From: Cindy Barron
To: Alejandra Flores; Lonny Stern; Hank Smith; Scott Boone; Betsy Greenberg; Ryan Puzycki; David Fouts; Christian Tschoepe; Luis Ostalugo; Taylor Major
Cc: Sirwaitis, Sherri; Garcia, Ella
Subject: Zoning Cases C14-2025-0032, C14-2008-0224(RCT), C14-2025-0060 all scheduled for public hearing August 19, 2025
Date: Thursday, August 14, 2025 3:18:23 PM

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C14-2025-0032 Processes for notification and signage were flawed. Posting of signage was placed on the wrong lot. Notices were not sent to all appropriate property owners. Procedures for identifying zoning designation for this lot were not consistent with how the rest of the legally platted residential lots in Acres West were treated. Designated zoning of I-RR for this lot should have been SF-2. Since I-RR is 'interim" zoning, the neighborhood was not afforded the option to submit a valid petition. The applicant/owner/agent are aware of the Acres West Deed Restrictions and should understand SF-6 zoning does not adhere to the deed restrictions for that legally platted residential Acres West lot. The neighborhood requests the Commission to recommend SF-2 for permanent zoning for this Lot 20, Blk A, to be consistent with the rest of the Acres West residential lots. SF-6 zoning could be considered 'spot zoning' in this case.

C14-2008-0224(RCT) Restrictive Covenant was violated by submission of a new site plan (SP-2024-0215C) that did not comply with the landscaping plan attached to the RC. The agent for the owner originally explained the purchase of the residential lot (Lot 20, Blk A) was to allow them to not impose compatibility on themselves (their commercial development)…hence, the landscaping plan that varied in compromising the rules of compatibility. The landscaping plan and limiting hours of operation (7AM to 10PM) were negotiated with the neighborhood and now the applicant wants to go back on his promise to have those restrictions removed. The neighborhood would prefer those restrictions be considered as additional conditions (CO) to be included under the new zoning case (C14-2025-0060) and request the Commission to recommend that to Council.

C14-2025-0060 Prohibited uses were approved by Council with zoning case from 2010. At that time, applicant/agent claimed they did not have time to do a TIA because they wanted to move forward with their development. ZAP questioned their promise to limit trips to 2000/day and wondered if additional uses were added back in as permitted, what would trigger a requirement for a TIA to be conducted? Now, with their request to add uses that could put them over that threshold of 2000 trips, they are still not willing to or are required to do a TIA. We are requesting Council to at least recommend a Zoning Transportation Analysis be submitted. The neighborhood objects to any changes to the prohibited use list and would like the Commission to support our objection.

We have initiated and made repeated attempts to meet with the applicant but have had trouble coordinating a time and place. Our last offer last week was ignored.

Respectfully,

Cindy Barron

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