

Chaffin, Heather

From: John Terlizzi
Sent: Thursday, October 18, 2018 11:28 AM
To: Chaffin, Heather
Subject: FM969 Zoning - C14-2818-0077

Heather,

Thanks again for the call. My personal concerns having my property at 5349 Sendero Hills Pkwy boarder the land that is projected to be rezoned is as follows

- visual privacy
- noise control
- security

These three concerns I believe can be addressed with having a set amount of the current vegetation left intact coupled by a concrete wall on the opposite side (east).

Appreciate you bring up these concerns for review in the meeting. Thanks in advance.

Best,

John Terlizzi

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: C14-2018-0077

Contact: Heather Chaffin, 512-974-2122

**Public Hearing: October 04, 2018, Zoning and Platting Commission
November 01, 2018, City Council**

Catherine Mas

Your Name (please print)

5337 Sendero Hills Parkway

Your address(es) affected by this application

Ch M

Signature

10-11-2018

Date

Daytime Telephone: (512) 769-3399

Comments: We purchased this home two months ago, after growing tired of the constant construction and dense urban development of our previous home in Central/East Austin. We had hoped that moving East of 183 would provide some peace and respect from the denzing and constant construction upheaval, but it seems no matter where we move, these types of issues follow. We are not against development of this land, but hope the commission will align the development

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

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

W/ The Current Single-Family dwellings.

Chaffin, Heather

Subject:

FW: Validity of Petition Against Rezoning of 7712 FM 969

From: Chuck Oerter

Sent: Monday, October 29, 2018 10:04 AM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Cc: E Grace Kramer <>; Hyink Parker <>; Jo Ann Hackett <>; Martha Drayton <>; Ryann Ford <>

Subject: Re: Validity of Petition Against Rezoning of 7712 FM 969

Thanks, Heather. I have no doubt that neighbors appreciate your work. I want to be clear just in case there's any misunderstanding, but the overwhelming majority of the people who live in Agave are very sensitive to development. Andy just clear the other neighborhoods are as well. As an example, there was considerable concern regarding the church development adjacent to Sendero Hills. The concern regarded a large parking lot with 24 hour security lights immediately adjacent the backyard people living on Sendero Hills. We are all aware of the reality but that land will eventually be developed. All we ask is that that development be aware and considerate to the people that live in this part of town. As I'm sure you already know, there is broad diversity but, regardless of which neighborhood, nearly everyone agrees the land must be developed in a way that is sensitive to the people that already live here.

I had wanted to talk to Sam. He was eager to do so, at least initially. He thought he might have a chance to convince me to take my name off the petition. In reality, what I wanted to do was to convince him to develop tastefully and the clusters plan is simply not it. I might still try to contact him but I want to consult with all the people involved in this too at least make an effort to convince him that he will do well to develop the property under the SF 2 limitations. The problem here is (and I believe this is the central issue) he wants carte blanche approval. His plans are vague and yet he wants city Council to approve them. I would hope that the council insists that he present blueprints before approving anything. At first I thought he was naïve and inexperienced. I know longer believe that he is naïve. Trying to convince an elderly lady to give him what he wanted bothered me. Manipulating the elderly is not a good sign. He told the previous president of the neighborhood association that he would develop very tastefully and was wanting to purchase a home in our neighborhood. Great. He's also telling us that what he really wants to do is put in his own personal horse ranch on the north side. Great. Get it in writing. I have no doubt City Council will approve that.

I have a very busy schedule and will be out of town quite a bit next couple weeks but I will try to take the time to get signatures from the people on the east side of Sendero Hill's up to Ava Ln and hopefully no later than Friday.

Again, thanks Heather.

On Mon, Oct 29, 2018 at 9:07 AM Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:

Also, you may wish to contact City Council members prior to November 1st. You can contact any/all of them; CM Ora Houston is the representative for your district.

<https://www.austintexas.gov/government>

<https://www.austintexas.gov/email/all-council-members>

From: Chaffin, Heather

Sent: Monday, October 29, 2018 9:02 AM

To: 'Chuck Oerter' >; E Grace Kramer

Cc: Hyink Parker ; Jo Ann Hackett < >; Ryann Ford < >

Subject: RE: Validity of Petition Against Rezoning of [7712 FM 969](#)

If you want to come by with Mrs. Steaples I am available today after 11:00 until 5:00, and 9:00 to 5:00 on Tuesday.

Regarding time frame: you still have lots of time to add signatures. The 10 day limit is for us (the City) to create a petition; since this one is already created, we only need to modify it. This can happen up until the day of 3rd reading. I think it can happen up until the item is heard for 3rd reading, but I need to double check.

Reminder- Zoning cases are heard for 1st, 2nd and 3rd readings. The 3rd reading is the final, details can change before then. This item is scheduled for 1st reading only on November 1st. It cannot be heard for 3rd reading on that date; it will happen at a later meeting. The remaining City Council dates for this year are November 15, November 29, and December 13. We don't have the 2019 schedule yet.

You may also request a postponement of the item. It's not a hard rule, but the general rule (90% of the time) is that the neighborhood and the applicant each get their first postponement request automatically. Additional postponements are harder to predict.

Let me know how you want to move forward.

Heather

From: Chuck Oerter <c>

Sent: Saturday, October 27, 2018 1:18 PM

To: E Grace Kramer < >

Cc: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Hyink Parker < >; Jo Ann Hackett < >; Ryann Ford < >

Subject: Re: Validity of Petition Against Rezoning of [7712 FM 969](#)

If you truly did not understand what she was signing, it sounds like exploitation to me.

On Sat, Oct 27, 2018 at 1:13 PM E Grace Kramer < > wrote:

Wow! Thank you, Parker. I wondered if it was her. Since all of her property is bordering his, that would be a large percentage. Sam has been pressuring me by email. Interested to hear the outcome. Grace

On Sat, Oct 27, 2018, 1:51 PM Parker Hyink < > wrote:

Heather, I spoke to my neighbor Mrs. Oneta Steaples this morning regarding the petition. Mrs. Steeples is an elderly woman probably in her 80s. She asked me if "that man came by trying to get you to sign his paper?" She seemed unclear on exactly what she signed and the implications. She told me that she thought she was simply signing to acknowledge that she had seen Sams plans and did not understand that by signing Sam's paper she was withdrawing her name from Graces original petition. She said she never would have signed if she had known that was the case. She told me she "felt uneasy about it all night."

Considering that during my phone conversations with Sam he has been pressuring me to remove my name from the petition, I am not confident that Sam fairly and fully explained to her his plans and the significance of signing his paper.

Rather than speak for her, I would like to take off work and drive her down to your office early next week so that she can explain everything in her own words. I don't want any impression that she is being directed or coerced one way or another. I can make time available to bring her at any point that is most convenient to you.

This is very important to me. Please let me know when we can come by.

Thank you

-Parker Hyink

Chaffin, Heather

Subject: FW: 7712 FM 969 Rezoning Application

From: E Grace Kramer

Sent: Monday, October 29, 2018 9:06 AM

To: Chaffin, Heather

Cc: Hyink Parker <>; Jo Ann Hackett <>; Martha Drayton; Pliny Fisk III; Jennifer; Chuck Oerter

Subject: Re: 7712 FM 969 Rezoning Application

Good morning, Heather. My husband and I are definitely in support of the ZaP recommendations. The only difference in our petition and the ZaP recommendation is 200 feet from 969 being zoned LR-MU. It is our understanding that the remaining land would remain SF-2. I am still in Pennsylvania, so cannot go to other neighbors with a new petition.

However, I am very disturbed by Mr. Ali's approach to all of us and particularly with my immediate neighbor Mrs. Steaples. Her property and ours are the largest tracts of residential land adjacent to 7712 FM 969. She is a frail elderly woman and was dupped into signing something she didn't understand.

If it is not possible for Parker Hyink to bring her to your office prior to meeting, for you to hear her story, would you please call her at 512-933-9065? If not, maybe she can go to City Council meeting with Parker and tell her story.

I agree with Chuck in our appreciation of your help and support during this process. This is not anything I have ever done before, but I feel very passionate about the land being discussed. We have lived on Rogers hill for 34 years, and this land has been an undisturbed natural sanctuary. For someone to come along and "bulldoze" their way through to destroy that appals me.

One last thing. Why hasn't Travis CAD been updated to show the new owner? Last I checked it was still showing A&C Ventures LP. Has the land actually transferred ownership to Mr. Ali or Mr. Whiteley?

Again, thank you! Our neighborhood representatives, copied on this email, have worked very hard to protect our interests and will continue to do so to the end. Grace

On Fri, Oct 26, 2018, 1:09 PM Chuck Oerter <> wrote:

Heather

I can confirm that all the neighbors that I spoke to university supportive of the ZaP recommendations. I've been meaning to thank you prior to this for your help and support but will take you up to now to say thank you to you. Let us know if you have any other recommendations.

Chuck

On Fri, Oct 26, 2018 at 11:02 AM Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:

Good morning Grace,

We have the case name as Damac Commercial in our online computer tracking system, reports, etc. because that is the project name that was submitted by the Applicant. I see that the name of the property owner is "Danmac Real Estate Investment Group" in some places in the application packet, but is "Damac Real Estate Investment Group" in others. These differences were apparently a typo; I just confirmed with the owner that

"Damac" is the correct spelling, so no changes are needed that will affect the case moving forward. We cannot correct the forms (they were paper copies) but we can update it in our computer tracking system (administrative, not substantive).

The maps you are referring to are sketches provided by the Applicant, and the differences you reference do not affect the official City of Austin exhibits that have been provided to the Commission and Council. The official zoning map just shows the entire area, as is standard City practices, and is attached as Exhibit A to the Staff report. There are 2 other exhibits attached, B and C that show the different tracts; these are unofficial but provided for information. <http://www.austintexas.gov/edims/document.cfm?id=309100>

I have checked with my Council Liason, and he verified that these are not things that can delay the case.

Is it possible that you can send me a separate document stating that you and many of your neighbors support the ZAP recommendation? That may be very helpful. You may also want to consider revising your Valid Petition request, since it states opposition to any zoning other than SF-2 on the property.

Let me know any other questions,

Heather

From: E Grace Kramer <>

Sent: Friday, October 26, 2018 9:52 AM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Cc: Chuck Oerter <>; Hyink Parker <>; Pliny Fisk III <>; Jo Ann Hackett <>; Martha Drayton <>

Subject: [7712 FM 969](#) Rezoning Application

Heather, I'd like your help with a technical matter. I feel that these things noted below are misleading to City Council and have the potential that we may have to start this process over.

Would you please correct the name of Damac throughout the application & subsequent paperwork? Since the original written application from owner clearly indicates Damac, I believe it is a ZaP keying error and should not be Danmac in your files. I found the incorrect name Danmac seven times in the forms you provided to me.

Would you please correct the Survey Map showing the rezoning request of GR-MU for 10.4 acres and SF-2 for the upper acreage. The upper section should show SF-6, which is being requested by the landowner.

Besides the correction from SF-2 to SF-6 on the Survey Map, I believe the upper section should also reflect 12.44 acres associated with that zoning. Only then can City Council see the two proposed parcels that equals the total current two parcels of 22.84 acres. Not sure how someone goes about separating land that way but that's for another day.

Thank you for your help with these matters. Simply corrections to the existing paperwork. Without these changes, I envision a "mis-trial" of sorts. But more importantly, it is Damac, not Danmac, and it is SF-6, not SF-2.

We are still out of state but the neighborhood reps are very active against the original rezoning. However, we are in consensus with ZaP's recommendation that 200 feet from 969 be zoned LR-MU and the remaining land remains SF-2.

Thanks for your time. Grace