

ZONING CHANGE REVIEW SHEET

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CASE: C14-2011-0167 (8100 Burnet)

Z.A.P. DATE: February 7, 2012
February 21, 2012
March 6, 2012

ADDRESS: 8100 Burnet Road

OWNER/APPLICANT: Alliance Realty Partners, LLC (Brian Austin)

AGENT: Bury & Partners, Inc. (Melissa Neslund)

ZONING FROM: CS

TO: MF-6

AREA: 4.014 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is for MF-6-CO, Multi-family Residence-Highest Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to 60 feet and restrict the site to a maximum of 300 residential units.

ZONING & PLATTING COMMISSION RECOMMENDATION:

2/07/12: Postponed to September 21, 2012 at the neighborhood's request (5-0, P. Seeger and G. Bourgeois-absent); J. Meeker-1st, and G. Rojas-2nd.

2/21/12: Postponed to March 6, 2012 at the applicant's request (6-0, G. Bourgeois-absent); G. Rojas-1st, J. Meeker-2nd.

DEPARTMENT COMMENTS:

The property in question is currently developed with a commercial shopping center with a vacant Chuck E' Cheese restaurant and a Ross Dress for Less retail store. The applicant is requesting MF-6 zoning at this location because they would like to redevelop the site with approximately 275-300 multifamily units. They are offering a conditional overlay to limit the height on the property to 60 feet (current height allowed under the existing CS district zoning) and to limit the number of units to 300.

The staff recommends MF-6-CO district zoning at this location because the property meets the intent of the Multi-family Residence-Highest Density district designation. MF-6 zoning is consistent with the adjacent uses as there is a residential condominium development to the north (Ashdale Gardens Condos) and an apartment complex across Ashdale Drive to the west. The property is surrounded commercial zoning, with CS district zoning to the north, east and west and GR-NP district zoning, located across Burnet Road, to the south. This applicant's request is a down zoning of the property to a less intensive zoning district. The proposed MF-6 zoning will permit the applicant to redevelop this site with a multifamily uses that will provide for a mixture of housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

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EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Retail Center: Vacant Restaurant (Chuck E' Cheese) and Commercial Services (Ross Dress for Less)
<i>North</i>	CS	Multifamily (Ashdale Gardens Condos)
<i>South</i>	CS, GR-NP	Retail Sales (Aquatek Tropical Fish), Restaurant (Bill Miller's Bar-B-Que), Personal Services (Darque Tan)
<i>East</i>	CS	Automotive Sales (Infiniti)
<i>West</i>	CS	Restaurant (McDonald's), Retail Sales (Pittsburg Paints), Vacant Structure (was Cornerstone Counseling), and Multifamily (Apartments)

AREA STUDY: N/A

TIA: Not Required

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhoods Council
 Austin Monorail Project
 Crestview/Wooten Combined Neighborhood Plan-COA Liaison
 Greater Northcross Area
 Homebuilders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 North Austin Neighborhood Alliance
 North Shoal Creek Neighborhood Association
 North Shoal Creek Neighborhood Plan- COA Liaison
 Responsible Growth for Northcross
 SELTEXAS
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin, Inc.
 Wooten Neighborhood Plan Contact Team

SCHOOLS:

Pillow Elementary School
 Burnet Middle School
 Anderson High School

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CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0032 (North Shoal Creek Planning Area Vertical Mixed Use)	Add V (Vertical Mixed Use Building Combining District) to Certain Tracts	5/13/08: Approved neighborhood's rec. to implement V regulations on selected tracts (9-0)	7/10/08: Approved V (7-0); 1 st reading 8/28/08: Approved V by Ordinance No. 20080828-104 (7-0); 2 nd / 3 rd readings
C14-02-0086 (Tara's Beauty Salon: 2204 W. Anderson Lane)	SF-3 to GR-MU	7/23/02: Approved staff rec. of GR-MU by consent (7-0)	8/08/02: Approved GR-MU (6-0); 1 st reading 8/22/02: Approved GR-MU (7-0); 2 nd /3 rd readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Ashdale Drive	60	40	Collector	No	No	No
Burnet Road	130	MAD 4	Arterial	Yes	Yes	No

CITY COUNCIL DATE: March 8, 2012

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

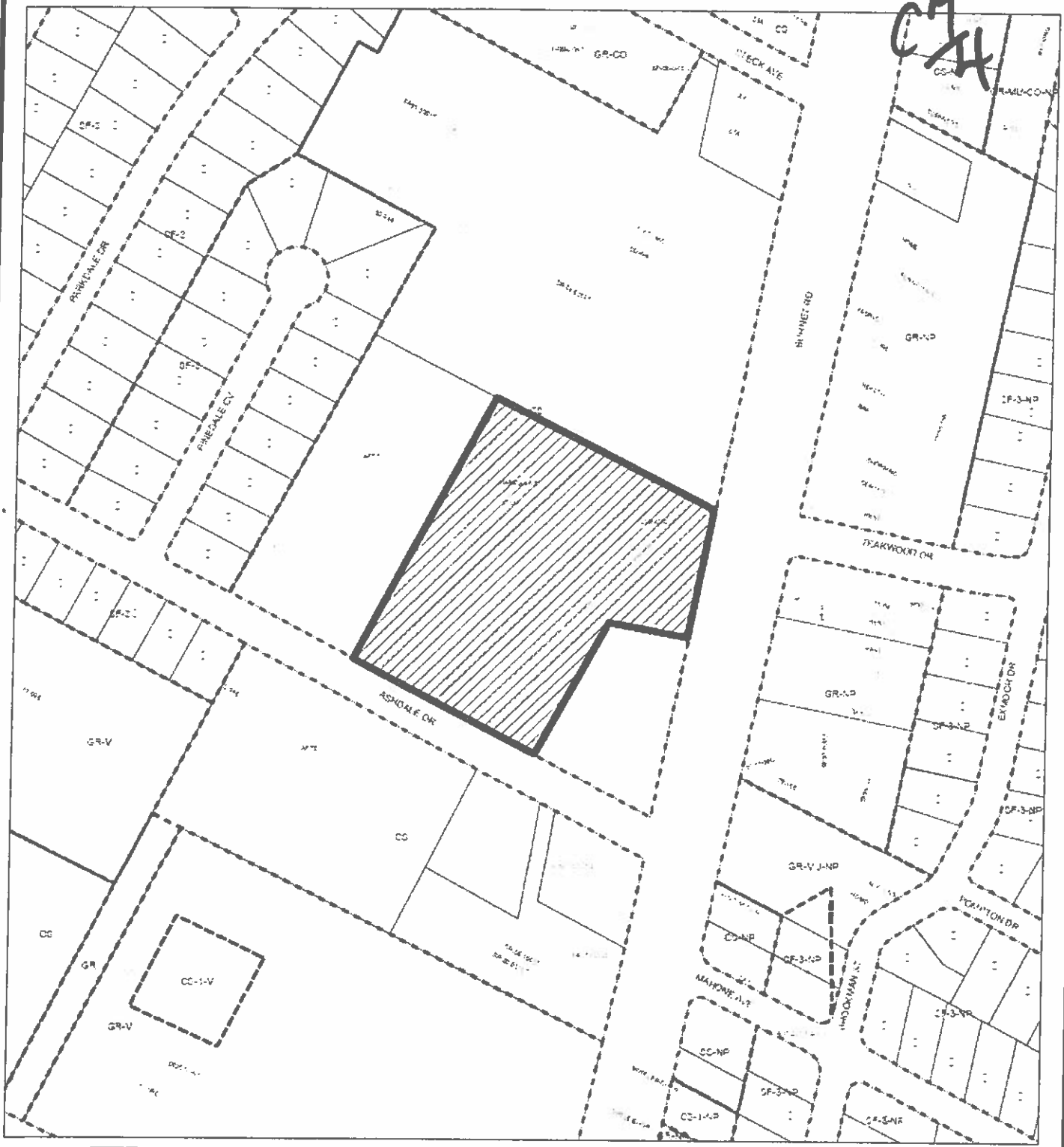
ORDINANCE NUMBER:


ZONING CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057




E-mail: sherri.sirwaitis@ci.austin.tx.us

CH





 1" = 200'

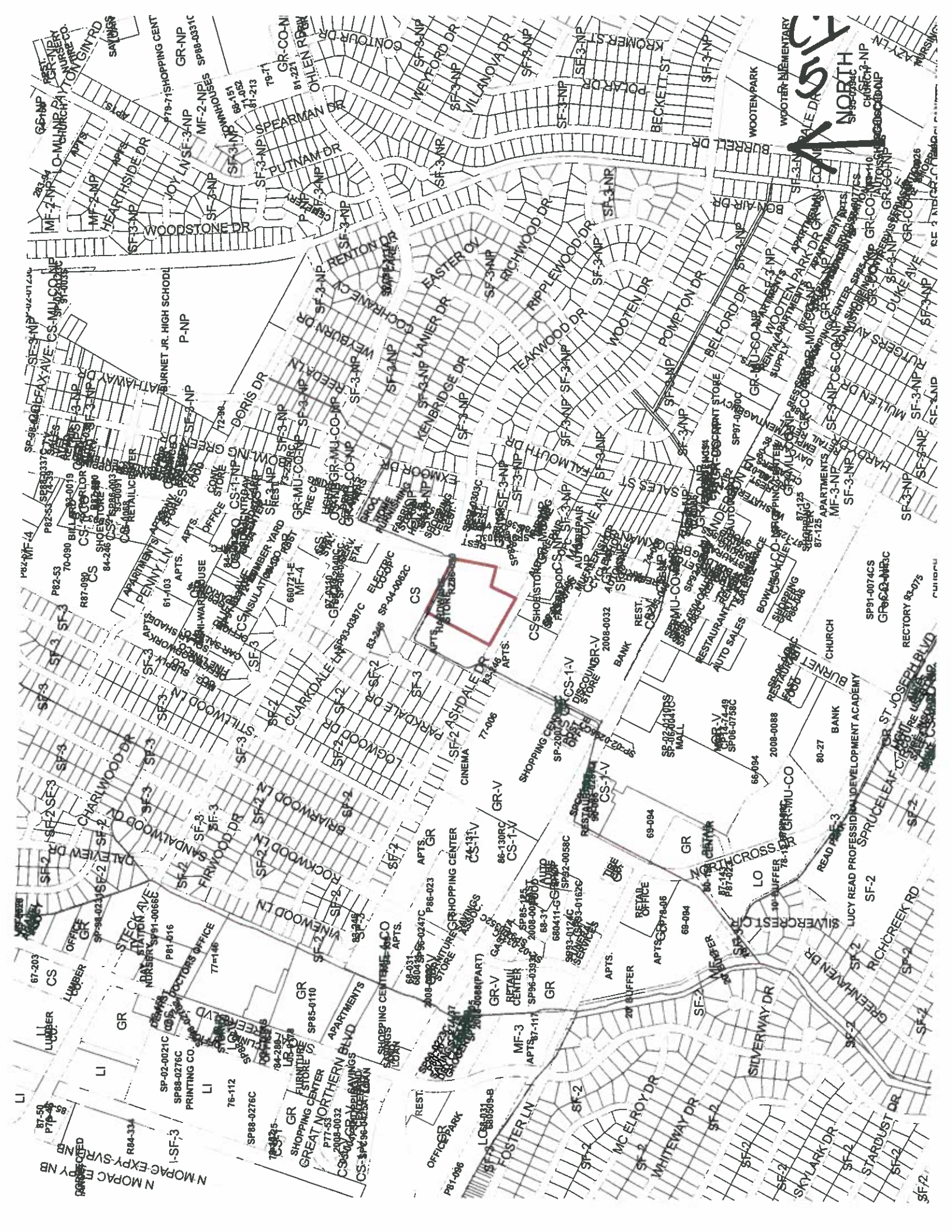
 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

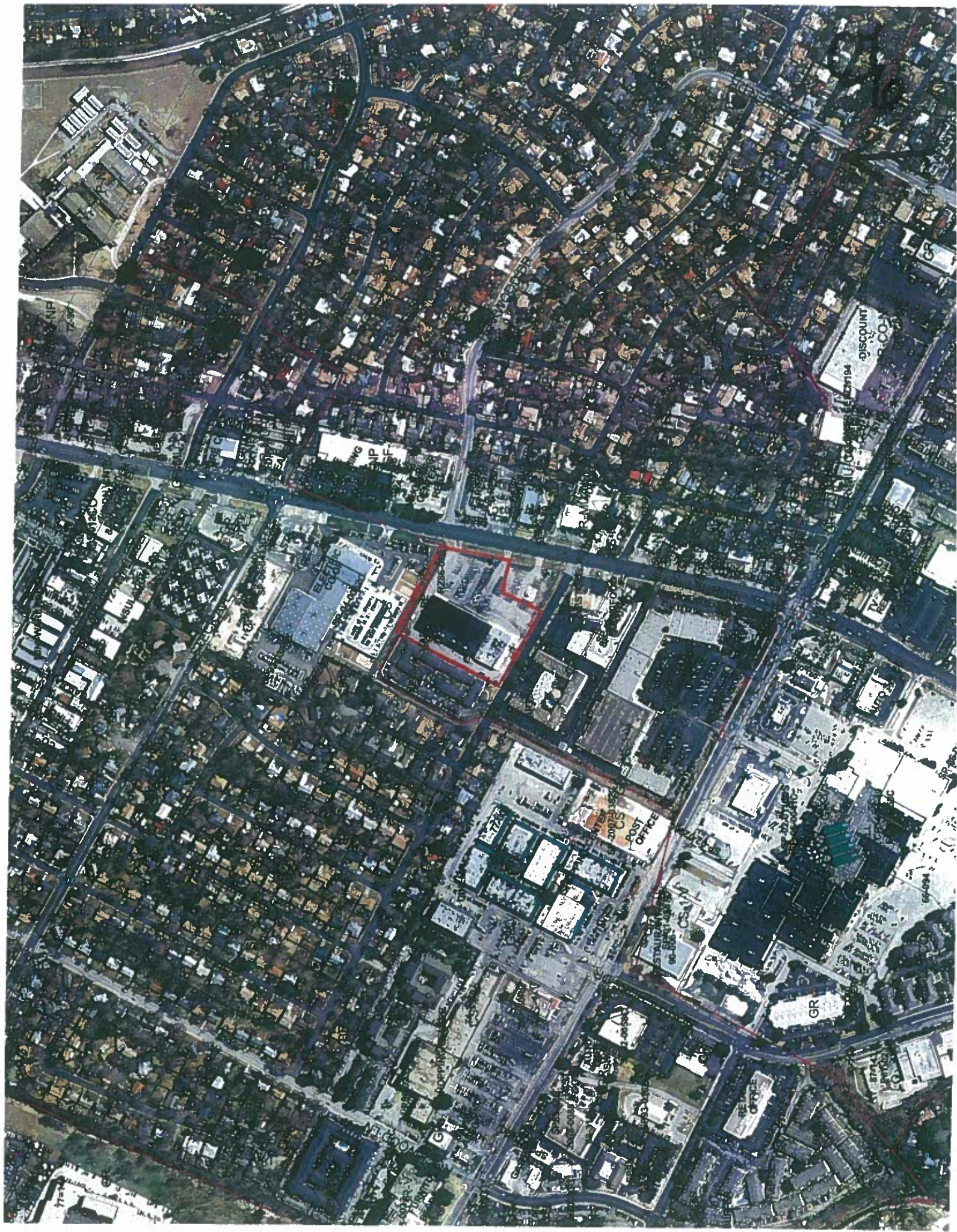
ZONING
 ZONING CASE#: C14-2011-0167



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 CTH for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





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STAFF RECOMMENDATION

The staff's recommendation is for MF-6-CO, Multi-family Residence-Highest Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to 60 feet and restrict the site to a maximum of 300 residential units.

BASIS FOR RECOMMENDATION (ZONING PRINCIPLES):

1. *The proposed zoning should be is consistent with the purpose statement of the district sought.*

Multifamily residence highest density (MF-6) district is the designation for multifamily and group residential use. An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which the high density multifamily use is desired.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning is consistent with the adjacent uses as there is a residential condominium development to the north (Ashdale Gardens Condos) and an apartment complex across Ashdale Drive to the west. The property is surrounded commercial zoning, with CS district zoning to the north, east and west and GR-NP district zoning, located across Burnet Road, to the south.

3. *Zoning should allow for reasonable use of the property.*

MF-6-CO zoning will permit the applicant to redevelop this site with a multifamily uses that will provide for a mixture of housing opportunities in this area of the city.

EXISTING CONDITIONS

Site Characteristics

The site under consideration currently contains a commercial shopping center with a vacant Chuck E' Cheese restaurant and a Ross Dress for Less retail store.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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. It is in the Desired Development Zone.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 sq. ft. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the MF-6 zoning district would be 80%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is located in the Shoal 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.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Note: The most restrictive impervious cover limit applies.

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.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Ashdale Drive	60	40	Collector	No	No	No
Burnet Road	130	MAD 4	Arterial	Yes	Yes	No

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Water and Wastewater

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 the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. 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.

December 16, 2011

Mr. Greg Guernsey
Director
City of Austin Planning and Development Review
505 Barton Springs, 5th Floor
Austin, Texas 78704

Re: 8100 Burnet Road
+/- 4.01 acres
Request for Zoning from General Commercial Services (CS) to
Multi-family Residence Highest Density (MF-6)

Dear Mr. Guernsey:

As representatives of the current property owner and potential developer, we respectfully submit the enclosed zoning application packet. The subject property is within the City of Austin's full purpose limits and is zoned CS. We propose to rezone the property to MF-6 to accommodate a multi-family project with approximately 300 units. The site is currently developed with a Ross Dress for Less Department Store. The intended redevelopment plans for the property include an approximate five (5)-story, wrap, multi-family development with an internal parking garage.

We propose to impose a conditional overlay on the property limiting the height to 60 feet which is consistent with the existing allowable height under CS zoning. We also propose to limit the density on this tract to no more than 300 units.

Given the site's location along a major arterial and core transit corridor (Burnet Road), we believe that MF-6 zoning district with the proposed density of approximately 75 units per acre (300 units/4.01 acres) is an appropriate request.

Adjacent zoning is as follows: CS to the north; CS to the south across Ashdale Road; CS to the west; and Community Commercial - Neighborhood Plan (GR-NP) to the east across Burnet Road. Adjacent land uses consist of Austin Infiniti to the north; Austin Alignment and Brakes and multi-family to the south across Ashdale Road; multi-family to the west and commercial uses across Burnet Road.

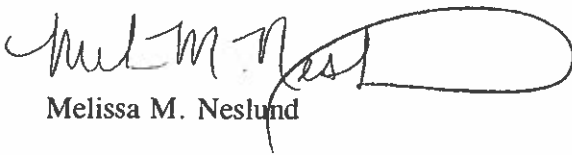
BURY+PARTNERS, INC.
221 West Sixth Street, Suite 600
Austin, Texas 78701

TEL (512) 328-0011
FAX (512) 328-0325

Given the adjacent land uses and zoning designations, the site's location along a major arterial and the proposed development plans for the property, we believe this zoning district and proposed land use is a reasonable and appropriate request. Additionally, we are proposing to limit height to 60' and limit the site to a maximum density of 300 units.

Please do not hesitate to contact me with questions, and I look forward to working with you on this rezoning. Thank you in advance for your time and attention to this project.

Sincerely,



Melissa M. Neslund

Enclosures

cc: Mr. Brandon Easterling, *Alliance Residential*

Sirwaitis, Sherri

From: [REDACTED]
Sent: Tuesday, January 31, 2012 4:46 PM
To: Sirwaitis, Sherri
Cc: [REDACTED]
Subject: Postponing Hearing for Case # C14-2011-0167, 8100 Burnet Rd.

C14
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Sherri,

With the proposed developer (Brandon Easterling, Managing Director, Alliance Residential) agreement, I am respectfully requesting a postponement of the public hearing regarding requested rezoning from CS to MF-6 of 8100 Burnet Road, case # C14-2011-0167.

Mr. Easterling has suggested a 2 week postponement timeframe.

Will you please let us know if this is agreeable to the Zoning and Platting Commission?

Best regards,
Kevin

Kevin Wier
(512) 731-8832

[REDACTED]
Development Committee Chairperson
North Shoal Creek Neighborhood Association

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.ci.austin.tx.us/development

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: C14-2011-0167

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing: Feb 7, 2012, Zoning and Planning Commission

March 8, 2012, City Council

Dillender - Robert -

Your Name (please print)

2450 Ashdale - Unit 216D

Your address(es) affected by this application

Sherri Dillender

Signature

Date

Daytime Telephone: 972-522-9991

Comments: See attached but in general.

1) 2008, it was an area for beginning

professionals. Keep it that way.

2) Endanger the life quality of life

for 8100 Burnet & Ashdale residents

3) lower taxes from commercial to

residential in Austin - ADUity

4) Burnet Road is major thoroughfare

Not residential

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Planning and Zoning Commission

Date of Hearing: 2-7-2012—6:00 p.m.

Case Manager: Sherri Sirwaitis

Case Number: C14-2011-0167

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In 2008, our understanding of the vision of the area was to provide housing for beginning professionals. In spite of the economy, there are signs that the area is being re-vitalized in that direction. Why push these young professionals into the suburbs?

Since this will be a group residential use area, the developer is asking for a zoning change that endangers the quality of life for the residents at 8100 Burnett Road as well as the residents in the surrounding area. When a resident of a group residential home goes off medication, assaults, theft, and other criminal activities occur. This activity will not be limited to 8100 Burnet Road. It will spill over to the other properties. I know. We have lived through one of these developments.

The developer is asking for a zoning change from a commercial tax base to a lower tax base. As difficult as it is for cities to raise revenue, this does not seem like a good idea. With all of the future cash flow—much of it subsidized—it seems that the owner/developer is the one who wins in this situation.

P and Z has done its job. Does the traffic on Burnet Road look like a residential street to you? No.

Regulating Group Homes

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Dallas should follow lead of El Paso to ensure care

Three or four beds packed into a small room. Fights among clients. Panhandling residents. Such are the conditions in Dallas group homes for those with mental and physical disabilities. Residents often have little hope that anyone in authority will stand up for them. And too often, they are right.

The state regulates some homes, particularly those whose residents need medical assistance. But City Hall has no standards for the quality of care for the 300 or more Dallas operations that the state does not oversee.

That's not the case in El Paso, which has rolled out clear standards that group homes under its watch must abide by — or otherwise face stiff consequences. The move is a godsend for El Pasoans with mental or physical disabilities. They now have the city watching their backs in the event that the group home operator fails to give them enough money from their disability checks to survive, the staff is abusive to them or the services are just plain lousy. In some cases, a home may engage in all these abuses — and more. Now the clients and their families have recourse through the city.

There had been some doubt at Dallas City Hall that a law passed in the 2009 Texas Legislature gives cities the power to set standards for homes that offer food, services and shelter for these residents. But Dallas City Council member Scott Griggs believes El Paso's actions should erase any doubts.

Griggs has helped lead efforts to persuade the council to start regulating group homes, and action is beginning to take shape. City staff is expected to explain to the council this month that the city indeed has authority to regulate homes that the state does not oversee. After that briefing, the council housing committee can start fine-tuning a Dallas ordinance.

El Paso's best practices

- Operators must implement procedures for investigating and documenting injuries, incidents and unusual accidents involving residents.
- Homes must maintain separate financial records for each resident for whom the operator is the representative payee. This includes itemized lists of expenditures.
- The enforcement official may inspect any facility to ensure compliance.

El Paso's standards offer a good guide. They require operators to report physical abuses within their homes. They are clear about the type of facilities such a home should maintain. They spell out sanitary requirements. And, especially important, they require operators to keep clear financial records for residents for whom they serve as stewards for disability checks.

The state also has offered a set of model standards that Dallas leaders should draw upon.

As part of our "Bridging Dallas' North-South Gap" efforts, we have reported on troubling conditions in some group homes south of the Trinity River, where the bulk of these operations exist. Some facilities offer good services and compassion. Others take advantage of their clients, who have little ability to stand up for themselves.

Like El Paso, Dallas needs to make sure those residents have City Hall fighting for them.



READ previous commentary on Dallas' north-south gap.
dallasnews.com/opinion/north-south-dallas-project

JOIN the conversation at our north-south gap blog.
gapblog.dallasnews.com

NORTH SHOAL CREEK NEIGHBORHOOD ASSOCIATION

Post Office Box 66443
Austin, Texas 78766-0443

C11
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February 20, 2012

City of Austin
Planning & Development Review Department
P. O. Box 1088
Austin, Texas 78767-8810

Attention: Sherri Sirwaitis

Re: Case Number: C14-2011-0167 - Rezoning 8100 Burnet

Dear Ms Sirwaitis:

The membership of the North Shoal Creek Neighborhood Association (NSCNA) voted February 16, 2012 to approve a covenant agreement with the developer as the condition for the Association approval of MF-6 zoning for the property. Without such an agreement, the Association cannot consent and therefore must object to the requested rezoning. A copy of this agreement is enclosed.

The vote was taken following an open meeting to which all neighborhood residents and other interested individuals were invited to attend.

This covenant agreement, dated February 9, 2012, was written during and as a result of many meetings between representatives of Alliance Realty Partners, NSCNA and other interested organizations and individuals. It has been changed and updated periodically as a result of ongoing coordination and meetings. The document has been presented to and discussed with Alliance Realty representatives who have indicated concurrence with many of the items contained in the agreement but no formal approval has been given.

This agreement addresses many of the items of concern expressed by neighbors and members of this Association. Many of these comments and concerns were related to the following:

- a. Resulting adverse impact on traffic, both on Burnet Road, Ashdale Drive, and other residential streets. Traffic to and from any yet unknown future commercial developments in the remaining property zoned CS will add to traffic problems.
- b. Height of the proposed buildings in relation to nearby residences. Even at a maximum height of 60 feet these buildings will be the dominant structures along Burnet Road between Anderson Lane and Highway 183.
- c. Increased density of residents in the immediate area. Addition of 300 residential units would approximately double the number of residential units in the immediate vicinity.
- d. Rezoning to MF-6 could set a precedent for rezoning other properties in the area to MF-6.

Sincerely,


Kenneth R. Webb,
President

Enclosure
Covenant Agreement between Alliance Residential Company and
North Shoal Creek Neighborhood Association.

Covenant Agreement between Alliance Residential Company and North Shoal Creek Neighborhood Association

February 9, 2012

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***This agreement is a covenant that will go with the land. If the land is sold this covenant and these agreements go with the land to the new owner of the land and are binding on the new owner.**

A. Agreements regarding Internal to site issues:

1A. **Keystone Agreement:** Open space agreement. Developer/Alliance agrees to create an open space focal point for the property, conceived as a consolidated gathering space in the SW corner of the CS zone. The space should be at least 3000 sq. ft. in the CS zone inside the deed-restricted strip, and should be directly adjacent to the south and west boundaries of the CS property. Also, Developer/Alliance agrees to measure the space they are proposing for what was previously "the drive" and define that amount as required private common space for the MF property that is inside the deed-restricted strips, and does not include fire lanes or the drainage culvert.

1B. Make a pedestrian/bike path or lane between the commercial and residential parts of the development that has grass and other features to make it a pleasing experience to travel along. Trees would be nice along this path/lane.

2. To prevent development traffic from turning down/west on Ashdale, design any access into the development from Ashdale to be designed and constructed to be Right in, Left out traffic flow.

3. Agreement to put a restriction on the commercial property to not allow any drive-thru for any retail establishment, or agreement to have any drive-thru traffic both come into the property from Burnet Rd. and exit the property onto Burnet Rd. and not onto Ashdale. A drive through is an unnatural traffic magnet in the sense that it unnaturally draws traffic that otherwise would not naturally occur. This restriction will go with the land.

4. Along Ashdale make a grassy, tree-lined boulevard with wide sidewalks and possibly with nice street lamps and park benches. Along Burnet have trees spaced no greater than 30 feet.

5. Design and build apartments along Ashdale to include front porch "stoops" to encourage a neighborhood-friendly, pedestrian-friendly development.

6. Design and build both commercial and residential to include bike-friendly amenities such as convenient and usable bike racks and lockers (and bike storage for residents).

7. Design and build the parking garage so car lights do not shine into neighboring properties.

8. No short-term rental (less than 30 days) will be allowed. No more than 5 units allocated to corporate rental for temporary housing for employees.

B. Agreements regarding External to site issues:

1. Developer/Alliance agrees to support NSCNA in their efforts to convince the city to do the following:

a) \$50k to support efforts for traffic calming on Ashdale. This would be to help motivate the city to move and move quickly on traffic calming on Ashdale. If it's not needed for this purpose it will be redirected into buying larger caliper trees to be planted along the grassy boulevard along Ashdale. Traffic calming could include bike lanes; narrowing Ashdale by moving curbs inward to make room for wider sidewalks, possibly elevated bike paths with the sidewalks and wider grassy boulevard; narrow car driving lanes; roundabouts; or other ideas.

b) Bus Rapid Transit stop being moved closer to 8100 Burnet from the current plan of adjacent to Northcross Mall.

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c) Anderson Urban Trail: 1) financially contribute to fund the building of this path if city funding isn't adequate and 2) provide lobbying support to try to secure the possible city bond funding that is being considered for this project.

d) Lobby the city for installation of a traffic light that serves Teakwood and the north end of 8100 Burnet on Burnet Rd. Agree to work with Wooten Neighborhood Association to try to agree upon a solution to their need for resolving traffic problems at Burnet Rd. and Teakwood. Their issue is that when Wooten residents are southbound on Burnet and want to get into the left turn lane to turn left onto Teakwood the left turn lane is blocked by cars coming out of 8100 Burnet and wanting to go north on Burnet Rd.

This support includes providing an owner letter of authorization and communicating via e-mail, phone, letter and in-person meetings with relevant city commissions, staff members, boards, and city council members, including joining in written communication with NSCNA and jointly meeting with these listed city groups and people in person as needed.

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Sirwaitis, Sherri

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From: paul johnson [pauljohnson@hotmail.com]

Sent: Monday, February 20, 2012 6:49 PM

To: Sirwaitis, Sherri; Anguiano, Dora

Subject: re CASE NUMBER C14-2011-0167, 8100 BURNET RD before the Zoning and Platting Commission

Sherri and Dora,

Please forward my comments below to the Zoning and Platting Commissioners in time for the hearing to be held: February 21st, Tuesday 6:00pm, City Council Chambers

Dear Zoning Commissioners:

I am a homeowner and resident at 8013 Logwood Drive, Austin Texas. My immediate neighborhood is the same as that of the property under consideration for re-zoning at 8100 Burnet Road. This is a residential neighborhood bounded by Steck on the North, Burnet on the East, Ashdale on the South, and Rockdale (or the creek Shoal Creek) on the West.

This neighborhood has about 200 single-family residences, about 20 duplexes, and some moderate density apartments on Ashdale Drive and Rockwood. This neighborhood is bounded by commercial development on Burnet, Anderson, and Buell on three sides, and Shoal Creek on the other. Thus, this is a very small and well-defined residential neighborhood. It has had the same character since it was built out in the mid to late 1960s.

A key re-zoning question is whether a zoning change will impact the character of a neighborhood. When the zoning commission considers this, the above-described neighborhood is the one I request that you consider as its primary neighborhood. This tiny but well-defined neighborhood will be the one most affected by your decision.

I would like to offer some brief points on this issue that I will hope will better inform you with making this re-zoning decision:

1. The developer projects this project will have 350 residents. If any of these residents walk in their new neighborhood, they will find themselves on Ashdale Drive - the street on the south side of this development - a street which also has no sidewalks and a speed limit of 30 miles an hour, and few prospects for having either sidewalks or speed limit reduction at any time in the future. It's scary for a pedestrian, especially one with a baby carriage or a dog, to be forced to walk in a street with 30 mph traffic. 350 people, 30 mph street, no sidewalk. Add more pedestrians to this street if you wish, but in doing so you will be putting more people at risk.
2. The MF-6 development proposed would be out of scale with the character of the existing neighborhood, as it would add high-density residential to an existing low-density area. This project will change the immediate neighborhood's character immensely, practically doubling its population. It would also change the character of the more-broadly defined neighborhood, as this would be the first high-rise residential in the general area. One may reasonably expect this will set a precedent for further high-density development in this area, changing this general neighborhood even more.
3. The rezoning of this lot to be 1 acre of commercial and 4 acres of residential, rather than the mixed use commercial / residential seen in other recent Austin high-density developments, has been noted by some observers of this plan as a way for the land developer to bypass certain city design guidelines for commercial development. If new commercial development takes place on this property, rather than the re-use of the current structures, I think such development guidelines probably serve the public interest, don't you? This proposed re-zoning of split residential and commercial is a clever way around city rules.
4. The only compelling interest I see for this high-density development is for the developer to maximize potential revenue for this property. I don't think that is adequate reason to approve this re-zoning request.

2/21/2012

I hope that you will take the above points into consideration. I believe if you do so, you will deny this re-zoning request.

Respectfully yours,
Paul Johnson
8013 Logwood Rd
Austin TX 78757

C7
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512-453-3742

pauljohnson@hotmail.com
paul_johnson@lsjbm.com

2/21/2012

Sirwaitis, Sherri

From: Pamela Ellen Ferguson [wpb39@sprintmail.com]
Sent: Friday, February 17, 2012 12:33 PM
To: Anguiano, Dora; Sirwaitis, Sherri
Subject: CASE NUMBER C14-2011-0167 - 8100 Burnet Road

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CASE NUMBER C14-2011-0167
8100 BURNET RD

Dear Ms Anguiano and Ms Sirwaitis:

I attended a neighborhood meeting last night to hear the Alliance Company's plans and a request for re-zoning the property at 8100 Burnet Road.

I live on Kerrybrook Lane, about a mile from the property. I support the re-zoning request in principle — but have some serious questions about the extra traffic flow. I cycle and walk this neighborhood daily — along with many others who live in a square mile near to the proposed site.

We need reassurances from Alliance and from the city that the deep concerns voiced by the residents of the Summit complex and others on Ashdale Road and Teakwood Road will be heard, honored, and taken into consideration. We need to hear that extra traffic lights will be installed on Ashdale at Burnet.

Several of us also need to hear more about Alliance's plans to incorporate green areas and access paths/cycling paths through the complex, and a commitment to green/sustainable building. It was hard to visualize their proposals from a bare plan — we need a power point presentation of the proposed development, or just a computer sketch.

Thank you for considering our input — and would you pass my comments along to the Zoning Commissioners in time for the Feb 21 hearings?

Best to all — Pamela Ellen Ferguson

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2/21/2012

RE: Case No. C14-2011-0167 - 8100 Burnet Road

C1
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Dear Zoning and Platting Commissioners,

Summary: While I understand that urban density is kinder to the environment than urban sprawl, we should still do what we can to keep the environment healthy for people living in the density. I am submitting a list of what could be good for our neighborhood as part of the proposed rezoning and development at 8100 Burnet Road. If I am being unreasonable, then I am willing to be enlightened.

Potential list of what could be "Good for the Hood"

1. 3000 sq. ft. of open space (to lessen the heat island effect). Developer's representative is now indicating the 3000 sq. ft. requested by NSCNA has to be reduced by half.
2. Height restriction of 40 feet or 3 stories (increase neighborhood compatibility; avoid total domination of the skyline; avoid living in the shadows for people in surrounding homes)
3. Garage with required number of parking spaces only (not the extra parking spaces currently proposed in the development plan)
4. LEED certification
5. Solar panels on roofs and on top story of garage (proposed by a Lamar M.S. 6th grader and Pinedale Cove resident)
6. Vertical Vegetated Complex Walls (lessen the heat island effect)
7. 1 acre commercial rezoned from CS to GR
8. Teakwood new stoplight (to enable new development residents to travel north on Burnet Road rather than having to back loop through the neighborhood)
9. Traffic calming on Ashdale
10. Pedestrian-friendly, bicycle-friendly; no drive-through retail establishments

If the above list of "Good for the Hood" makes the development not financially viable, then further exploration is needed into potential financial incentives. Without this additional exploration, I believe that the rezoning request is premature.

Perspective: I am a member of the Development Committee of the North Shoal Creek Neighborhood Association (NSCNA), as well as a resident and landlord on Pinedale Cove, the closest street parallel to Burnet Road. Naturally, I am very concerned about the way the proposed development would affect our neighborhood.

Thank you for your consideration.

Respectfully,
Elizabeth Ray

February 29, 2012

07/23

Re: Case No. C14-2011-0167 – 8100 Burnet Road

Dear Zoning and Platting Commissioners:

I'm a resident of the North Shoal Creek neighborhood, which is near Alliance Residential's proposed redevelopment at 8100 Burnet. I have mixed feelings about this redevelopment. My major concern is Alliance's request for a zoning change to MF-6, the highest level density permitted for multi-family residences. There are several apartments in our neighborhood, but they are zoned, I believe, MF-4. My concern is that, by agreeing to the request for MF-6, you will set a precedent that will negatively impact our neighborhood.

My reasoning is this: our area is one in which the City wants to encourage density. Unfortunately, we don't have a robust enough public transportation infrastructure to support higher density, and it's unlikely that one can be developed as quickly as high density multi-family developments can be built near the Burnet corridor. The result will be increased traffic woes for our neighborhood and that in turn will decrease the quality of life in our area (which I, as a resident here for 12 years, have come to love).

I was impressed at Alliance staff's presentation about the 8100 Burnet Rd. redevelopment at a recent neighborhood meeting. Their plan seems to me preferable to what is currently there. But I ask you to take into consideration the long-term effects of your decision and to consider what unintended consequences may result from it. I hope you can find a middle ground which will allow the development while decreasing the likelihood of negative impact on nearby neighborhoods.

Yours truly,

S. Justice

Little Laura Dr.