeling like what in the hell is going on here? Our questions did not get answered at that meeting by no means nobody had a clear idea of what was going on when they left there, and I mean nobody.

We resent your innuendo that we were giving you "a bunch of circle talk." I was very open and honest at the meeting. I shared all relevant information concerning City policy, TxDot policy, driveway access strategies, and the City's approval

process. My recollection of the meeting is apparently very different from yours. I had neighbor after neighbor (including you) come up to me at the conclusion, to thank me for the information I shared, and our commitments moving forward (i.e., me working with Rory Meza to try to get Slaughter Lane driveway access). Every person in the room was smiling, and either shook my hand or hugged me. The mood was sea shells and balloons.
Multiple neighbors commented that the presentation was unprofessional it seemed to many that it was thrown together last minute. Almost all the neighbors agreed that we came away with more questions then answers.
You are welcome to call them, email them and ask them yourself.

1. Chris Brom
2. Brandon Thompson and Steve Jones
3. Else Montalvo
4. Lynn Ciavarini
5. Tye Wilson
6. Connie Soto
7. Marie Ledoux
8. Erin Rooney
9. Robert Rodriquez
10. Rory Meza
11. Rose Cox
12. John Fasano

As far as the one HUG you received at that meeting Mr. Wittliff that was John Fasano, after I made the comment when Mr. Fasano had to leave early. I said 'Hey John' give TJ a hug before you leave. John hugged Tj then turned to you just to be respectful and friendly hugged you too. That was not in the mood of "seashells and balloons".
John is on the record with agreeing with that group of "our questions were not answered".

Shortly after that GO was suggested if we would take that into consideration, it has never been consistent on the applicant's part of their rezoning.

I resent your innuendo that I have "never been consistent."
It has never been consistent on the part of rezoning. This is another distraction away from the facts in this paragraph. Verified by the emails on 11/30/2017 and 12/5/2017 where you were asking for consideration over GO CO zoning.

It made and has the neighborhood very skeptical to trust what was ever being said.

I resent your innuendo that we have made the neighborhood "skeptical to trust whatever was being said."

Skeptical because of all the changes over the last 5 months, not being consistent on the rezoning.
John Fasano sent email on 10/20/2017 questioning
Marie Ledoux sent email on 10/20/2017 questioning
Steve Jones sent email on 10/20/2017 questioning
Erin Rooney sent email on 10/31/2017 questioning
You are welcome to contact anyone of the names I listed above. They will confirm that these are the feelings of pretty much the entire neighborhood.

We the neighbors on Chisholm Trail have never changed our minds regarding how we feel about "no access on Chisholm trail" and how we wanted a limited footprint on that property down there as that corner is dangerous for entrance and exiting regarding accessing Chisholm Trail.

Whether you want to prohibit Chisholm Trail access or not, the City of Austin has gone on record to say that Slaughter Lane access cannot be approved, and Chisholm Trail access will be "safer."

- Email listed below contradicts this.

It was sent to Tj, Nick, Mario and CC'ed to Wendy, Myself and Rick on 12/5/17 by Jim Wittliff at 10:57am

[redacted]et> Dec 5, 2017 at 10:57 AM

Mario and Neighbors,

In light of the neighborhood's position regarding driveway access, and as a follow-up to our recent meeting, I met yesterday with Amber Mitchell, the city's Transportation Reviewer in the Development Assistance Center. Amber confirmed the following:

The City agrees that commercial driveway access to Chisholm Trail is not a good solution, due to the substandard width of Chisholm Trial's pavement.
The Slaughter Lane right-of-way is managed by the City of Austin, not by TxDot. Therefore, all decisions regarding driveway access are made by Austin, not by TxDot.
City policy for driveway access is that the closest point of the driveway must be 60% of the frontage distance of the property from the nearest point of the intersection, to the nearest point of the driveway (which in this case would be 137 feet), or 100 feet, whichever is less. The current driveway that was constructed by TxDot is approximately 81 feet from the intersection, meaning the driveway would need to move approximately 19 fee to the east to meet Austin's requirement.
Unfortunately, Amber does not have final say on driveway access for this tract; that power belongs to the Transportation Reviewers "upstirs" on the 4th floor, who do not finalize their decision until a site plan has been submitted. The highest likelihood that Amber can provide is that a driveway on Slaughter Lane

that is relocated to be 100 feet form the intersection would "probably" be approved, in which case the driveway onto Chisholm Trail would be removed.

This new is encouraging, yet still frustrating. My advice is that we add language to the GO-CO rezoning as follows: "No commercial use of the property can take place until after driveway access to Slaughter Lane has been approved by the City of Austin, and after the driveway access to Chisholm Trail has been removed." (note; the neighborhood has not agreed to GO-CO zoning at this time.) This would allow the zoning to get finalized, while still protecting the neighborhood from commercial traffic onto Chisholm Trail.
Please give me your thoughts. Thank you, Jim Wittliff

WE have never steered away from our safety.

4. It was at about that time WE all made the ONLY change to our position, since the parties that are involved in the rezoning application had not been honest and forthcoming with all this. WE decided NO to ANY Zoning Change And really at the end of the day the person that really sealed that decision was Chris Brom and his family (he is the neighbor that lives directly next door to Solis's property) they stated they absolutely wanted no LO or LR business zoning for the property and that they only wanted SF2 next door to them and Chris feels the exact same way today or at least he did on January 11, 2018 ~I don't know if his mind has been changed since then.

A petition was filed you are correct about that due to the fact that we had no other choice you quit talking to us, the applications for rezoning we're changing left and right and there was no straight consistency of your case on what the intentions were for this property and still to this day that question has not been answered "what are the intentions for that property"?

I disagree that I ever "quit talking" to the neighborhood. Please provide evidence of emails I failed to reply to. Neither I nor Mario can predict the future. Mario's intention is to utilize his property in a fair and compatible way.

- I have been spearheading all the communications between all parties involved and then you stopped communicating with me. Please refer to the email sent on 10/20/17 stating that you "will not responding in future emails with me only to set up meetings".

5. ZAP meetings and CC meetings have been rescheduled/cancelled due to bad weather and not being ready for the meetings at that time frame.

Then AGAIN BAM another change by you and your applicant Mario Solis here we have new talk of a new application that was submitted by you with no notification again of LO MU.

Our change is strategy. By rezoning only Lot 5, we will force the City to give us Slaughter Lane driveway access. Isn't that what you want?

- We want it to be a permanent solution not a temporary solution.

Now you're stating that you have retracted the application for Lot 4 and it will stay SF2 to "appease the neighborhood" so are you stating Mr. Wittliff that Mr. Solis will never try to rezone lot 4 after he divides the property and only goes for rezoning on lot 5 ~ Is that what you're trying to convey here that he is doing us a favor by dividing the properties and having the city of Austin pay for his access on slaughter Lane for lot 5 and that he is appeasing the neighborhood and will keep lot 4 SF2 is that what you're trying to convey here ? So, Mr. Solis will be selling lot 4 as residential property now for the neighbors on Chisholm trail? We withdrew Lot 4 because it is insane to try to fight a neighborhood with a valid petition. Again, I cannot predict the future, to tell you Mario's future plans for Lot 4. He will do what he thinks is right with his property.

- We believe it's reasonable to ask for the near future plans of Lot 4. Will there be a application for rezoning any time in the "near" future?

We all will see about that ~ let's see how open and honest everyone will be on this.

Mr. Wittliff, we have never changed our mind Sir we have never been inconsistent on how we feel regarding this rezoning case at the corner.

We have always said and we will stand tall on this all the way to the end Because our "safety" is what matters the most THIS IS WERE WE LIVE (not you or Mr. Solis). These are our homes Sir.

We agree on the importance of safety. However, your idea of what is safer conflicts with the City's idea.

- Email sent to Tj, Nick, Mario and CC'ed to Wendy, Myself and Rick on 12/5/17 by Jim Wittliff at 10:57am

From the City.

The City agrees that commercial driveway access to Chisholm Trail is not a good solution, due to the substandard width of Chisholm Trial's pavement.

Keeping the street, a residential street has always been our #1 objective. Keeping traffic off at Chisholm trail as it's a dead-end street.

Perhaps you do not understand the history of how and when Mario's property was platted. Lots 4 and 5 were platted on November 26, 2962, with their only frontage and access on Slaughter Lane. Most of what is now your neighborhood was platted as a 12.14 acre flag lot. On December 9, 1969, more than seven years after Mario's lots were platted, the four lots at 9411, 9412, 9413 and 9414 were platted, with a note that the developer would be responsible for constructing Chisholm Trail South. On May 21, 2970, another plat was approved to create the lots at 9500, 9503, 9508, 9602, 9606 and 9702, and extend Chisholm Trial south, with a note that the responsibility to build the road was on the developer. On August 14, 1984, a plat was approved to divide the property previously platted as 9500 Chisholm Trial into two lots, 9500 and 9502.

Mario's property is not and never has been a part of your neighborhood. Lots 4 and 5 were created in 1962. The lots in your neighborhood were created from 1969 to 1984, seven to twenty-two years after Mario's lots were created. Mario's lots are in the Swanson's Ranchettes subdivision, whereas the lots in your neighborhood are in three plats known as Chisholm Trail Estates, Stroman Subdivision and Joe Palmaro Subdivision

- Based on all this information you said going back to 1962. If these 2 lots are not even a part of South Chisholm Trail Neighborhood then WHY are we even involved in this fight Mr. Wittliff? What point are you actually trying to make with these addresses listed above? Is there something legal that you know that we have not been privy too? Is this to be our official "notification" that we have been told about it just in case the ZAP hearing board members and/or the City Council members ask if we knew about this? Let the record show that we have not been notified in the last 5 months of this information until this email on 2/16/2018 . Seems unfair to us.

We all would love to know Mr.Wittliff how you're going to be able to guarantee that our street will become "safer" due to Mr. Solis's so called "improvements"?
We cannot guarantee the future. We will comply with City regulations intended to assure safety.

- Pardon Me, Mr. Wittliff you did not answer my question.

You have your orders incorrect in the email that you sent out to us ~this is to set the record straight on actually how it happened and what the timelines actually are, and I have the emails and the conversations to prove everything that I just stated in this email that are the facts.

If anyone would like tangible factual evidence to back up what is being said here I will be more than happy to send it.
Can you please send all of that tangible factual evidence to me?

- Yes, Mr. Wittliff I can. Please see the 18 pages above and the attachments below.

Just so all is on the same page Mr. Solis and Mr. Wittliff and Mrs. Rhodes ~

the neighbors on the street are AGAINST the MU and we definitely have CO's for the LO-MU rezoning case regarding lot 5.

This is really baffling for me. You want Lot 5 to remain residential, yet you oppose a rezoning overlay that would allow Lot 5 to be developed with a residential use? Please share your CO's.

- We just know how expansion LO MU can be, as you well know Mr. Wittliff what a MU overlay allows for.

Permitted Uses such as:

Residential Townhouse

Residential Multifamily

Residential Single-Family

Residential Single-Family Attached

Residential Small-Lot Single-Family Residential

Two-Family Residential Condominium

Residential Duplex

Residential Group Residential

This is not baffling we don't mind a Single Family Residence there Jim like SF2 (the current zoning).

We were only recently educated regarding the zoning of MU from Wendy Rhoades from the City of Austin, We DO NOT want a multiple

residential door(s) community at the end of Chisholm Trail that could have multiple parking spaces for the residents on that property.

If Lot 5 cannot have access to Slaughter lane then keep it SF2 (its current zoning) for "residential use" .

CO's have always been and have never changed for LOT 4 and LOT 5

Please refer to the emails and letters from SLNA that were sent from TJ Greaney on 11/2/2017 and 12/4/2017 WE have never steered away from our safety and our concerns regarding this rezoning case C14-2017-0123

Thank you,
Dawn and The Neighbors of South Chisholm Trail

Rhoades, Wendy

From: Dawn Grunwaldt <dgrunwaldt@yahoo.com>
Sent: Thursday, February 22, 2018 9:30 AM
To: Land Answers
Cc: Rhoades, Wendy; Mario A. Solis; Nicholas Solis; Nick Solis; Brandon Thompson; Steve And Brandon; Connie Soto; Erin Rooney; Giovanna Montalvo; Lynn Ciavarini; [redacted]; CBrom; Rory; ROBERT RODRIGUEZ; TJ Greaney; Sylvia Diaz; Marie Ledoux; Wife Sandra Greaney; Sandra Greaney; TJ Greaney; Rick Burr; Tina Burr; Dad; Rick Burr; Ted Bruner; Austin Texas Xeriscapes
Subject: Re: A QUESTION regarding this email

Thank you for the note.
Dawn

Sent from my iPhone

On Feb 21, 2018, at 5:02 PM, Land Answers <[redacted]> wrote:

> Dawn,
>
> The grapevine was a neighborhood association president from East Austin.
>
> Jim Wittliff
>
> ---
>
> **From:** Rhoades, Wendy [mailto:Wendy.Rhoades@austintexas.gov]
> **Sent:** Wednesday, February 21, 2018 9:59 AM
> **To:** Dawn Grunwaldt <[redacted]>
> **Cc:** Land Answers <[redacted]>; Mario A. Solis <[redacted]>; Nicholas Solis <[redacted]>; Nick Solis <[redacted]>; Brandon Thompson <[redacted]>; Steve And Brandon <[redacted]>; Connie Soto <[redacted]>; Erin Rooney <[redacted]>; Giovanna Montalvo <[redacted]>; Lynn Ciavarini <[redacted]>; [redacted]; CBrom <[redacted]>; Rory <[redacted]>; ROBERT RODRIGUEZ <[redacted]>; TJ Greaney <[redacted]>; Sylvia Diaz <[redacted]>; Marie Ledoux <[redacted]>; Wife Sandra Greaney <[redacted]>; Sandra Greaney <[redacted]>; TJ Greaney <[redacted]>; Rick Burr <[redacted]>; Tina Burr <[redacted]>; Dad <[redacted]>; Rick Burr <[redacted]>; Ted Bruner <[redacted]>; Austin Texas Xeriscapes ([redacted]) <[redacted]>
> **Subject:** RE: A QUESTION regarding this email
>
> Hi Dawn,
>
> Below is a link to the ZAP Commission website. It is a great resource and provides the agenda and backup material for all of the public hearing and new business items, and a video of the meeting proceedings. Scroll down to the February 6th agenda, and you will see an agenda was posted, backup was uploaded and a meeting was held. However, an error was made by Staff and the February 20th agenda was not posted. The agenda posting error must have been noticed by other Staff not involved in the agenda creation, or an Applicant, or a Neighborhood and called to the attention of Staff. I don't

know the origin of which person(s) noticed it, only that it wasn't posted correctly and the meeting had to be cancelled, hence my email yesterday to the group. A meeting cancellation notice was then posted to the website.

http://www.austintexas.gov/cityclerk/boards_commissions/meetings/54_1.htm

Wendy

From: Dawn Grunwaldt [mailto:[redacted]]
Sent: Wednesday, February 21, 2018 6:37 AM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Cc: Land Answers <[redacted]>; Mario A. Solis <[redacted]>; Nicholas Solis <[redacted]>; Nick Solis <[redacted]>; Brandon Thompson <[redacted]>; Steve And Brandon <[redacted]>; Connie Soto <[redacted]>; Erin Rooney <[redacted]>; Giovanna Montalvo <[redacted]>; Lynn Ciavarini <[redacted]>; [redacted]; CBrom <[redacted]>; Rory <[redacted]>; ROBERT RODRIGUEZ <[redacted]>; TJ Greaney <[redacted]>; Sylvia Diaz <[redacted]>; Marie Ledoux <[redacted]>; Wife Sandra Greaney <[redacted]>; Sandra Greaney <[redacted]>; TJ Greaney <[redacted]>; Rick Burr <[redacted]>; Tina Burr <[redacted]>; Dad <[redacted]>; Rick Burr <[redacted]>; Ted Bruner <[redacted]>; Austin Texas Xeriscapes ([redacted]) <[redacted]>
Subject: A QUESTION regarding this email

Good Morning Wendy,

I had a neighbors ask me yesterday referencing to Mr. Jim Wittliff's email below yours that you sent out to us yesterday (Tuesday) at 10:30 AM.

I had not seen his email until it was pointed out.

His email states that "I heard through the grape vine that the hearing tomorrow is postponed, due to a posting error. Can you please confirm this?" It was sent on Monday.

Those neighbors were a little disturbed that Jim has access to a grapevine that we don't. Is there a website that he saw that information that we can access that as well in the future?

Are you aware of this grape vine?

Thank you for any insight on this that you can shed light to. We just want to make sure that we're being treated fairly here.

Thank you
Dawn & Neighbors Of Chisholm Trail

Sent from my iPhone

On Feb 20, 2018, at 10:27 AM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

> All,

Due to an agenda posting error the Zoning and Platting Commission meeting scheduled for tonight, Tuesday, February 20, 2018 is **cancelled** and there is no need to visit the One Texas Center tonight.

I will reschedule this case for ZAP on Tuesday, March 6th and City Council on Thursday, March 8th. Both meetings will be held in the Council Chambers at City Hall. A new Public Hearing notice will be mailed out by this Friday, February 23rd.

I wanted to send this email out sooner and will respond to other questions later today.

Wendy Rhoades

From: Land Answers [mailto:[redacted]]
Sent: Monday, February 19, 2018 4:45 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: ZAP on 2/20?

Wendy,

I heard through the grape vine that the hearing tomorrow is postponed, due to a posting error. Can you please confirm this?

Thank you,

Jim Wittliff

PETITION

Date: December 11, 2017
File Number: C14-2017-0123

Address of
Rezoning Request: 9401 South Chisholm Trail
Austin TEXAS 7874

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF2 (Both Lots)

(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Consuelo Soto	Consuelo Soto	9417 S CHISHOLM TRL Austin Tx 78748
Elsy Montalvo	Elsy Montalvo	9412 Chisholm Trl 7874
Steve Jones	Steve Jones	9414 S. Chisholm Trl
	Brandon Thompson	9414 S. Chisholm Trl.
Salvador Sanchez	Salvador Sanchez	9412 S. Chisholm Trl
Lynn Ciavarini	Lynn Ciavarini	9501 S Chisholm Trail
E Rooney	ERIN ROONEY	9500 S CHISHOLM TRAIL
Christopher Brom	Christopher Brom	9415 S. Chisholm Trail

Date: December 11, 2017

Contact Name: Dawn Grunwaldt
Phone Number: 512 785 0067

If you cannot appear at the hearing, a written statement of your opposition may be sent to the Planning and Zoning Department. Written protests should be filed as early as possible so copies will be available for the Commission. The Notices of Public Hearing contain a section where brief comments may be made and returned to the Planning and Zoning Department.

Comments should be mailed to:

Planning and Zoning Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

Zoning File No. C14-2017-0123

CITY COUNCIL

At the City Council hearing you may again protest the zoning change following the same procedures as for the Zoning and Platting Commission/Planning Commission.

You may also submit a written petition against the zoning. Only a simple majority of the Council is required to grant the zoning unless a valid written petition has been submitted. A valid petition requires a three-fourths vote of Council. This usually consists of nine votes; however, if a Council Member must recuse, it could require fewer votes to obtain a three-fourths majority. An absence or abstention does not reduce the number of votes required.

Sec. 25-2-284 of the Land Development Code, states that:

(A) The affirmative vote of three-fourths of the members of council is required to approve a proposed rezoning if:

1) the Land Use Commission recommends denial of an application to rezone property to a planned unit development; or

2) the proposed rezoning is protested in writing by the owners of not less than 20 percent of the area of land:

(a) included in the proposed change; or

(b) Immediately adjoining the area included in the proposed rezoning and extending 200 feet from the area.

Case Number:

C14-2017-0123

PETITION

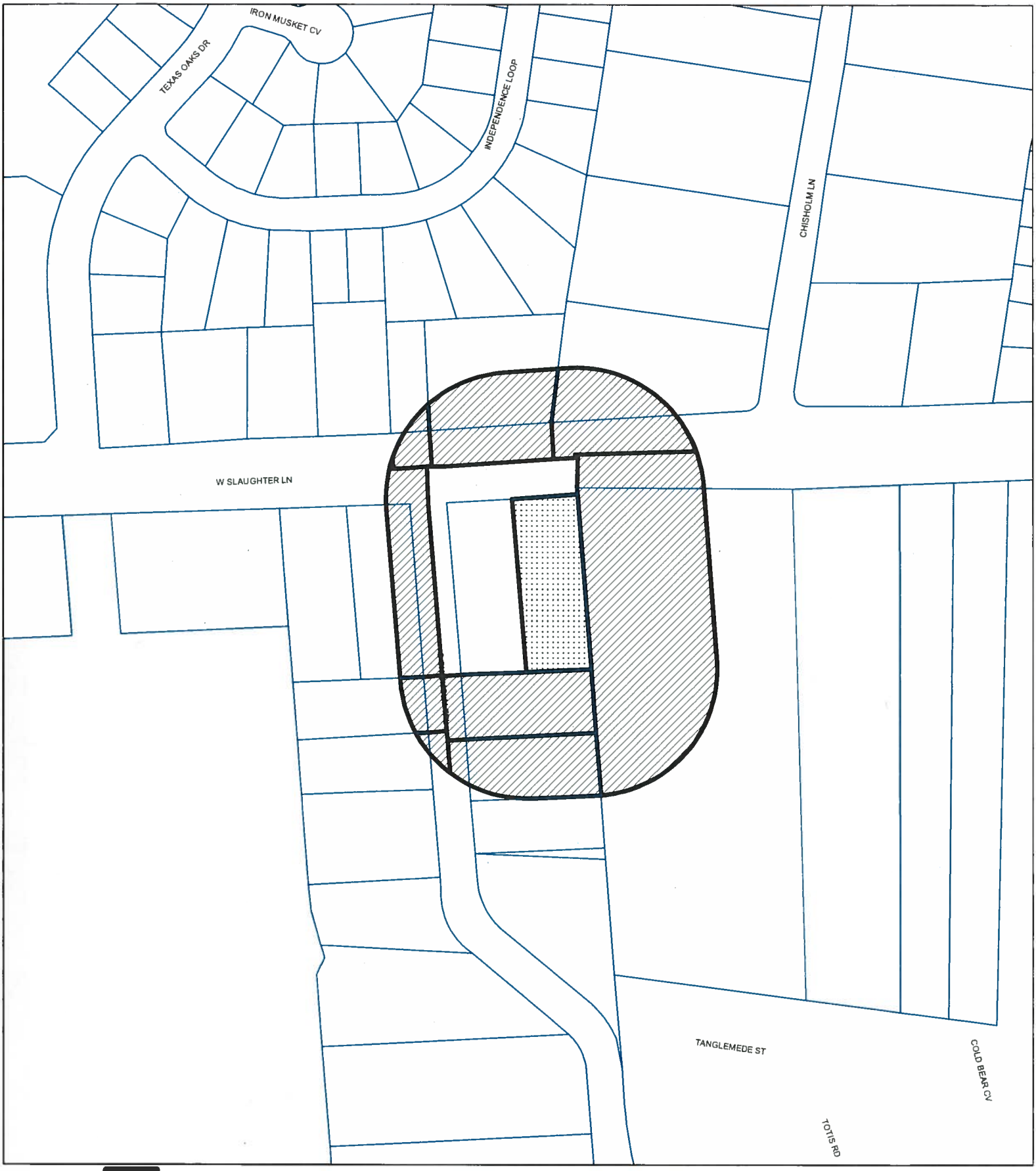
Date: 2/7/2018

Total Square Footage of Buffer: 277418.2138

Percentage of Square Footage Owned by Petitioners Within Buffer: 18.98%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Precent
0430150204	9415 S CHISHOLM TRL 78748	BROM CHRISTOPHER R & TIRA CHAICHA-BROM	yes	23907.52	8.62%
0430150102	1201 SLAUGHTER LN 78748	BURR WILLIAM R & ANNA V	no	22093.26	0.00%
0430150212	SLAUGHTER LN	CITY OF AUSTIN	no	98145.40	0.00%
0430150303	SLAUGHTER LN	CITY OF AUSTIN	no	4007.91	0.00%
0430150301	9316 CHISHOLM TRL 78748	HENRIQUEZ CARMEN	no	23897.90	0.00%
0430150104	9414 S CHISHOLM TRL 78748	JONES STEVEN L	yes	1854.46	0.67%
0430150302	1112 SLAUGHTER LN 78747	LOPEZ BERNARDINA & CARMEN SILLERO	no	26348.63	0.00%
0430150103	9412 S CHISHOLM TRL 78748	SANCHEZ SALVADOR	yes	5429.76	1.96%
0430150203	9417 S CHISHOLM TRL 78748	SOTO CONSUELA	yes	21450.99	7.73%
Total				**227135.83**	**18.98%**



N

BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

CASE#: C14-2017-0123

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.

1 " = 200 '

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

CITY OF AUSTIN
FOUNDED 1839

From: <[redacted]>

Subject: her is my letter to the City Council and Zoning Board

Date: Dec 15, 2017 at 8:04:55 PM

To: Dawn [redacted]

Regarding Case #C14-2017-0123 Rezoning 9501 Chsisholm Trail s, Austin, 78748.

To the Members of the Austin City Council and Zoning Board

My name is Lynn Ciavarini and I have lived at 9501 Chisholm Trail s for 11 years. My property is just a bit out of range for the 200' area that can vote on whether to allow the rezoning of sed 9501 property from SF-2 to LO w CO or LR. Nevertheless, I am writing a letter to explain why I am against this rezoning.

Our Street is a small dead-end street off Slaughter Lane. It has no streetlights and no curbing. While this sounds like a detriment, it has graced our neighborhood with very little traffic which allows us to enjoy a quiet street for walking our children, dogs, or for a evening or morning walk. I have watched my neighbors teach their autistic son to ride a bike, try his sister's skateboard and the once rare occasion where he ran into the street totally unharmed because of this. I have seen new neighbors move in and rebuild a house because they loved the rural setting for their 2 young children (3 and under) and I have also helped the children, now grown, once get their ponies safely back to the barn without harm. This is a surprisingly wonderful piece of heaven off the now heavily trafficked Slaughter Lane.

There are just a few of the Chisholm Trail residents that will directly suffer if 9501 is rezoned. However, if the impact on residents will not be enough here is an example which would impact many school children in the area. Many times I have had to stop on Slaughter Lanebefore turning on to my street, Chisholm Trail s, pulled way over to the right to avoid getting hit by traffic to allow young school children walking home from school to cross Chisholm Trail safely. These children are young and not always accompanied by an adult that have crossed Chisholm Trail, sometimes without looking, dashing into the street laughing and sometimes skipping.

Last week, thank God, I stopped to allow the children to cross and a van, on the north side of Slaughter, decided to make a u turn across oncoming traffic on south side turn down Chisholm Trail when the driver noticed the lack of area in which to make a complete turn, heading right into the group of 4 children! I tooted my horn and the children quickly scattered to either side of the street. In the past 2 years there have been many more "turn arounds" happening on Chisholm Trail and sadly more than once I have stopped pulled over on Slaughter Lane to allow the children to cross safely. The amount of cars moving in and out of Chisholm Trail due

to rezoning would definitely put these children, walking home to apartments on Slaughter lane to a free after school program for low income families not being within the 200' area at a high risk. These children do not qualify for bus transportation.

In closing, I am asking the Board to please deny the rezoning to 9501 s Chisholm Trail, 78748.

With most respect,
Lynn Ciavarini
9501 s Chisholm Trail
Austin. TX 78748
401-862-9017

From: ROBERT RODRIGUEZ [redacted]
Subject: Chisholm Trail
Date: Dec 14, 2017 at 1:49:02 PM
To: Dawn Grunwaldt [redacted]

12-14-17

As a resident for over 20 years on Chisholm Trail, I totally oppose having a business on Chisholm Trail as proposed.
The neighborhood we reside in is just that, a neighborhood!
Bringing a business onto Chisholm Trail will create chaos. It will increase traffic, potentially lead to vehicular accidents, create different types of crimes and overall put all residents on this street on watch 24/7.
Chisholm Trail is not your typical city street, not capable of handling a high volume of traffic and it should remain as is.

Robert Rodriguez
9604 S. Chisholm Trail
Austin, Texas 78748

From: Austin Texas Xeriscapes [redacted]
Subject: Letter of Support for Zoning Petition
Date: Dec 14, 2017 at 5:44:43 PM
To: Dawn [redacted]

I am in agreement with the petitioners of the zoning request for 9401 Chisholm Trl S Austin, Tx 78748 . There is no way the intersection of W Slaughter Ln and Chisholm Trl S. can handle the amount of traffic that would be generated in a safe manner, especially on Chisholm Trl , and especially with No Traffic Light on Slaughter.

John J Fasano 9502 Chisholm Trl S 512-659-9647

From: ted bruner [redacted]
Subject: Fwd:
Date: Dec 11, 2017 at 3:42:55 PM
To: [redacted]

Sent from my iPhone

Begin forwarded message:

From: "Keele, Duane" <[redacted]>
Date: December 11, 2017 at 2:28:27 PM CST
To: "Bruner, Ted Ted" <[redacted]>

Milton Duane Keele
Owner:
9602 S. Chisholm Trail
Austin, TX 78748

I do not want further rezoning in my district.

We are situated on a narrow dead end street (one lane). It is a chore to get onto Slaughter Lane now.
Rezoning will increase traffic making getting around on this street more difficult than it already is.

South Chisholm Trail was designed as a small side street to accommodate a limited amount of private
homes and never to become a major thoroughfare which is the

way it appears to be headed.

Regards.
Duane Keele

PUBLIC HEARING INFORMATION

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

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

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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: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: January 16, 2018, Zoning & Platting Commission
February 15, 2018, City Council

TJ & SANDRA GREANEY
Your Name (please print)

☐ I am in favor
☒ I object

9508 CHISHOLM TRAIL
Your address(es) affected by this application

Signature

1/11/2018
Date

Daytime Telephone: 512-789-3838

Comments: We do not want to have commercial zoning on this lot. Verry dangerous turns and no way to make it safe.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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TJ & SANDRA GREANEY
Your Name (please print)

☐ I am in favor
☒ I object

9508 CHISHOLM TRAIL
Your address(es) affected by this application

Signature

1/11/2018
Date

Daytime Telephone: 512-789-3838

Comments: WE STAND WITH NEIGHBORHOOD ASSOCIATION AGAINST ANY CHANGE IN THIS ZONING. DANGEROUS TURNS & EXIT/ENTRY.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Contact: Wendy Rhoades, 512-974-7719
Public Hearings: January 16, 2018, Zoning & Platting Commission
February 15, 2018, City Council

Dawn Grunwaldt
Your Name (please print)

☐ I am in favor
☒ I object

9503 S. Chisholm Trail 78748
Your address(es) affected by this application

Signature 2/14/18 *Date*

Daytime Telephone: (512) 785-0067

Comments: This property will NOT bring value to this Residential Dead-End Street, it will actually decrease the values of our Homes. This property will make it even more unsafe for the Home owners and their childrens Safety to have a Business Entry/Exit onto Chisholm Trail

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Christopher Brom
9415 S Chisholm Trail
Austin, Tx. 78748
312.504.1559
[redacted]

01/11/2018

Regarding case number:C14-2017-0123
9401 South Chisholm Trail

To the Zoning and Platting Commission:

I have been living on Chisholm Trail for four years now, not long at all compared to some of my other neighbors. I have two small boys, and obviously my top concerns about the property next door to me going commercial is safety. I am concerned about the potential of increased traffic down our street. Will having an office building empty in the evenings attract more crime to our area? If I ever want to sell my house how will having a commercial property next door to me effect my property value? Mr. Solis did not purchase a random piece of land or an isolated home, he purchased a home that is part of a neighborhood. This neighborhood has fought several developer in the past to try and maintain the integrity of our street and homes. For this reason and the reasons about I am asking this Commission to deny the LO-MU zoning request and keep the property zoned SF-2. Thank you for your time.

Sincerely,

Christopher Brom

Christopher Brom

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Case Number: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: March 6, 2018, Zoning and Platting Commission
March 8, 2018, City Council

Dawn Grunwaldt
Your Name (please print)

☐ I am in favor
☑ I object

9503 S. Chisholm Tr
Your address(es) affected by this application

[signature] 3/1/18
Signature *Date*

Daytime Telephone: 5127850067

Comments: We are against "MU" on this property.

We are for LO-CO "only" ON this property

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2017-0123
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: March 6, 2018, Zoning and Platting Commission
March 8, 2018, City Council

JOHN J FASANO
Your Name (please print)

☐ **I am in favor**
☒ **I object**

9502 CHISHOLM TRL S.
Your address(es) affected by this application

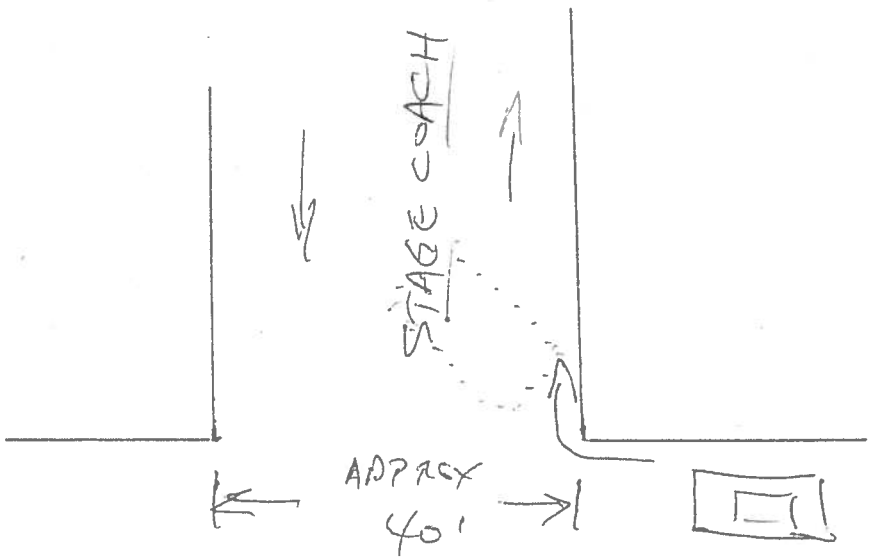
Signature — 3-14-18 *Date*

Daytime Telephone:_____

Comments: I REMAIN CONCERNED THAT WE EVENTUALLY WIND UP WITH TOO MUCH TRAFFIC ON CHISHOLM, A ROAD NOT WIDE ENOUGH FOR CONSTANT 2 WAY (PLEASE SEE ATTACHED SHEETS) I DO NOT TRUST THAT LOT 4 ON CHISHOLM WILL NOT HAVE AN APPLICATION FOR ZONING CHANGE VERY SOON. MR. WHITLIFF HAS BEEN LESS THAN HONEST WITH US.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

MY RESIDENTIAL NEIGHBORHOOD

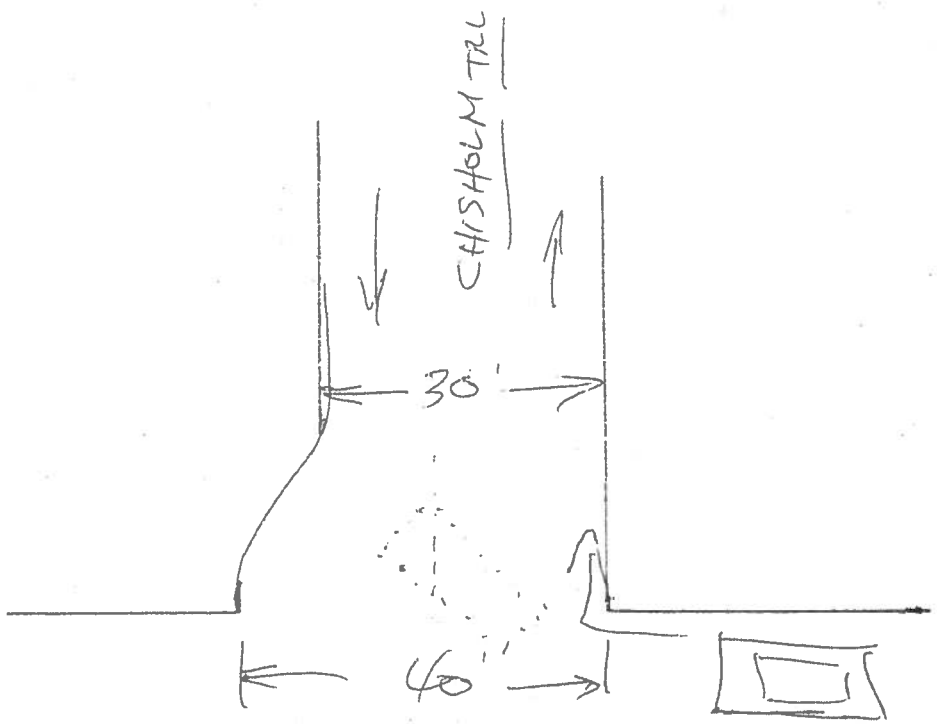


← W WILLIAM CANNON E →

CARS MAKING A RIGHT INTO STAGE COACH (AT TRAVELLING WM. CANNON ABOUT 40 MPH) HAVE DIFFICULTY STAYING IN THE TURN LANE ON STAGE COACH.

NOTE: NOT DRAWN TO SCALE

CHISHOLM TRL →



← W SLAUGHTER E →

THIS TRAFFIC MOVES AT MIN. OF 40MPH

ANY VEHICLE TURNING RIGHT ALMOST NEVER DOES SO WITHOUT OVERLAPPING INTO OPPOSING LANE. HOW DANGEROUS WILL THAT BE WITH GREATLY INCREASED TRAFFIC ON CHISHOLM. ALSO, NO TRAFFIC LIGHT.

Rhoades, Wendy

From: Dawn Grunwaldt <[redacted]>
Sent: Monday, March 05, 2018 3:40 PM
To: Rhoades, Wendy
Subject: Re: RE: Zoning and planning Hearing

Hi Wendy,

The Neighborhood will agree to March 20, 2018 postponement. We will not ask the ZAP to help us with Jim Wittliff not being a compromising man in this situation for the Chisholm Trail Neighborhood.

Thanks
Dawn

Peace and Blessings,
Dawn Grunwaldt
512.785.0067 cell

On Monday, March 5, 2018 11:11:57 AM CST, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

Hi Dawn,
I was able to check in with Jim Wittliff this morning and explained the circumstances for the neighborhood's request to April 3rd. He reiterated that he is agreeable to postponing to March 20th, but not April 3rd. It is still your option to request that the Commission postpone this case to April 3rd, and to do that you will need to discuss the merits of postponement to April 3rd at tomorrow evening's Commission meeting (discussion-postponements typically occur within the first 15-20 minutes of the start of the meeting). If you do not prefer to discuss the postponement, then I will offer this case for postponement to March 20th. Below is a link to tomorrow's ZAP agenda; the South Chisholm Professional Offices case is Item C-6.

http://www.austintexas.gov/edims/document.cfm?id=294173

Wendy

-----Original Message-----
From: Dawn Grunwaldt [mailto:[redacted]]
Sent: Thursday, March 01, 2018 5:19 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Re: Zoning and planning Hearing

Hi Wendy,

The reason that the neighborhood had chosen the earlier date in April was due to Oncology doctor appointments for one of the elders that has lived on the street for 30+ years, and other neighbors with prior commitments that they cannot reschedule and a neighbor has to use their vacation time as they work nights for the government to attend these hearings and March is their busy time (April is too) but at least it gave them a month to earn their boss.

(These are all conversations that I have had with the neighbors regarding hearings)

Everyone wants to try to do their best to see this all the way to the end.

If it makes Jim Wittliff happy we will adhere to his Request of March 20 2018 date for whatever the importance is to him instead of having it two weeks later in April.

We have never asked for a postponement as we were not knowledgeable that we could even ask for that.

If it's a must for him we will be OK with March 20 2018.

As We think it's ridiculous to have the ZAP committee decide on a date for us, we should be able to compromise with one another on a date especially at this point of being in this now for 5 months.

April 3rd was just to accommodate everybody better on the street then the 20th of March due to life situations that some of the neighbors have at the end of the month.

I will be waiting to hear what date is y'all decide (or Jim) decides.

Thank you very much keep me posted so I can give the neighbors plenty of time.

Thank you
Dawn
9503

Sent from my iPhone

> On Mar 1, 2018, at 3:05 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:
>
> Hi Dawn,
>
> Because the requested postponement date is to a date certain, Staff will read the postponement request into the record and there will not be any new mailed notice.
>
> However, since I sent the last email to you, I called Jim Wittliff and stated that the Neighborhood requests postponement to April 3rd. He is not in agreement with this request (paraphrasing here) based on previous discussions he has had with the Neighborhood. He supports a postponement request to March 20th. Is this date acceptable to the Neighborhood? If so, this will be considered a consent-postponement request by the Neighborhood to March 20th.
>
> If it is not agreeable to the Neighborhood, then this will be a discussion-postponement request. Accordingly, the Neighborhood will have the opportunity to outline their reasons for postponement to April 3rd, and then the Applicant will have the opportunity to outline his reasons for postponement to March 20th. At next week's ZAP meeting (generally after the consent items have concluded), the Commission will consider the merits of the postponement as expressed by the Neighborhood and the Applicant, deliberate among themselves, and then vote on a postponement date which will be read into the record. As additional information, below is a link to the February 6th agenda. The last page (Page 9) of this document outlines the process for discussion-postponement items.
>
> http://www.austintexas.gov/edims/document.cfm?id=292396
>
> Please let me know how the Neighborhood would like to proceed.
>
> Thank you,
> Wendy
>
> -----Original Message-----
> From: Dawn Grunwaldt [mailto:[redacted]]
> Sent: Thursday, March 01, 2018 12:34 PM
> To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
> Subject: Re: Zoning and planning Hearing
>
> Wendy,
>
> Thank you very much.
>
> April the 3, 2018 will work for the neighborhood.
>
> We appreciate it.
>

> Will we receive a new notification on the new dates for the zoning and platting hearing and the city Council?
>
> Thanks
> Dawn
>
>
> Sent from my iPhone
>
>> On Mar 1, 2018, at 12:18 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:
>>
>> Hi Dawn,
>>
>> I am receipt of the Neighborhood's postponement request. The Zoning and Platting Commission meets on the first and third Tuesdays of each month; meetings begin at 6 p.m. in the Council Chambers at City Hall. The next two ZAP meeting dates are Tuesday, March 20th and Tuesday, April 3rd. Does Tuesday, March 20th or Tuesday, April 3rd work for the Neighborhood? If so, please specify a preferred postponement date. I will then forward the postponement request to the Applicant and the Zoning and Platting Commission.
>>
>> Thank you,
>> Wendy
>>
>> -----Original Message-----
>> From: Dawn Grunwaldt [redacted]
>> Sent: Thursday, March 01, 2018 10:34 AM
>> To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
>> Subject: Zoning and planning Hearing
>>
>> Good Morning Wendy,
>>
>> I received the recent "change" in rezoning application on February 27, 2018 regarding the property at 1109 Slaughter Lane, Solis. C14-2017-0123
>>
>> In speaking with the majority of the neighbors on the street some of them still have not received their letter of the recent change of rezoning application and document for them to be in favor or against to the recent changes.
>>
>> We the neighbors on Chisholm Trail have not had adequate time to discuss our objections to the new rezoning application.
>>
>> We would like to at this time postpone the zoning and planning hearing on March 6, 2018 to a Future date.
>>
>> Thank you please confirm that you have received this today is March 1, 2018 and the time is 10:33 AM
>>
>> Thank you
>> Dawn Grunwaldt
>> 9503 South Chisholm Trail
>> Austin Texas 78748
>>
>> Sent from my iPhone
>