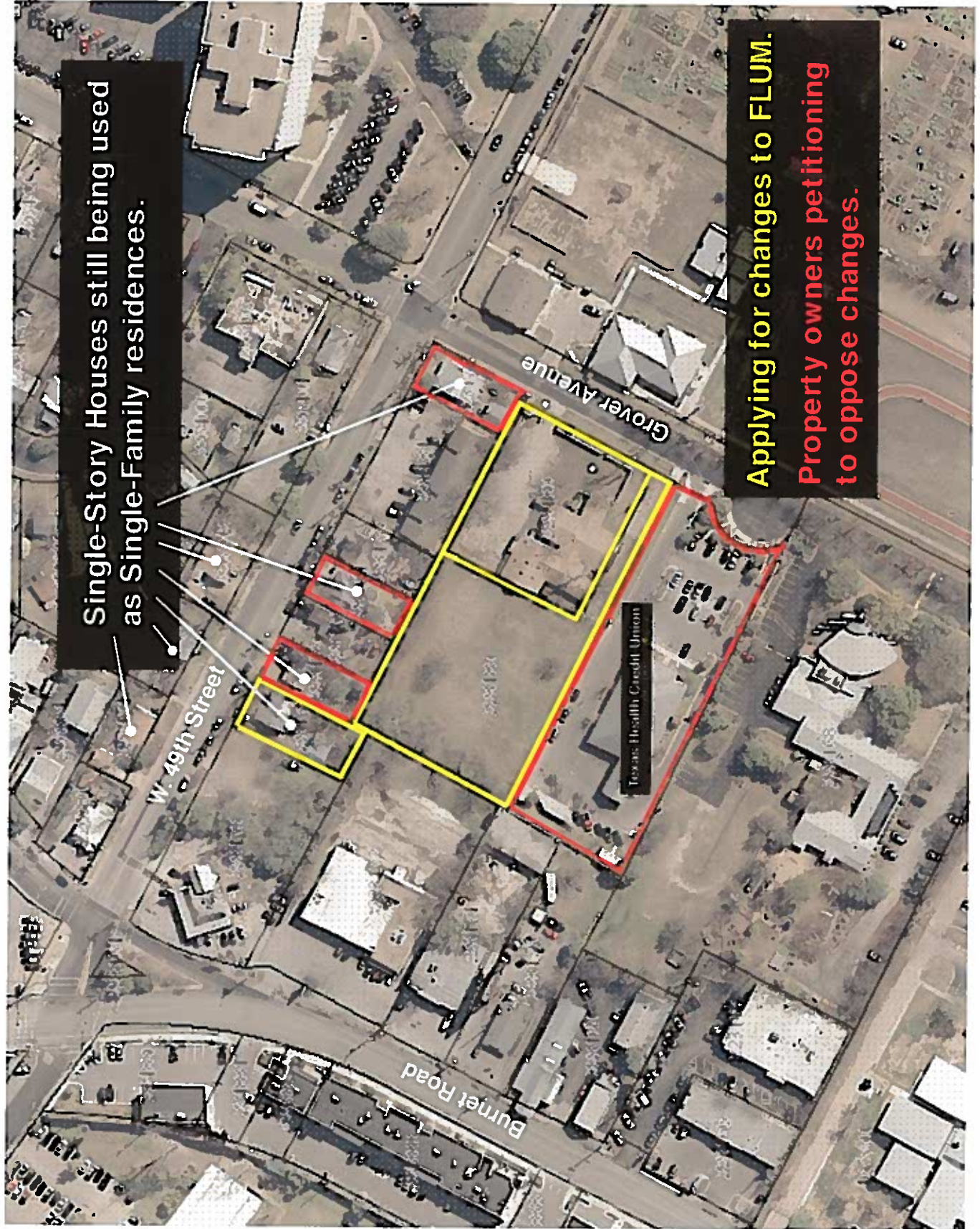


(13-15



PUBLIC MEETINGS: The ordinance-required plan amendment meeting was held on April 24, 2012. Approximately 157 notices were mailed to people who live within 500 feet of the property, in addition to neighborhood organizations and environmental groups registered on the City's Community Registry. Twenty-seven people attended the meeting, which included the applicant's agent.

[At the time of the meeting, all six cases were being considered as one project. For the three plan amendment cases that are moving forward, NPA-2012-0018.05, NPA-2012-0018.07, and NPA-2012-0018.09, the discussion from the meeting will be the same in all three case reports.]

Nikelle Meade, from Brown McCarroll (who was the agent at the time) said there were originally eight properties involved in the land assembly to create the project. By the February deadline, two property owners had yet to decide whether to be part of the project so only six cases moved forward with the plan amendment applications.

Note: By the time the applications were scheduled for public hearings on August 28, 2012, only three of the six applications moved forward. The other three cases expired.

Ms. Meade said eventually the owners plan to request a zoning change to CS-MU-NP because they would like the additional 20 feet in height for a proposed 60 feet and five stories; although compatibility standards would limit height in certain areas.

She said the price of the apartments would run between \$1,500 to \$2,000 a month and would be one to two bedrooms. Their goal is for 300 apartment units on the assembled properties.

After her presentation, the following questions were asked or comments made by the attendees:

Q: What zoning do you propose?

A. The Mixed Use land use and the CS-MU zoning district. Our goal is to have 300 dwelling units to make the numbers work. We could restrict out uses in the CS-Commercial Service zoning district. The properties are currently zoned Office, so if they were to be developed fully as office you would still have traffic problems.

Q. The Mixed Use would allow other uses than just apartment, which could bring diversity to the neighborhood so people could walk to stores, restaurants, etc., but a strictly multifamily development does not help the neighborhood. The Triangle Development has a lower height and it appears to be successful. Would you consider a lower height, such as 40 feet?

A. No, 40 feet would not work for the project.

Q. How many apartment dwellers are pedestrian people?

A. Market studies show that people want to live in an urban area and are willing to pay higher rent in exchange for access commercial uses within walking distances to where they live.

LO

Limited Office

Limited Office district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

Site Development Standards

Lot		Massing	
Minimum Lot Size	5,750 sq ft	Maximum Height	40 ft
Minimum Lot Width	50 ft		or 3 stories
Maximum Building Coverage	50%	Minimum Setbacks	
Maximum Impervious Cover	70%	Front yard	25 ft
Maximum Floor Area Ratio	.7:1	Street side yard	15 ft
		Interior side yard	5 ft
		Rear yard	5 ft

CS

General Commercial Services

General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

Site Development Standards

Lot		Massing	
Minimum Lot Size	5,750 sq ft	Maximum Height	60 ft
Minimum Lot Width	50 ft	Minimum Setbacks	
Maximum Building Coverage	95%	Front yard	10 ft
Maximum Impervious Cover	95%	Street side yard	10 ft
Maximum Floor Area Ratio	2:1	Interior side yard	n/a
		Rear yard	n/a



4/17/2012

Dear Brentwood Neighborhood Planning contact team,

My name is Jay Long. I own property in Brentwood at 1211 W. 49th Street. My wife and I purchased this property in 2003. We had always wanted a place to call our own and we immediately began landscaping and improving the property. We have planted over sixteen small trees and hundreds of various perennials so you could say we've both literally and figuratively put down roots. I am a local artist who exhibits nationally but I call Austin my home. One of the things I liked about our property was a little addition off the back of the house that I could use as a studio. When we received notice in early 2004 of a proposed neighborhood plan, which recommended that our property zoning change from SI-3 to LO-MU-NP, we examined the implications on the Zoning Use Summary table, and two of the first three permissible uses were Art gallery and Art workshop. It seemed like a perfect fit, so we had no objection. My wife and I are both artists and if someday we could turn our home into a neighborhood gallery that seemed like a positive. For the past nine years we have enjoyed living in the Brentwood neighborhood and have continued to improve our property.

In early 2012 we were approached by an apartment builder who solicited our help in filing an application to amend the Future Land Use Map. It was suggested that it would benefit all parties and have no negative consequences. I was also asked if we would be interested in selling our home, as their stated goal was to build a five-story high, block-sized apartment complex, and my response was no. This is our home, my wife and I have invested our time, energy, and vision into it and we want to see our property flourish. On an environmental note we also really wanted to see

the trees we planted continue to grow, not be scraped away. So you can see that part of our position here does involve some preservation and personal interest. However the impending developments did encourage us to think about the idea that perhaps we should give up our endeavors here and start over somewhere else. When we began to think about where else we would go it ended up helping us to articulate what we originally liked about this area of Austin which we had always thought was one that held a lot of positive future potential.

So this brings us to our current position on the future of this neighborhood and our rationale behind it. One of the things that I think many people in this area enjoy is the mixture of mid-century commercial buildings and houses that were the foundation of this area mixed with eclectic new small-scale businesses and modern homes which have risen to meet the needs of our modern community. It gives us some sense of our history while also appropriately transitioning into the twenty-first century. I think most clever neighborhoods endeavor to preserve some of what gave their area it's personality while allowing for the important and inevitable change associated with progress. There are many examples of this mixture, but for relevance and distance to my own location, you have only to look at the blocks of Burnet between 45th and 49th. You have, in a similarly-scaled mixture of mid-century and recent construction, a variety of businesses, including a bakery, a gym, a potter, a ballet school, a pet supply, a grocer, a salon, cafes, restaurants, wine bars, lawn-mower repair, a knife-sharpest, a vet, and of course the venerable Omelettry, all geared towards the needs of the local community. It even looks as if we might be able to look forward to a new local brew-pub and pizza parlor, where A&A Appliance used to be. So my concerns begin with the scale of this new proposed project and it's lack of compatibility and similarity to the others in the area. My hope is that this area continues to develop and maintain its progress toward community oriented enterprises which are scaled appropriately and fit the needs of the neighborhood. When a new developer comes to your neighborhood you want them to be just that, a good neighbor, a business who has as part of it's goal to profit by serving the needs of the community. These combined concepts aimed at developing valued community resources create prosperity and a sense of pride in the neighborhood. This pride of ownership translates into a greater sense of community and to people improving their own properties as well as having an interest in maintaining them with the goal of a more livable, vibrant, and enjoyable neighborhood.

As a final concern, I think it's important to address the downside of the possibly large quantity of traffic entering a five-story, block sized complex from either Grover, where the students from the School for the Blind take their walks, or from southbound Burnet without a left-turn lane. Due in large part to the Department of State Health Services 49th Street is already bumper to bumper at commuting hours so it's not hard to imagine the negative impact that an increase in traffic would cause.

In conclusion my position is that this area should maintain it's current zoning with an eye towards developing the neighborhood in a way that is consistent with the existing Brentwood/Highland Combined Neighborhood plan. My hope is that by doing this we will continue to attract the type of entrepreneurs who share the local community's vision.

Sincerely,
Jay Long

Hello members of the Planning Council,

9/25/2012

My name is Jay Long, I live in Brentwood, in property I own on W 49th Street, and I am here today to represent my self and my neighbors in requesting that the Brentwood Neighborhood Future Land Use Map or FLUM not be amended for the cases before you today.

On April 24th I, members of my community, and the Brentwood Neighborhood contact team met with the applicants representative Nikelle Meade, and Maureen Meredith from the City of Austin to discuss amending the FLUM. At the meeting the applicant stated that they planned to eventually seek CS-MU-NP zoning, as they were proposing a five-story block-sized residential building with three-hundred units. After hearing everyone's concerns and considering all the issues the Brentwood team voted unanimously to oppose the changes. After this initial meeting three of the original six applications were no longer pursued. When the applicants changed representatives and the amount of current applications, the Brentwood team again invited any interested neighbors and met with the applicants new representative Alice Glasco over coffee. Nothing appeared to have substantially changed regarding the teams reasons to oppose or what the applicant was trying to get.

I had originally contacted and written a letter to the Brentwood team voicing my opposition noting several important concerns and although the applicant is no longer currently pursuing all of the original applications my opposition and concerns remain, in fact some have increased. I have provided that original letter to the planning commission and sincerely hope it is also read before a decision is reached on these cases. The Brentwood FLUM designates that large scale developments should be built on the two main corridors of our neighborhood. These areas are designated as going north and south on Burnet Road and North Lamar. The problem is, now it seems like instead of finding appropriately zoned property and developing there, developers are finding a little frontage on one or the other of the two major roads and then trying to up-zone the areas east and west into the neighborhoods behind them, to increase their footprint, height, and profit at a loss to the neighborhood. It is our feeling that keeping a transition of smaller scaled buildings in our neighborhoods and bigger developments on the major corridors provides the most benefit and a more attractive balance for our community.

In 2004 during the planning phase of the Brentwood Neighborhood FLUM it was proposed that W. 49th street between Burnet and Grover be changed from SF-3 to LO-MU-NP. As a resident and property owner on W. 49th Street at that time my wife and I didn't have a compelling reason to oppose it, as it seemed like the definition of Limited Office fit the needs of our neighborhood. By definition it suggested that we have offices in repurposed single-story houses and other buildings that were similarly scaled in appearance to the neighborhood environment. Small office buildings that would serve the needs of the community and transition from the neighborhood to the major corridors in a way that resembled the neighborhood and were appropriately scaled. There were already a couple of people sort of home officing out of their houses without a problem at the time, so it seemed like a reasonable idea. Part of me wishes now that I had opposed it. If the City was just going to eventually change the zoning from Limited Office/Mixed-Use on our block to Mixed-Use/Commercial I wish they had

just done it back then. If that had happened my wife and I would have known better than to spend the last nine years of our life improving our single-story single-family residence property in accordance with, and with the assurance that this area was going to be protected by, the Brentwood FLUM. For the record four of the six single-story houses, directly adjacent to the applicants properties, on the south side of W. 49th are still being used as single family residences. Three of the houses are occupied by the owners and all three have signed a petition not to change the FLUM or the zoning. The only house being used as a residence not on the petition is the one still applying to change the FLUM so he can get a better price when he sells it to the other applicants and leaves our community. Being a lay person in these matters I hope you will forgive me, I just recently found out that my petition will not be validated since the applicants are not actually filing at this time for the CS zoning that they told us they would seek at our two other meetings. I was told that it would only be symbolic and symbolic it is, as you only have to look at the graphic on the cover of my handout to see that they are literally surrounded by opposition to amending the FLUM. I would also like to note that of all the houses on W. 49th street, both on the north side and the south, only three are actually being used as Professional offices The other seven are still being used as single-family residences.

The City's gift of a FLUM amendment and an increase in value to the applicant would come at a direct loss to the affected adjacent property owners and the neighborhood. Nobody I've talked to in the small homes north of 49th street wants to live in the shadow of a large scale building nor do they want the increase in traffic on a small street like 49th. This is a street is where our neighbors and the students from the Texas State School for the Blind take their walks.

We truly do understand the need for increased urban density and Brentwood's FLUM addresses that. It is not Brentwood's fault that the applicants small Burnet frontage is simply not large enough to accommodate their vision. Our sincere hope is that they will find a use for it that is appropriately scaled and adds to the interesting mix of businesses currently emerging in what the Austin Independent Business Alliance is referring to as the lo-burn ibiz district.

It is because of our desire to keep our neighborhood attractively balanced, and developed with an eye towards attracting the type of entrepreneur who profits by benefiting the Community, that we, I, respectfully request that the Brentwood Neighborhood Future Land Use Map be respected in these cases and not amended. In conclusion I sincerely appreciate the to opportunity to have a voice in an issue literally, so close to home. Thank You.

