

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: University Hills/Windsor Park Combined Neighborhood Plan

CASE#: NPA-2011-0023.01

PC DATE: January 10, 2012
December 13, 2011
November 8, 2011

ADDRESS/ES: 6500 and 6502 Manor Road

SITE AREA: Approx. 0.40 acres

APPLICANT/OWNER: Kennie and Mildred Sneed

AGENT: Kennie Sneed

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Office

To: Commercial

Base District Zoning Change

Related Zoning Case: C14-2011-0087 (WR)

From: LO-NP

To: CS-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 9, 2007

PLANNING COMMISSION RECOMMENDATION: On January 10, 2012, the Planning Commission approved staff's recommendation for a change in the future land use map from office to neighborhood mixed use on a vote of 7-1-1 with Commissioner Chimenti dissenting and Commissioner Dealey absent. Commissioner Kirk made the motion and Commission Anderson seconded the motion.

STAFF RECOMMENDATION: Commercial land use is not recommended. Staff recommends Neighborhood Mixed Use land use

BASIS FOR STAFF'S RECOMMENDATION:

LAND USE RECOMMENDATIONS

- Promote and maintain the single-family residential character of the neighborhood.

- Attract needed vendors and service providers into the planning area through support for local businesses and revitalization/redevelopment of neighborhood shopping areas.
- Encourage a diversity of housing options at various levels of affordability dispersed throughout the neighborhood.

Objective: Transform Manor Road into a pedestrian-friendly street with a mix of commercial and residential land uses.

Recommendations:

- Maintain existing base zoning for commercial properties along Manor Road to continue to allow for a wide range of uses.
- Restrict some automobile-oriented uses, such as car repair shops and car washes, on sites not currently occupied with those uses.
- Support the designation of Manor Road as an Urban Roadway in the Design Standards and Mixed Use Subchapter to encourage the redevelopment of commercial properties with more pedestrian-friendly streetscape designs.

ECONOMIC DEVELOPMENT

This section includes objectives and recommendations that support the following UHWP Neighborhood Plan goal:

- Attract needed vendors and service providers into the planning area through support for local businesses, and encourage revitalization/redevelopment of neighborhood shopping areas.

Objective: Attract desired businesses and service providers into the planning area.

Recommendations:

- Create an inventory and directory of all existing area businesses located in the area.
- Define desirable uses for specific areas within UHWP: quality retail, coffee shops, cafes, more restaurants, a movie theater and businesses that cater to daily needs
- Support the land use changes proposed in this plan, and any future land use changes and rezonings that may facilitate the location of desirable service providers and retail at targeted locations (e.g., shopping centers) and along designated corridors. (see Land Use section of this chapter for information about mixed use).

Staff Analysis: At the plan amendment meeting, members of the University Hills Planning Contact Team said that during the planning process the stakeholders were clear that they did not want Manor Road to transition to an intense commercial corridor, but desired low-intensity, neighborhood-serving commercial uses that would complement the surrounding neighborhoods.

The Neighborhood Mixed Use land is appropriate for this location:

Neighborhood Mixed Use

An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shop-front retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

Purpose

- Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
- Provide transition from residential use to high intensity commercial or mixed use.

Application

- Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
- May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

BACKGROUND: The application was filed on July 28, 2011, during the open period for neighborhood plan amendment applications located in City-Council approved planning areas located on the east side of I.H. 35.

The applicants propose the change the future land use map from Office to Commercial. The zoning request is from LO-NP to CS-NP. The owners would like to sell the property stating that the CS-Commercial Service zoning district would allow the most uses. The applicants now support staff's zoning recommendation of LR-MU-CO-NP and staff's future land use recommendation of Neighborhood Mixed Use.

The University Hills/Windsor Park Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 9, 2007. University Hills and Windsor Park are contiguous northeast Austin neighborhoods bordered by (from the west, clockwise) IH-35, Hwy 290, Hwy 183, Manor Road, and E. 51st Street.

PUBLIC MEETINGS: The plan amendment meeting was held on September 26, 2011. Approximately 159 meeting notices were mailed to surrounding property owners and

businesses within 500 feet of the property. Eleven people attended the meeting, including one city staff member.

Kennie and Mildred Sneed told the attendees that they are retired real estate agents who are now planning to sell the two properties. They are requesting CS – Commercial Service zoning because they believe it is the highest and best use of the property and could provide more options to potential buyers. Some potential buyers have been a music studio and a clothes store.

At the meeting, the following questions were asked:

Q. Are there public or private deed restrictions on the property?

A. No. the only deed restriction is for the sign.

Note: Wendy Rhoades, the zoning planner, should address this question in more detail in her zoning case report.

Q. What is the size of the building?

A. It is 2,230 sq. ft. in size.

Q. Will you demolish the building?

A. One potential buyer said he wanted a 2-story building. We will need someone to move into the building soon because it is being vandalized.

Q. What potential buyers have you had?

A. Music studio, funeral home, and retail store.

Q. Are you interested in having an apartment building there?

A. No.

Q. Do you know if the retail store did a market study for this area?

A. We just want the zoning for the allowable uses.

Q. This area would like neighborhood uses, like coffee shops, restaurants, etc.

A. Manor Road is a changing area. It is used as a short-cut to UT and will get busier when the toll road happens on Hwy 183.

Some general comments at the meeting were:

- They don't want bars or pawn shops.
- They are concerned about safety and security. They don't want businesses that will attract the wrong people.
- They don't want a noisy business or one that will have parking problems.
- They want businesses that will improve the community.

The University Hills Planning Contact Team submitted a letter in opposition to the plan amendment and zoning change request. After the PCT letter are letters and a comment form in opposition from property owners.

At the December 13, 2011 Planning Commission hearing, the Sneeds distributed a letter/petition form property owners who support the zoning change to LR-MU-CO-NP. A copy of which is provided in this report.

Also at the meeting, the Planning Commission postponed the case to the January 10, 2012 hearing date to allow the applicants to work more closely with the University Hills Planning Contact Team and neighborhood associations on the zoning change request.

CITY COUNCIL DATES:

December 8, 2011 **ACTION:** Postponed to January 12, 2012
January 12, 2012 **ACTION:** Postponed to February 2, 2012
February 2, 2012 **ACTION:** See text below:

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance to change the designation on the future land use map (FLUM) to Neighborhood Mixed Use land use was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote

A motion to reconsider item 31 was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

The public hearing was conducted and the motion to keep the public hearing open and adopt the first reading of the ordinance to change the designation on the future land use map (FLUM) to Neighborhood Mixed Use land use was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote

March 22, 2012 **ACTION:** Postponed to April 5, 2012

CASE MANAGER: Maureen Meredith **PHONE:** 974-2695

EMAIL: Maureen.meredith@austintexas.gov

Letter/petition in Support of LR-MU-CO-NP submitted by the Sneed

WE THE UNDERSIGNED SUPPORT THE CHANGE FROM LO TO LRC THAT HAS BEEN REQUESTED BY KENNIE SNEED AND BY MILDRED SNEED

PC 12/13/2011

Permitted and Conditional Uses

† For detail on marked uses in the Neighborhood Commercial district, see the Austin City Code 25-2-586.

Items # 5 & 6
Submitted by Kennie & Mildred Sneed

Residential

Bed and Breakfast Residential (Group 1) *

Bed and Breakfast Residential (Group 2) *

Civic

Club or Lodge (c)
College and University Facilities *
Communication Service Facilities *
Community Events *
Community Recreation—Private (c) *
Community Recreation—Public (c) *
Congregate Living (c)
Counseling Services
Cultural Services
Day Care Services—Commercial
Day Care Services—General
Day Care Services—Limited
Family Home *
Group Home Class I—General *

Group Home Class I—Limited *
Group Home Class II (c) *
Guidance Services
Hospital Services—Limited (c)
Local Utility Services
Private Primary Educational Services *
Private Secondary Educational Services *
Public Primary Educational Services *
Public Secondary Educational Services *
Religious Assembly
Residential Treatment (c)
Safety Services
Telecommunication Tower (PC) *

LR (continued)**Commercial**

✓ Administrative Business Office	✓ Off-Site Accessory Parking
✓ Art Gallery	✓ Personal Improvement Services – not exceeding 5,000 sq/ft of gross floor space
✓ Art Workshop *	✓ Personal Services
✓ Consumer Convenience Services	✓ Pet Services
✓ Consumer Repair Services	✓ Plant Nursery (c) *
✓ Financial Services	✓ Printing and Publishing
✓ Food Sales	✓ Professional Office
✓ General Retail Sales—Convenience	✓ Restaurant—Limited *
✓ General Retail Sales—General – not exceeding 5,000 sq. ft of gross floor space †	✓ Restaurant—General – not exceeding 4,000 sq/ft of gross floor space † *
✓ Medical Offices—not exceeding 5,000 sq/ft of gross floor space	✓ Service Station *
✓ Medical Offices—exceeding 5,000 sq/ft of gross floor space (c)	✓ Software Development
	✓ Special Use Historic (c) *

Industrial

Custom Manufacturing (c)

Agricultural

Urban Farm *

Name	Address	Phone
Michael C. Martin	6166 Gables Blvd	928-11341
Donna Colvin	2607 Loyola Lane	928-8111
Donna Colvin	2607 Loyola Lane	928-8117
Clinton	3101 Loyola Lane	928-8155
1201 Loyola Lane	2101 Loyola Lane	928-8155

1	Richard J. Lattin	6308 Waynesburg Ave	727-0164
2	Theresa L. Arnold	6306 Waynesburg Ave	512-512828
3	Cheryl L. Arnold	6305 Waynesburg Ave	512-512801
4	Delia Vance	6309 Waynesburg C.V.	512-799-05
5	Willie Collins	6311 Waynesburg C.V.	512-743-95
6	Ashika Coleman	6311 Waynesburg C.V.	512-743-95
7	Ruth L. Price	6404 Hartwick Place	512-928-0111
8	Earnest Price	6404 Hartwick Place	512-928-0111
9	Michelle L. Price	6403 Hartwick Pl.	512-928-0111
10	Linda Moya	6807 Milliken CV	512-926-7418
11	Therese T. Moya	6807 Milliken CV	512-926-7418
12	Shelley Castorena	6802 Langston Dr	512-737-79
13	Ray Eldred	6611 Greensboro Dr	926-3146
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TO: City of Austin Planning Commission
and City Council Members

RE: Planning Commission Agenda – November 8, 2011 (Agenda
Items #6 & #7)
City Council Agenda – December 8, 2011

Application for rezoning – 6500 & 6402 Manor Road (C14-
2011-0087) (Kennie & Mildred Sneed, Applicants)

University Hills/Windsor Park Neighborhood Plan Amendment
Request (NPA-2011-0023.01)

DATE: November 8, 2011

Dear Planning Commission and City Council Members:

On September 6, 2011, October 4, 2011 and November 1, 2011, the University Hills Contact Team held meetings in accordance with its bylaws to discuss the applicants' proposed future land use amendment and zoning change from Limited Office ("LO") to General Commercial Services ("CS") for the properties located at 6500 Manor Road and 6402 Manor Road. Along with several contact team members, residents of the community were present during at least two of those public meetings. In September and October, contact team members received additional feedback from other surrounding neighbors which was taken into consideration by the contact team. On September 26, 2011, a public meeting was held with regard to the proposed plan amendment, which was noticed by and facilitated by Maureen Meredith of the City's Planning and Development Review Department. Several members of the community were present for that meeting. Ms. Meredith provided background and education with regard to the zoning and plan amendment process and answered questions from those present.

Although Mrs. & Mrs. Sneed's (the applicants) application for zoning filed in July 2011 listed a proposed use for the properties as "music studio," they have since stated this is no longer the case. According to the Sneeds, investors who have shown interest in purchasing the property at some point in the past included a funeral home and a clothing store; however, they have no serious potential buyers currently. Mr. & Mrs. Sneed were very clear

during our meetings that they simply want the highest zoning for the property for speculative purposes in order to sell at the highest price possible since they are retiring and closing their business.

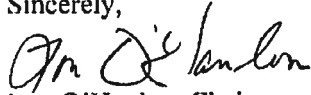
On November 1, 2011, the University Hills Contact Team of the University Hills/Windsor Park Neighborhood Plan voted to oppose the applicants' application to rezone these properties from LO to CS. Some discussion occurred regarding a compromise to LR (staff's recommendation); however, it was felt by the majority that no change in circumstance has taken place that would be significant enough to go against the wishes of the community developed during the neighborhood plan process by agreeing to change the zoning from LO to any higher level of zoning. To address staff's historical statement in the backup material, it is our position that the fact a piece of property west of the subject property was rezoned in 2007 to LR should not be a determining factor in this instance since that property lies within the Windsor Park planning area of the neighborhood plan. Consequently, that decision was made solely by the Windsor Park Contact Team.

As background, it is our understanding that in the early 1970s Mr. and Mrs. Sneed requested that these properties be rezoned from Single Family Residential to LO for the express purpose of putting their real estate office at that location. Despite the considerable protest by the residents of University Hills at the time, the zoning was changed to LO. These properties adjoin several homes. From 2005 to 2007, the neighborhood planning process took place with regard to the University Hills and Windsor Park planning area. When the University Hills/Windsor Park Neighborhood Plan was submitted to the Planning Commission in 2007 for approval, City planners agreed with the University Hills planning team to keep the zoning on these properties to LO. Accordingly, the current zoning of LO was kept in place at that time and the corresponding FLUM was adopted. Based on the comments received by the contact team during its recent public meetings, the basis for the community's desire to maintain this property as LO during the 2005-2007 neighborhood planning process has not changed.

For the reasons stated above, the University Hills Contact Team opposes any change in zoning on the subject properties from LO-NP.

Thank you for your time and for your service to our City.

Sincerely,

A handwritten signature in black ink, appearing to read "Lou O'Hanlon".

Lou O'Hanlon, Chair
University Hills Contact Team
University Hills/Windsor Park Neighborhood Plan

Cc: Wendy Rhoades, Planning & Development Review Department
Maurcen Meredith, Planning & Development Review Department

Letters in opposition from one property owner

-----Original Message-----

From: Andres Forero

Sent: Tuesday, September 27, 2011 1:06 PM

To: Meredith, Maureen

Subject: Re: Opposition to 6500 Manor Rd. Application

Meredith,

I got back in town last night and I did see the sign on the window today. I really wanted to attend the meeting yesterday.

Again, I have been around the University Hills neighborhood for over 25 years and I just can't find any way to justify changing the zoning of this property. Manor Road has been undergoing quite a dramatic transformation over the last couple of years and it would be just tragic to allow a car repair facility (just one example) to occupy the very important corner of Northeast Dr. and Manor Rd. Worse, the city has been investing quite a bit of money on infrastructure that very specific area (corner of Manor and Northeast, and surrounding streets in University Hills) and further gentrification of the residential area around the property is absolutely imminent.

The very recent construction of new apartment buildings on Manor Road at Mueller is creating quite a bit of buzz on the future of North Manor Road. A group of investors is already pouring a significant amount of money on a medical building on Manor and Berkman, and people are eying further development of professional buildings along that corridor North of Mueller. The building at Manor and Anchor is being renovated at the moment, and new businesses like the Contigo restaurant at the same location are drawing quite a crowd. The next logical step in the gentrification process of the Manor Rd. corridor is the University Hill area as a renewed residential magnet in East Austin.

Please, please, please don't allow the corner of Northeast Dr. and Manor to be ruined with uses not compatible with residential uses.

Thank you.

Andres

-----Original Message-----

From: Andres Forero

Sent: Monday, September 26, 2011 7:47 PM

To: Meredith, Maureen

Subject: Re: Opposition to 6500 Manor Rd. Application

Dear Meredith,

Unfortunately I am out of town today I was unable to attend the meeting regarding this property.

Let me reiterate our strong opposition to the change in zoning to this property. We own the building at 6600 Manor Road -over 24,000 sq ft of professional offices- one house away from the property in question and two additional commercial lots on Lakeside. We are also just about to sign a contract to purchase an additional property within 500 ft of 6500 Manor Road.

The proposed change in zoning would greatly affect the value of our properties and we are determined to challenge it with all our resources.

Personally, I have lived in three different places in the University Hills neighborhood in the past and I have witness the struggle of the neighborhood to keep the residential character of this stretch of Manor Road though the years (I first lived in the neighborhood in 1986).

The proposed zoning would allow uses clearly not compatible with the residential character of this neighborhood and the gentrification process taking place around this property.

Please note this process has been highly irregular as the sign posted in front of 6500 Manor Road was only up for two days. We have documented such irregularity.

Please let me know how to proceed on how to file a formal opposition to this change in zoning.

Sincerely,

Andres Forero, Ph.D
Managing Member 6600 Manor Road Investments LLC.

PUBLIC HEARING COMMENT FORM *Item*

C/6

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
Maureen Meredith
P. O. Box 1088
Austin, TX 78767-8810

RECEIVED
11/13/2011

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2011-0023.01
Contact: Maureen Meredith
Public Hearings --
Planning Commission: Nov. 8, 2011
City Council: Dec. 8, 2011

☐ I am in favor
☒ I object

Christine S Bertland
Your Name (please print)

3307 Lakeside Dr Austin 78723
Your address(es) affected by this application

Christine S. Bertland M.A. 31 Oct 2011
Signature Date

Comments: *The proposed change would introduce commercial zoning into an area which is largely single family zoning. Granted that Manor Rd is largely business-oriented, Lakeside Dr is very quiet, having houses on one side. "Commercial" would add unwelcome traffic. The speed property should stay "Office," ~~not~~ else "commercial" would lower my property value.*

PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend.

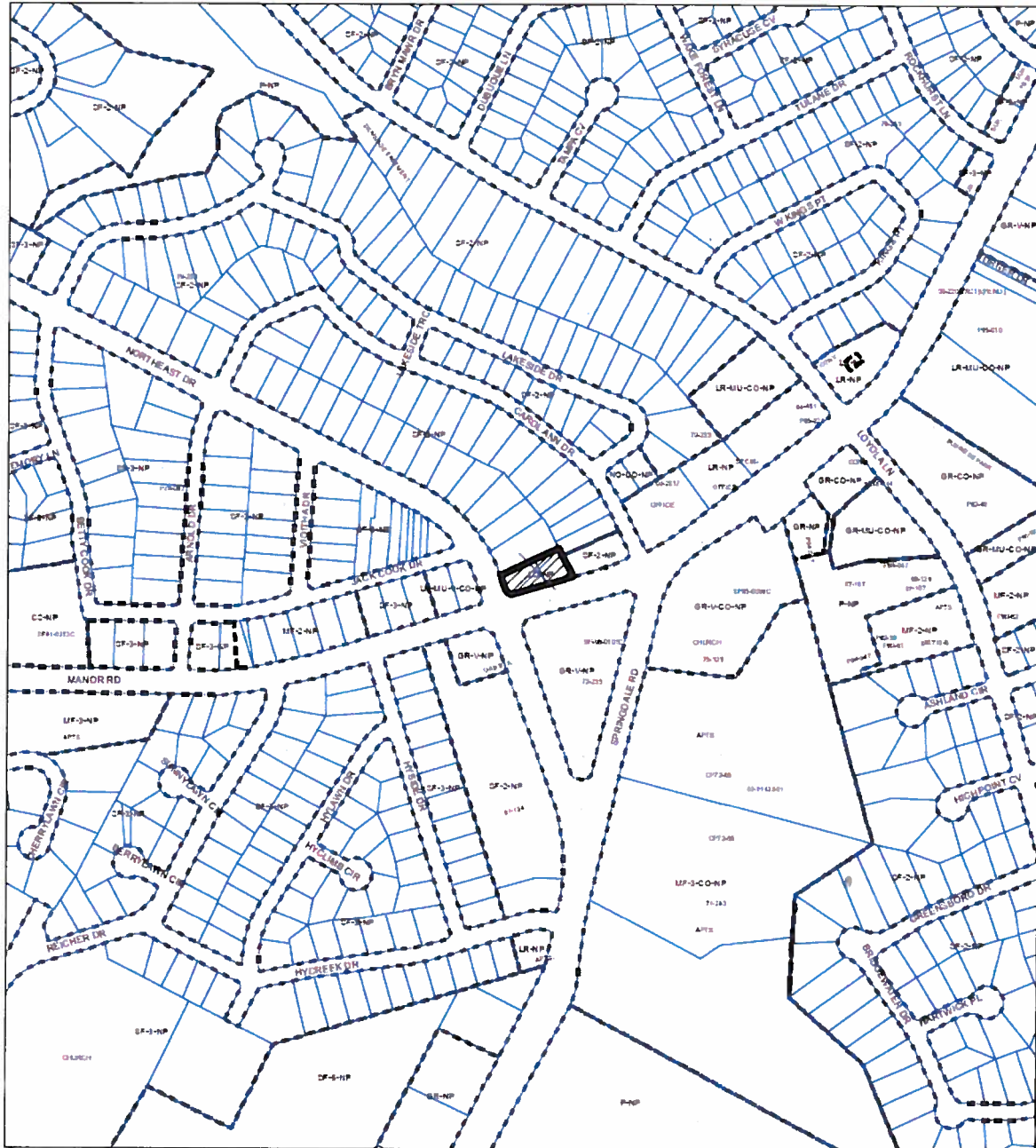
speakers distributed at the Nov. 8, 2011 PC hearing

During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin Planning and Development Review Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website: <http://www.ci.austin.tx.us/planning/neighborhood/>.



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NEIGHBORHOOD PLAN AMENDMENT

NPA CASE#: NPA-2011-0023.01

LOCATION: 6500 MANOR RD

SUBJECT AREA: 40 ACRES

GRID: M26-M25

MANAGER: MAUREEN MEREDITH



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

