

From: Lucio Varela <>

Sent: Tuesday, September 5, 2023 10:20 AM

To: Acosta, Cesar - BC <BC-Cesar.Acosta@austintexas.gov>; Thompson, Carrie - BC <BC-Carrie.Thompson@austintexas.gov>; Fouts, David - BC <BC-David.Fouts@austintexas.gov>; Floyd, William - BC <bc-William.Floyd@austintexas.gov>; Boone, Scott - BC <BC-Scott.Boone@austintexas.gov>; Flores, Alejandra - BC <BC-Alejandra.Flores@austintexas.gov>; Stern, Lonny - BC <BC-Lonny.Stern@austintexas.gov>; Garrett, Kendra - BC <BC-Kendra.Garrett@austintexas.gov>; Greenberg, Betsy - BC <bc-Betsy.Greenberg@austintexas.gov>; bc-ryana.johnson@austin.texas.gov; Smith, Hank - BC <bc-Hank.Smith@austintexas.gov>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>

Subject: C14-2023-0066

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External Email - Exercise Caution

Greetings members of the Zoning & Platting Commission,

My name is Lucio Varela and my wife, Ela Varela, and I live at 2616 Lazy Oaks Dr. which is next door to the property described in Case: C14-2023-0066 located at 6905 West Gate Boulevard. I would like to offer the following comments regarding the staff's recommendation to change the zoning designation of this property from LO to GR.

First, in 1976 when we moved to the property where we reside, the land located at 6905 West Gate Boulevard was zoned as residential. In the early 1980s the land was purchased by two local pediatricians who approached the neighborhood association to inform the neighbors of their planned use for the property which required an LO zoning designation. The neighborhood supported their request and the new zoning designation was granted by the City Council. The point is that the applicant sought neighborhood involvement and feedback prior to submitting their request to the Commission and City Council. In this Case, no interaction occurred whatsoever.

Second, I began my communication with the Zoning and Platting Commission staff on June 13, 2023 and terminated on September 1, 2023. The information I received regarding Case: C14-2023-006 was very limited. So I asked to be provided an explanation as to why the proposed use (Cat and Dog Dermatology Clinic) of the property did not qualify to operate under the current LO zoning designation, since prior use of the building was also medical. The response I received was: "Regarding regulations, the Planning Team reviews and makes decisions based on Chapter 25-2 of City of Austin Land Development Code. GR is

consistent with the zoning at that intersection (West Gate & William Cannon). More intensive zoning such as GR can be located near the intersections of arterial roadways or at the intersections of arterials and major collectors.” This leads me to conclude the request and the recommendation are dissonant and the drive is to change the zoning to GR whether it is applicable or not.

Third, upon reviewing the existing zoning and land uses chart information and the staff’s recommendation, I find incongruence, since the chart does not describe the property located northwest of this property which is zoned GR and houses a significant number of retail and commercial businesses, yet the staff uses it to justify their GR zoning recommendation. There are more properties on the north and east of this property that are zoned LO and more properties south and east of this property that are zoned SF, but were not considered in making this recommendation. It appears the intent here is not to be consistent with the established parcels, but to ensure the property is rezoned to GR, which begs the questions: what is the real intended use for this property and when will this happen?

And fourth, the proposed zoning change could have an adverse impact on the traffic moving through the neighborhood, specifically Lazy Oaks Drive. Parking could also become an issue because it could spill over to Lazy Oaks Dr.

If the proposed use is allowed under the LO zoning designation, my recommendation is to keep the current LO zoning designation. Furthermore, from my perspective there is an issue regarding transparency that hangs over this case.

Thank you for your attention and consideration.

Sincerely,

Lucio Varela, PhD
2616 Lazy Oaks Dr.
Austin, Texas 78745
(512) 294-3591

From: Paul Roussos < >

Sent: Tuesday, September 5, 2023 10:54 AM

To: Smith, Hank - BC <bc-Hank.Smith@austintexas.gov>; Acosta, Cesar - BC <BC-Cesar.Acosta@austintexas.gov>; Thompson, Carrie - BC <BC-Carrie.Thompson@austintexas.gov>; Fouts, David - BC <BC-David.Fouts@austintexas.gov>; Greenberg, Betsy - BC <bc-Betsy.Greenberg@austintexas.gov>; Floyd, William - BC <bc-William.Floyd@austintexas.gov>; Johnson,

Ryan - BC <BC-Ryan.Johnson@austintexas.gov>; Boone, Scott - BC <BC-Scott.Boone@austintexas.gov>; Flores, Alejandra - BC <BC-Alejandra.Flores@austintexas.gov>; Stern, Lonny - BC <BC-Lonny.Stern@austintexas.gov>; Garrett, Kendra - BC <BC-Kendra.Garrett@austintexas.gov>; Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>

Cc:

Subject: Case #C14-2023-0066, 6905 West Gate Blvd.

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External Email - Exercise Caution

My name is Paul Roussos. I have lived at 7303 West Gate Blvd. since 1979. I currently serve as the president of the Shiloh Oaks Neighborhood Association (SONA).

I was informed that the proposed zoning change at 6905 West Gate Blvd, from LO-Limited Office District to GR-Community Commercial, was done by the property owner without input from the neighbors. Specifically, Dr. Lucio Varela, who lives next door at 2616 Lazy Oaks, expressed his concerns in his June 13, 2023, email to the Case Manager, Ms. Cynthia Hadri. He also stated, "Records on the property should reveal that in the 1980's this property was rezoned from a residential area to a limited office district with support of the Whispering Oaks Cherry Creek Neighborhood Association." (now Shiloh Oaks Neighborhood Association, SONA)

Please note that Dr. Varela was the president of the neighborhood association at that time. My question is: Why did the property owner ignore the neighbors with this latest proposed change? Where is the transparency in this proposed rezoning?

Neighbors are satisfied with LO zoning. As Dr. Varela wrote, "Both the neighborhood and the occupants benefitted from the use the property was given which in no way disrupted the peace and tranquility enjoyed by the citizens living close by. It also blended esthetically with the rest of the neighborhood. To consider changing the zoning to GR would be a tragedy for the neighborhood. This change, although profitable for the owner of this property, would bring turmoil to the neighborhood residents. Traffic, noise, lighting, pollution, chemicals, property values, crime, peace and tranquility, to name a few, would become concerns of the citizenry of the neighborhood. Our neighborhood is already saturated with commercial spaces to meet the needs of our neighborhood."

West Gate is a dangerous street with safety issues, speeding, and an increase in traffic volumes since 2013. A traffic study conducted by the Austin Transportation Department on January 16, 2017, showed a volume of 16,299 cars (northbound and southbound) going by my house. This is an increase of 30.4% over 2013. This volume continues to grow. Rezoning to GR will impact the congestion at 6905 West Gate, as well as entering and exiting the parking area. Neighborhood streets will also be impacted.

My personal observation is that the applicant needs to provide more information. Furthermore, in the Zoning Change Review Sheet, the Case Manager points out regulations and needed information, such as: Drainage--Applicant must demonstrate through engineering analysis that

the proposed development will have no identifiable adverse impact on surrounding properties (p.4); Flood Plain--There is a flood plain within or adjacent to the project location (p.5); and Water Quality--No information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements (p.5).

Page 6 of the Review Sheet states that this site is subject to certain Compatibility standards along the northern property line. Is this an error? Should the standards be applicable to the east (SF3) and southern (SF3) property lines?

Rezoning to GR would not be consistent with that of established parcels on the east (LO, SF3), south (SF3), and north (LO) of the Property.

On page 1, Case Manager Comments, paragraph 1, states: "The proposed zoning is consistent with the Imagine Austin Comprehensive Plan as it is on West William Cannon Activity Corridor and would provide services to the surrounding community." I believe this rationale does not support the GR designation. Why are all the other parcels along West William Cannon (east and north of the Property) LO? None is GR. Please also note that the address of the Property is listed as 6905 West Gate Blvd. West Gate is not listed in Imagine Austin Corridors or Centers.

Please consider this information as my testimony for September 5, 2023. I hope you will accept my reasons to keep this property zoned as LO.

Thank you.

Paul Roussos

7303 West Gate Blvd., Austin, TX 78745

512/441-3913;