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ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0023.SH DISTRICT: 1

Anderson Creek Affordable Housing

ZONING FROM: LO-CO-NP and RR-NP TO: GR-NP

ADDRESS: 1701 East Anderson Lane

SITE AREA: 4.22 acres

PROPERTY OWNER: AGENT:

183 Apartment Site, Ltd. Thrower Design (Patricia Ivy) (A. Ron Thrower)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:

Staff supports the Applicant's request for rezoning to GR-NP.

For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

May 25, 2021:

CITY COUNCIL ACTION:

June 10, 2021:

ORDINANCE NUMBER:

C14-2021-0023.SH

ISSUES:

The Applicant has stated that this property will be a SMART Housing project with 100% (89) of the units serving households at or below 80% MFI for a minimum of 5 years. The Applicant has stated this will be achieved utilizing the Affordability Unlocked tool. *Please see Exhibits C and D- SMART Housing Letter and Applicant Letter*.

CASE MANAGER COMMENTS:

The subject property is located on the south side of East Anderson Lane (US 183 eastbound frontage road) between Cameron Road and US 290. The majority of the undeveloped property is zoned LO-CO-NP, while a portion along the southern boundary is zoned RR-NP. The RR-NP portion of the site includes floodplain from the adjacent Buttermilk Branch Creek. Immediately west of the property is GR-MU-NP zoned land developed with multifamily; further west is undeveloped GR-NP land and a gas station that is zoned CS-NP. Immediately east of the subject property is an undeveloped GR-NP tract; further east is a GR-MU-NP zoned multifamily property, a GR-NP zoned financial services property, and a GO-NP zoned public elementary school. South of the subject property is Coronado Hills neighborhood, which includes single family residential and townhouse/condominium residential land uses (SF-3-NP and PUD-NP, respectively). *Please see Exhibits A and B-Zoning Map and Aerial Exhibit*.

Staff supports the rezoning request. As a SMART Housing project, the Applicant proposes adding 89 affordable multifamily units to the area. This reflects the policies of Commission and Council that encourage the addition of affordable housing options throughout the City. The property is located less than 1/4 mile from the Cameron & 183 Job Center and Cameron Road Activity Corridor, which provide employment opportunities and convenient commercial service options. GR zoning is appropriate for the location of the property along the US 183 eastbound frontage road and matches the GR and GR-MU zoning to the west and east. Multifamily development of this site would be consistent with these nearby residential uses, including multifamily to the west and east, single family and townhouse/condominium to the south.

BASIS FOR RECOMMENDATION

- 1. The proposed zoning should be consistent with the goals and objectives of the City Council.
- 2. Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.
- 3. Zoning should be consistent with approved and existing residential densities.
- 4. Granting of the request should result in an equal treatment of similarly situated properties.

The addition of affordable rental units on this site would be consistent with the goals of the City Council as outlined in the Strategic Housing Blueprint and other Council-approved actions. The addition of 89 affordable multifamily rental units will add additional housing options and affordable units in the area. The GR base district would be consistent with adjacent properties, and multifamily land use would also be consistent with nearby residential properties.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LO-CO-NP, RR-NP	Undeveloped
North	GR-CO, LO, IP, GR	US 183, Administrative/business office, Gas
		station, Multifamily residential
South	SF-3-NP, PUD-NP	Single family residential,
		Townhouse/condominium residential
East	GR-NP, GR-MU-NP, GO-	Undeveloped, Multifamily residential, Financial
	NP	services, Public elementary school
West	GR-MU-NP, GR-NP, CS-NP	Multifamily residential, Undeveloped, Gas
		station

<u>NEIGHBORHOOD PLANNING AREA</u>: St. John-Coronado Hills Combined (Coronado Hills)

TIA: Deferred to time of site plan.

WATERSHED: Buttermilk Branch Creek

NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association AISD
Sierra Club SELTexas
North Growth Corridor Alliance Bike Austin

Friends of Austin Neighborhoods Austin Neighborhoods Council Neighborhood Empowerment Foundation Austin Lost and Found Pets

Coronado Hills Neighborhood Plan Contact Team Coronado Hills/Creekside Neighborhood Association

Harris Branch Master Association, Inc.

AREA CASE HISTORIES:

NUMBER	REQUEST	PLANNING	CITY COUNCIL
		COMMISSION	
C14-2014-0135	GO-NP to	11/12/14: To deny GO-	4/2/2015: approve GO-
Little Walnut	GO-MU-NP	MU-CO-NP (CO limits	MU-CO-NP (2,000 v.p.d.
Creek		trips to 2,000 v.p.d.)	limit)- 1 st rdg only (11-0)
			6/11/2015: Indefinite
			postponement
			WITHDRAWN

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EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Anderson Ln SVRG EB	111′	Defer to TxDOT	46'	4	Yes	Yes	Yes

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Connectivity- The closest public transit stop is located approximately 0.23 miles on Cameron Road. There is a public sidewalk located on the south side of East Anderson Lane to Cameron Road, allowing pedestrian access to the public transit stop. There are no bike lanes located along East Anderson Lane. However, there is a public elementary school located approximately 0.50 miles to the east. Mobility and connectivity options are fair in this area and do not include a variety of goods and services or parks and recreational areas within walking distance of the site.

St. John/Coronado Combined Neighborhood Plan (SJCCNP)- This property is designated at as 'Commercial' on the St. John/Coronado Future Land Use Map (FLUM), which has been neutralized by the Affordability Unlocked Program (AUP), which allows for affordable multi-family developments in all commercial zones as long as it meets the criteria of this program. Additionally, no neighborhood plan amendment is required to amend the FLUM under the AUP. The following policies and text are taken from the SJCCNPA and are applicable to this case:

Land Use Goal: Promote a land use pattern that benefits everybody in the SJCHCNPA by enhancing neighborhood character, sense of community, pedestrian-friendliness and connectivity to neighborhood-serving amenities.

Summary of prominent land use desires in SJCHCNPA:

- •Preserving Single Family residential housing stock.
- •Promoting pedestrian friendly development.
- •Increasing neighborhood connectivity and accessibility to neighborhood serving goods and services.
- •Providing the space and environment for community gatherings and civic functions.
- •Balancing the abundant Multi Family rental housing opportunities with Single Family housing opportunities.
- •Providing additional open space and recreation opportunities, primarily in the Coronado Hills neighborhood.
- •Balancing existing impacts of major highways on community life.

Objective L.1: Preserve existing use, character and integrity of residential neighborhoods. Recommendation 179: Preserve the Multi Family land use and PUD land use in the established owner occupied, townhome and condominium neighborhoods in the Planning Area.

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Recommendation 180: Consider the use of vegetated buffers and landscaping to provide a buffer between existing residential neighborhoods and the more intense, non-residential land uses.

Objective L.2: Ensure future housing development compliments (in style and character) existing housing stock.

Recommendation 183 Residential infill (Table 12) development tools should be utilized by developers/property owners to ensure new housing compliments the character and scale of the existing housing stock.

Recommendation 184: Design tools should be utilized by developers/property owners to ensure new housing development strengthens a neighborhood "sense of place" (Table 13 Objective L.4: Provide adequate transitions and buffers between the intensity of US HWY 183, US HWY 290 and IH 35 and community life in SJCHCNPA.

Recommendation 191: Use Mixed Use land use and Commercial land use to soften the transition between US HWY 183, US HWY 290 and IH 35 and residential uses.

Recommendation 192: Consider the use of vegetated buffers and landscaping to provide a buffer between existing residential neighborhoods and the more intense, commercial uses. Objective L.5: Increase neighborhood connectivity with a specific focus on the pedestrian environment in SJCHCNPA. Recommendation 193: While preserving the Residential Cores (see section in plan), use Mixed Use land use to facilitate a more pedestrian friendly development pattern in SJCHCNPA.

Affordable Housing-Objective L.7: Maintain and expand affordable housing options in the SJCHCNPA community.

Recommendation 197: Ensure the current Multi Family (i.e. rental housing) stock is maintained through Multi Family land use and/or Mixed Use land use (Map 6).

Recommendation 198: Increase affordable housing options throughout the St. John NPA by facilitating home ownership opportunities (townhome and/or condominium developments) via Mixed Use land use designation.

Recommendation 199: Maintain affordable housing options in the Coronado Hills NPA by designating Multi Family developments as either Multi Family or Mixed Use land use. The SJCCNPA supports well-designed affordable housing and buffers between disparate uses.

Imagine Austin- The project is located less than a quarter of a mile from an Activity Center and an Activity Corridor and is located along a major highway. The following IACP policies are applicable to this project:

with upproduct to this project.
☐ LUT P5. Create healthy and family-friendly communities through development that
includes a mix of land uses and housing types and affords realistic opportunities for transit,
bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe
outdoor play areas for children.
☐ HN P1. Distribute a variety of housing types throughout the City to expand the choices
able to meet the financial and lifestyle needs of Austin's diverse population.
☐ 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 healthy food,
schools, retail, employment, community services, and parks and recreation options.
The Austin Strategic Housing Blueprint, which is an amendment to Imagine Austin, includes
goals for affordable housing in every City Council district. Some of these goals include: (1)
preventing households from being priced out of Austin; (2) providing an affordable housing

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choice; and (3) protecting diverse communities. The property is in an area that provides only fair mobility and connectivity options to the residents in the area (a lack of parks and recreation facilities, bike lanes, goods and services). This project does meet one of eight Imagine Austin's priority programs (p. 186), namely 'Develop and Maintain Household Affordability Throughout Austin' by supplying additional affordable units and thus this project appears to partially support the Imagine Austin Comprehensive Plan.

Environmental

- 1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
- 2. Zoning district impervious cover limits apply in the Urban Watershed classification.
- 3. According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
- 4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Site Plan

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

The site is subject to compatibility standards. Along the south property line, the following standards apply:

- · No structure may be built within 25 feet of the property line.
- · No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- · No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- · No parking or driveways are allowed within 25 feet of the property line.
- · 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.

Parks & Recreation

PR1: Parkland dedication will be required for the new residential units proposed by this development at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park

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amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2). If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies sufficient right-of-way for Anderson Lane SVRD EB and is deferred to TxDOT. There is a proposed Urban Trail adjacent to this site, along the Buttermilk Ranch Creek. Traffic impact analysis was waived, the determination is deferred to site plan application, when land use and intensity will be finalized.

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Anderson Ln SVRG EB	111′	Defer to TxDOT	46'	4	Yes	Yes	Yes

Water Utility

AW1. 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, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Based on current public infrastructure configurations this site is in an area with capacity concerns, and it appears that service extension requests (SER) will be required to provide service to this lot. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

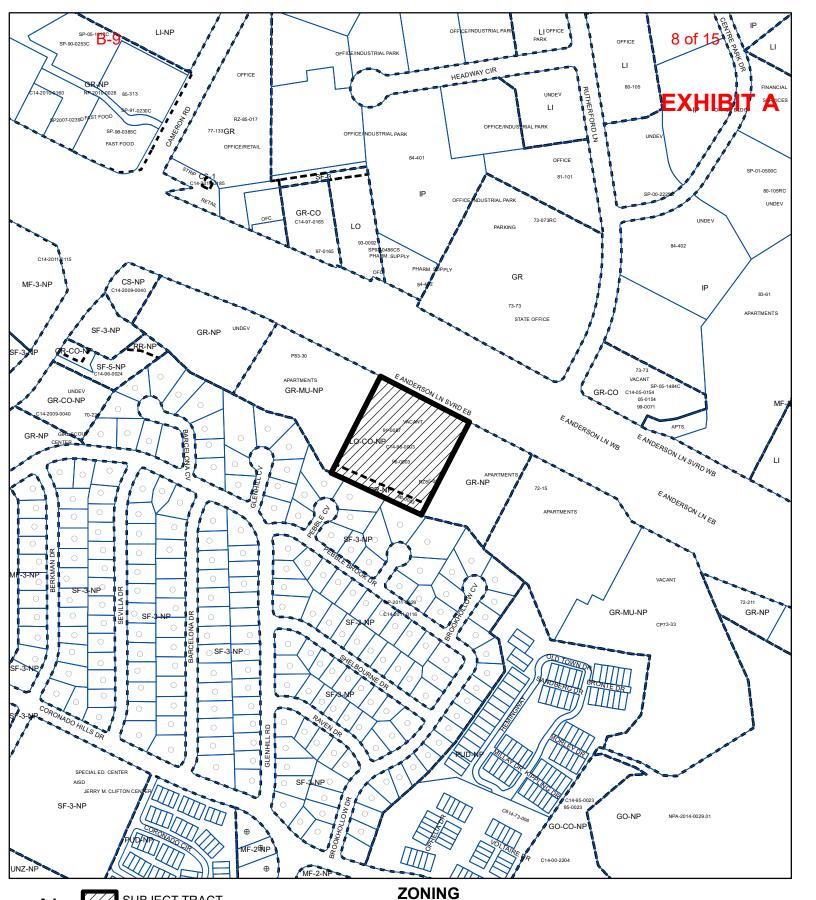
INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

B. Aerial Exhibit

C. SMART Housing Letter

D. Applicant Letter

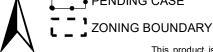






PENDING CASE

ZONING CASE#: C14-2021-0023.SH



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



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



Created: 3/4/2021

B-9 Property Profile

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:



Legend EXHIBIT B

Street Labels

Zoning Review Cases- IN REV Fully Developed Floodplain

COA Fully Developed 25-Year

COA Fully Developed 100-Year

COA Master Plan 25-Year

COA Master Plan 100-Year

100-Year (Detailed-AE)

100-Year (Shallow-AO,AH)

100-Year (Approx-A)

Creek Buffers/Waterway Setba

Critical Water Quality Zone

Water Quality Transition Zone

Zoning Text

Notes

notes

legal, engineering, or surveying purposes. It does not represent an on-the-ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No

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City of Austin

EXHIBIT C

P.O. Box 1088, Austin, TX 78767 www.cityofaustin.org/housing

Housing and Planning Department

S.M.A.R.T. Housing Program

March 3, 2021 (Update from letter dated April 30, 2019)

S.M.A.R.T. Housing Certification McDowell Housing Partners, LLC, 601 Brickell Key Drive, Suite 700 Miami, FL 33131 (ID 654)

TO WHOM IT MAY CONCERN:

McDowell Housing Partners, LLC (development contact Ana Padilla; ph: 786-257-2774; email apadilla@mcdhousing.com) is planning to develop Anderson Creek, a **89-unit multi-family development** at 1701 E. Anderson Lane, Austin, Texas, 78752. The project will be subject to a minimum 5-year affordability period after issuance of a certificate of occupancy unless funding requirements are longer.

This development is seeking a zoning change from LO-CO-NP and RR-NP to GR-NP. The applicant has submitted evidence of contacting the Coronado Hills Neighborhood Plan Contact Team advising them of their project. The applicant has indicated they will address any legitimate concerns of the neighborhood residents.

The Housing and Planning Department (HPD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 100% (89) of the units will serve households at or below 80% MFI, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance. The expected fee waivers include, but are not limited to, the following fees:

AWU Capital Recovery Fees	Co
Building Permit	E
Site Plan Review	Su
Construction Inspection	Pa
Demolition Permit Fee	(by

Concrete Permit Electrical Permit Subdivision Plan Review Parkland Dedication Fee (by separate ordinance) Regular Zoning Fee

Mechanical Permit
Plumbing Permit
Zoning Verification
Land Status Determination
Building Plan Review

Prior to issuance of building permits and starting construction, the developer must:

- ♦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenergy.com).
- ♦ Submit plans demonstrating compliance with the required accessibility or visitability standards.

Before a Certificate of Occupancy will be granted, the development must:

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- ♦ An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter

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from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

This project has received a Transit Oriented Waiver, see Attachment-1. If the project is unsuccessful in securing State or Federal Government funds, including Low Income Housing Tax Credits, the project will be ineligible to be certified S.M.A.R.T. Housing and any fees waived shall be repaid.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact Alex Radtke by phone 512.974.2108 or by email at alex.radtke@austintexas.gov if you need additional information.

Sincerely,

Sandra Harkins

Sandra Harkins, Project Coordinator Housing and Planning Department

Attachment - Attachment 1

Cc: Kristin Martinez, AE Jonathan Orenstein, AWU Mashell Smith, ORS



ATTACHMENT 1

S.M.A.R.T. Housing Transit Oriented Waiver Request

Walking Distance from site to nearest trans	mroute_state_nines
I,Nik Echeverria transit-oriented requirement. My project meets	, formally request a waiver from the S.M.A.R.T. Housins one of the following criteria.
Answer the following questions and provide	e documentation as it pertains to the proposed project listed above
Per the Kirwan Institute's Comprehen your project is located in:	nsive Opportunity Map of Austin, please check the Opportunity Index
☐ Very High ☐ High ☐ N	Moderate Low Very Low
	firming a future route is documented in agency plans.
Developer has applied for State or Fe Program, related to this project.	ederal Government funds, including the Low Income Housing Tax Cred
	2-16-2021
Authorized Representative	Date
**********	**For City Staff Use Only************************************
orementioned project is approved to receive a 106-124 by meeting the criteria of: Developm	a waiver from the transit-oriented requirements (B)(4) of Ordinament is located in high opportunity area.
Regina M Copic Regina Copic	03/02/2021
Regińa Copic /	Date

Director Designee for Waiver related to Ord No 20141106-124 PART 3. Subsection (E)





March 4, 2021

Ms. Heather Chaffin
Planner Senior
Housing & Planning Department,
City of Austin

RE: 1701 E Anderson Lane - Rezoning

Ms. Chaffin,

On behalf of the property owner, and in conjunction with McDowell Housing Partners, we submit the rezoning request for the property located at 1701 E Anderson Lane, legally referred to as Lot 1 Walnut Creek Center. The property is in the City of Austin full purpose jurisdiction and is 4.22 acres currently zoned LO-CO-NP and RR-NP. The Coronado Hills Neighborhood Plan Future Land Use Map designates this property for Commercial use.

The proposed development is for 89 affordable, multifamily units through the City's Affordability Unlocked (AU) Program and S.M.A.R.T Certification has been granted. The request is to rezone the property to *Community Commercial District – Neighborhood Plan (GR-NP)* zoning to achieve the site development regulations afforded by the zoning district. For example, the project anticipates a need for at least 67 feet of height which is not permitted in the LO zoning district, even with participation in AU. While the GR zoning district does not allow for residential uses, participation in the Affordability Unlocked Program permits a residential use without the Mixed-Use (MU) overlay that is typically required. Similarly, a Neighborhood Plan Amendment is not needed.

The requested zoning is consistent with the zoning of the adjacent properties to the west and east that currently have GR-base zoning and we respectfully request a favorable recommendation to

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bring much needed, truly affordable housing. Please contact our office should you have any questions or need clarification during your review process.

Sincerely,

Victoria Haase

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From: Lulu François

Sent: Wednesday, May 19, 2021 7:36 PM

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

Cc: Allen Francois

Subject: Multifamily Apt. Complex at 1701 E. Anderson Ln. - Case # C14-2021-0023.SH

To Whom It May Concern

My husband and I live at 7602 Pebble Cove which is directly across the creek from this development. I was not able to attend the Zoom meeting last night but am submitting my concerns to you so that they can be part of the neighborhood communication to the City of Austin.

Concerns with this development:

- 1. We have had three break-ins and an additional four break-in attempts to our house over the past 10 years all of which have come from the rear of the property
 - 1. We have had to add a high level of security to our house due to the fact that our property backs up to Buttermilk Creek and has exposure to the apartment complex that is currently across the creek from us
 - The concern is that with yet another apartment complex being built across the creek from our property, this will open us up to the possibility of even more attempts to break into our house since anyone coming to the rear of our house is not visible from the street
 - 3. There are enough "curious" tenants that will want to come to the creek and cross it which puts them directly onto our property
 - 4. I don't believe they will ever be able to prevent or control any of their tenants from crossing the creek and coming onto our property
- 2. We have always had problems with the tenants, and possibly the workers, at the apartment complex that is currently there. They are always throwing their trash, clothing, furniture, etc. over the wall and onto the embankment across the creek from our house
 - 1. The creek along with the embankment is always littered with objects and trash that comes from the existing complex
 - 1. The current apartment complex management does nothing to clean this mess up even though I've contacted them numerous times about their tenants discarding a lot of trash and debris over the existing wall. I've seen cloths, trash bags, furniture, sinks, etc., thrown over the brick wall
 - 2. It then sits there so that we have to look at it
 - 3. There's always so much trash and clutter in the creek and on the other side of the embankment that we can't even enjoy the view from our backyard
 - 2. How much more trash will be caused by yet another apartment complex?
- 3. There is a major erosion problem happening on both sides of the creek
 - 1. I have called the City of Austin and reported this erosion since the May Day Flood and the City has yet to do anything about it
 - 2. The retaining wall on the embankment across the creek from us built by the developers of the current apartment complex was washed away by the May Day flood
 - 3. It has steadily washed away so that the brick retaining wall is completely gone now and there is a sheer drop from the brick wall that is still standing down to the creek
 - 4. I'm just wondering when that brick wall will collapse along with the apartment building that backs up to it
 - 5. My concern is additional erosion happening at a faster rate than will occur if this development is built along the creek?
- 4. We will have no privacy if this five-story complex is built
 - 1. Anyone across the creek will now be able to look down onto and into our house
 - 2. We won't have the greenbelt behind our house
- 5. How much light pollution will there be with a multi-family complex built behind our house?
 - 1. How much of this light will go directly into our windows at the rear of our houses?

We are strongly opposed to this zoning case and will actively work to make sure it does not pass. Please do not hesitate to contact me with any questions.

Thank you

Lulu Francois