

**North Shoal Creek Neighborhood Association  
Special Called Meeting  
February 16, 2012  
Pillow Elementary School**

**1. Call to Order and Announcement of the Purpose of Meeting**

The meeting was called to order at 6:35 pm by President Kenneth Webb. President informed attendees that the purpose of the meeting was for NSCNA members to decide what position (if any) to take on the rezoning request at 8100 Burnet Road. However, neighbors from North Shoal Creek and Wooten would be able to ask questions of the developer's representative, and comment on the issue, during the first part of the meeting.

**2. Adoption of Agenda**

The President noted that approval of the proposed agenda meant extending the meeting until 9 pm.

Motion by Martin Tenney to adopt the agenda; seconded. Motion carried.

**3. Introduction of Guests**

Kenneth Webb introduced Brandon Easterling, Managing Director of Alliance Residential Company, which applied for the 8100 Burnet zoning change. He also introduced Officer Chris Megliorino, the APD district representative for the North Shoal Creek area, who will be the guest speaker at the NSCNA General Meeting on March 6.

**4. Invited speaker, Brandon Easterling**

Development Committee Chair Kevin Wier provided background on the 8100 Burnet development and introduced Mr. Easterling. He also introduced Michael Whallen, a lawyer working with the development company. Mr. Easterling spoke about Alliance Residential and its plans for the 8100 Burnet proposed apartment complex and development. He handed out a preliminary site plan.

**5. Question and answer period**

Mr. Easterling answered questions from attendees about his company and the proposed 8100 Burnet Road development. Primary issues of concern from attendees included the potential effect of the development on traffic, especially on Ashdale, and what Alliance could do to mitigate that; the plans for the acre of commercial development at the 8100 Burnet property; the height of the proposed new buildings; and the possibility of an green-space public gathering area as part of the apartment development.

**6. Recess to permit guests to depart**

The President called for a recess at 7:54 pm to allow non-NSCNA members to leave the meeting, since the next portion of the meeting would be neighborhood association business.

The President called the meeting back to order at 7:56 pm.

**7. Association business session**

The President presented four options for members to consider: Do nothing, and contribute no input to the zoning change hearing; object to the rezoning and state reasons for the objection; consenting

without comment; consenting with some conditions to make NSCNA's position known.

#### **7a. Report of Development Committee**

Kevin Wier noted that the NSCNA Board of Directors approved a draft covenant agreement regarding 8100 Burnet Road at its last meeting. However, the developer had not yet signed that agreement. He passed out the latest draft of the covenant agreement. Kevin said the Development Committee would recommend voting to support the zoning change if the conditions in the agreement were met.

#### **7b. Report of Board of Directors Recommendation**

The President said that the Board agreed to approve the Development Committee's recommendation, but some conditions that the developer had not yet agreed to verbally might be stumbling blocks. He recommended that if the members approved the draft agreement, it could be presented to the City Platting and Zoning Commission with a possibility of negotiating through the commission as well, or even City Council.

#### **7c. Discussion and possible action pertaining to rezoning of property at 8100 Burnet Road**

Members asked Kevin Wier and Kenneth Webb questions and commented with their opinions about the agreement and its conditions. A primary source of discussion was the possibility of a drive-through business on the commercial part of 8100 Burnet.

Motion by Kevin Wier to approve the covenant agreement with the developer that the Board approved as the condition for NSCNA approval of MF-6 zoning, with the addition of separating out the parts of the agreement that the developer has not yet verbally agreed to (in lighter color on the agreement), stating in our agreement that those continue to be our conditions for approval. Seconded.

Discussion: Chip Rosenthal noted that the Development Committee had not yet presented the actual details of the proposed agreement to the membership during the meeting. Kevin Wier explained many of the conditions that were listed in the agreement, as time permitted.

President Kenneth Webb suggested amending the motion to make approval “subject to the caveats in this document as it exists.” Elizabeth Ray asked to call the question.

The vote passed and the motion was adopted.

#### **8. Adjournment**

Meeting adjourned at 8:55 pm.

Minutes submitted by Juliette Kernion, Secretary, North Shoal Creek Neighborhood Association

Minutes approved at NSCNA General Meeting, March 6, 2012