

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0114
Monaco II

P.C. DATE: 10/23/2012

ADDRESS: 2440 Wickersham Lane

AREA: 1.960 acres

OWNER: PDQ Austin Overlook, Inc.
(T. Mark Knutsen, President)

AGENT: Vaughn & Associates
(Rick Vaughn)

ZONING FROM: MF-2; Multifamily Residence Low Density

ZONING TO: GR-MU; Community Commercial-Mixed Use Combining District

NEIGHBORHOOD PLAN AREA: East Riverside/Oltorf Combined
(although not included in FLUM or NP rezoning)

SUMMARY STAFF RECOMMENDATION

Staff recommendation is to grant Neighborhood Commercial – Mixed Use – Conditional Overlay, (LR-MU-CO) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day and prohibit liquor sales as an accessory use.

PLANNING COMMISSION RECOMMENDATION:

October 23, 2012

To Grant Community Commercial-Mixed Use – Conditional Overlay (GR-MU-CO) Combining District with Conditions [Motion by Commissioner Nortey; Seconded by Commission Hernandez; Vote 8-0].

CONDITIONS OF PLANNING COMMISSION RECOMMENDATION:

1) Prohibit the following uses:

Automotive Repair Services
Automotive Sales
Commercial Off-Street Parking
Community Recreation-Public
Congregate Living
Drop-Off Recycling Collection Facility
Exterminating Services
Hospital Services-General
Hotel-Motel

Indoor Sports and Recreation
Off-site Accessory Parking
Outdoor Entertainment
Pawn Shop Services
Private Primary Educational Services
Private Secondary Educational Services
Residential Treatment
Service Station
Theater

- 2) Residential uses shall be limited to MF-3 density standards;
- 3) Hours of operation for commercial uses shall be limited to Sunday through Thursday, 6 AM to 10 PM and Friday through Saturday 6 AM to 12 AM;
- 4) Prohibit liquor sales as a principal and accessory use; and
- 5) Limit vehicle trips per day to 2,000 unless a traffic impact analysis has been approved prior to City Council adoption of a rezoning ordinance.

UPDATE:

Condition #4: The prohibition against liquor sales as an accessory use was removed as a condition to approval by the Council on January 17, 2013. There was discussion about whether neighborhood representatives, especially the Monaco Homeowners Association (HOA) and the East Riverside/Oltorf Neighborhood Plan Contact Team (NPCT), supported liquor sales associated with restaurant use, beer and wine sales associated with a convenience store use, or both. There was also discussion about the specifics of the Planning Commission recommendation. As evidenced by a letter of support from the NPCT (please see Exhibit B), the NPCT supports both options. Staff has been informed a similar letter of support from the Monaco HOA is forthcoming. Nevertheless, the documents provided to staff and the Council as late backup (see Exhibit C) may have added to concerns about what was recommended and supported regarding alcohol sales.

Condition #5: The TIA was approved on January 11, 2013 and a memo to the effect was provided in late backup materials for the January 17, 2013 meeting. No additional improvements are required as part of the rezoning request (see Exhibit D).

New Condition: The Council added a prohibition against drive-through uses at its January 17, 2013 meeting. This prohibition has been added as a CO to the rezoning ordinance.

DEPARTMENT COMMENTS:

The subject tract is an approximate 1.96 acre tract of undeveloped land at the northwest corner of the intersection of E Oltorf Street and Wickersham Lane. It is surrounded by apartments and condominiums, all of which are zoned MF-2 (see Exhibit A and A-1). The parcel is a combination of remnant portions of previously subdivided and replatted lots (the perceived overlap of the subject tract boundaries with existing GIS data for zoning, parcel, and subdivision boundaries is under review).

This tract, several of the tracts surrounding it, and more in the immediate vicinity, were not included in the East Riverside/Oltorf Neighborhood Plan's Future Land Use Map, or FLUM (see Exhibit A-2); other properties were included in the FLUM with land use designations, but were not rezoned as part of the zoning ordinance that accompanied adoption of that Plan (see Exhibit A-3). Excluded properties along Pleasant Valley Road to the west were designated withdrawn on the FLUM – but with the possibility to be reconsidered as part of a future core transit corridor. Other properties, such as this one, were simply designated withdrawn for future consideration. Of note, the draft East Riverside Corridor Plan does not encompass this tract. Consequently, a neighborhood plan amendment is not required, and the tract will not be designated (differently) on the FLUM as a result of a rezoning.

The request for the rezoning is driven by the desire to construct a multiple story, mixed use building. Specifically, a project with first floor retail, two floors of residential, and subsurface parking is envisioned. A site plan has not been submitted to the City, and the variety and mix of retail tenants proposed for the project have not been established.

Staff has previously received correspondence opposing the rezoning request (see Exhibits E), although an associated public restrictive covenant limiting hours of operation have addressed some of the neighborhood's concerns (see Exhibit F).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-2	Undeveloped (concrete pads from prior temporary use)
<i>North-Northwest</i>	MF-2-NP	Monaco Condominiums; The Heights in Austin
<i>North-Northeast</i>	MF-2	High Point Village Apartments; Wickersham Green Apartments
<i>East-Southeast</i>	MF-2-NP	Coppertree Apartments
<i>South</i>	MF-2-NP	Woodmeade Apartments
<i>West-Southwest</i>	MF-2	Chamonix Condominiums; Chevy Chase Downs Apartments

TIA: The applicant has submitted a TIA. In the absence of an approved TIA, staff is recommending the standard condition of no more than 2,000 vehicle trips per day.

WATERSHED: Country Club East Creek
CAPITOL VIEW CORRIDOR: No

DESIRED DEVELOPMENT ZONE: Yes
HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Southeast Austin Neighborhood Alliance	189
Crossing Garden Home Owners Association	299
Sunridge Homeowners Association	481
Austin Neighborhoods Council	511
Montopolis Area Neighborhood Alliance	634
East Riverside/Oltorf Neighborhood Plan Contact Team	763
Del Valle Independent School District	774
Home Builders Association of Greater Austin	786
Riverside Farms Road Neighborhood Association	934
PODER	972
Homeless Neighborhood Organization	1037
League of Bicycling Voters	1075
Super Duper Neighborhood Objectors and Appealers Organization	1200
Austin Monorail Project	1224
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Pleasant Valley	1255
Del Valle Community Coalition	1258
Austin Heritage Tree Foundation	1340
SEL Texas	1363

SCHOOLS:

Del Valle Independent School District:

Baty Elementary

John P. Ojeda Middle School

Del Valle High School

CASE HISTORIES:

The subject tract was annexed as part of an approximate 177-acre tract annexed in August 1969. In November 1970, 176 of those acres were zoned "BB"; this zoning included not only the subject tract, but essentially everything between the already existing Riverside Farms development to the east and future Pleasant Valley Road to the west, and from Riverside Drive to the north, to approximately 1,000 feet south of the current Oltorf/Wickersham intersection.

Although the first multifamily development in the area appears to be the Hills of Chevy Chase Apartments in 1973, there wasn't pronounced development of multifamily projects until the mid-1980s and again in the late 1990s. In 1984 the Council adopted the Zoning Conversion Ordinance, which converted BB zoning to MF-2 through MF-5, depending on the units per acre and height and area specifications of the BB tract. Many of the site plans for these multifamily projects were approved as a special use site plan, and required Commission approval.

NUMBER	REQUEST	PLANNING COMMISSION
<i>(North-Northwest)</i>		
C14P-85-017 (Monaco) (plan included subject tract)	56 Condominium Units	Approved; 05/14/1985
SP-99-0018C (Heights of Austin, formerly Oltorf Apartments)	192 Apartment Units	Approved; 07/22/1999
<i>(North-Northeast)</i>		
C14P-73-006 (Wickersham Greens, formerly Hills of Chevy Chase)	190 Apartment Units	Approved; 04/18/1973
C14P-79-019 (Highpoint Village, formerly The High Point)	168 Apartment Units	Approved; 07/31/1979
<i>(East-Southeast)</i>		
C14P-84-065 (Coppertree Apartments)	Two Phase Apartment Complex; Ph. I – 252 Units, Ph. II – 264 Units	Approved: 09/18/1984
<i>(South)</i>		
C14P-84-057 (Woodmeade Apartments)	297 Apartment Units	Approved; 08/14/1984
SP-97-0427C (Mission Hills)	Multi-phased Apartment Complex: 344 Units	Approved; 04/27/1998
<i>(West-Southwest)</i>		
C14P-84-044 (Chamonix)	200 Condominium Units	Approved; 06/12/1984

C14P-84-038 (Chevy Chase Downs)	240 Unit Apartment	Approved; 06/12/1984
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RELATED CASES:

In early 2007 a site plan (case # SP-07-0095C) was submitted on the property for a proposed 32-unit condo project known as Austin Overlook Condominiums; the permit was issued on January 29, 2008. With a pending expiration on January 29, 2011, a one year extension was sought and granted (case # SP-07-0095C(XT)). Since that extension expired on January 29, 2012, a new site plan has not been submitted.

As noted above, the site was not rezoned as part of the neighborhood planning process.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-69-235	From "A" Residence to "BB" Residence	(date unavailable at time of this staff report)	Approved; 11/12/1970

ABUTTING STREETS:

Street Name	Right-of-Way	Pavement Width	Classification	Daily Traffic	Bicycle Plan	Bus Service	Side-walks
Oltorf Street	104 to 107 feet	60 feet	Major Arterial	20,952	Yes	Yes	Yes
Wickersham Lane	65 to 82 feet	42 feet	Collector	9,150	Yes	Yes	Yes

CITY COUNCIL DATE:

January 17, 2013

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, with the following friendly amendment, was approved on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent. The amendment was to delete the prohibition of liquor sales.

There was a friendly amendment made by Council Member Spelman to prohibit drive through uses. The amendment was accepted by the maker of the motion.

There was a friendly amendment made by Council Member Morrison to pass the Planning Commission recommendation as is with direction to staff to work with the applicant and

neighborhood and come back with a proposal on how to impose suggested restrictions. The amendment was not accepted by the maker of the motion.

December 6, 2012

Postponed to January 17, 2013 at the request of neighborhood interests. [Motion by Council Member Tovo; Seconded by Council Member Morrison; Passed 7-0].

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Lee Heckman
e-mail address: lee.heckman@austintexas.gov

PHONE: 974-7604

STAFF RECOMMENDATION**C14-2012-0067****BACKGROUND**

The property has been zoned with an multifamily base district since 1970 (BB, then MF-2). Although tracts around it have been developed with apartments and condominiums, this tract remains undeveloped. A site plan submitted in 2007 for multifamily development has expired. The adopted neighborhood plan for this community does not designate a future land use for this property.

SUMMARY STAFF RECOMMENDATION

Staff recommendation is to grant Neighborhood Commercial, Mixed Use, Conditional Overlay, (LR-MU-CO) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day and would prohibit certain uses allowed under the LR district.

(Should a Transportation Impact Analysis be approved prior to Council approval of the rezoning, staff may no longer recommend the 2,000 vehicle trips per day conditional overlay).

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The existing multifamily residence low density (MF-2) district is the designation for a multifamily use with a maximum density of up to 23 units per acre, depending on unit size. An MF-2 district designation may be applied to a use in a multifamily residential area located near single family neighborhoods or in an area for which low density multifamily use is desired.

The requested community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways. Additionally, the proposed mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The GR-MU combining district would allow development of a 3-story mixed-use building as envisioned by the applicant.

Staff recommends neighborhood commercial (LR) district, which is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

This tract is fully surrounded by developed MF-2 property, with adjacent apartments and condos ranging from 2 to 3 stories. The nearest commercially zoned property is an LR tract at the corner of Pleasant Valley and Oltorf, a service station with a convenience store just over 700 feet away. While the relative lack of commercial in this area helps justify the need for additional commercial options, staff thinks neighborhood commercial, LR, is more appropriate than GR for a base commercial district at this location.

As noted above, this application is being driven by the desire to construct a 3-story mixed use building with first floor retail, two floors of residential and subsurface parking. The applicant is amenable to significantly limiting the uses proposed with a GR base district (see Exhibit G). However, these uses are already prohibited in the LR base district. The applicant is also amenable to a private restrictive covenant prohibiting the sale of liquor for offsite consumption.

The proposal for a mixed-use development notwithstanding, staff must also consider the potential development of the site as either retail or multifamily, without the mixed-use component. In that case, staff thinks GR is simply too intense a use at this location and that LR is more compatible with surrounding development at this time. Similarly, GR-MU, if developed only as residential, approximates MF-4 standards. That is thought to be too incompatible with the existing MF-2 zoned surroundings. In contrast, LR-MU would allow development of multifamily that approximates MF-2 or MF-3 standards, which staff thinks is more compatible with the area.

If and when the surrounding multifamily properties are redeveloped, perhaps to a higher level of density or intensity, then a GR base zoning district may be appropriate, as might a less restrictive multifamily allowance; at this time, staff does not think the site is ripe for GR zoning, despite our support for commercial at the site. Despite the less intense nature of the abutting MF-2 zoned properties, compatibility standards would not apply – for either GR or LR. Commercial design standards will apply, even if the property is developed solely as residential.

2. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

Staff recommends LR-MU because the intersection of Oltorf and Wickersham is not that of major roadways as noted in the GR district's purpose statement above – despite the relatively heavy traffic volume noted on each. They are classified currently as a major arterial and collector, respectively. Consequently, staff can support neighborhood commercial but cannot support community commercial zoning.

3. *Zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning; and*
4. *Zoning should allow for a reasonable use of the property.*

The justification for a commercial endeavor at this location seems self-evident when considering the property's surroundings, which consist solely of residential development. Rezoning the property to commercial mixed-use can be justified because there is existing LR at the corner of Oltorf and Pleasant Valley. Additionally, and in the broader context, approximately 1,800 feet east are two GR-based tracts (both undeveloped) and a couple of GO-based tracts (one occupied by the General Services Commission of Texas). The GR-based tracts abut LI-zoned Spansion tracts south of Oltorf, while Sematech's MI-zoned property follows on the north. Commercial can also be found north on Pleasant Valley at its intersection with Sheringham Drive (CS district) and west on Oltorf near its intersection with Willow Creek Drive (GR and CS based districts). Both of these intersections are also about 1,800 feet away. Hence, it appears there could be a real need for commercial development

at this location, and given that there is other commercial in the area, staff does not think this is spot zoning.

At the same time, staff thinks LR is the appropriate commercial base for the proposed mixed-use zoning. Should the residential component not be developed, straight LR is thought to allow for a reasonable use of the site. Similarly, if the project is developed solely to MF-2 or MF-3 standards, that is consistent with the surrounding development and consistent with a previously approved site plan. Staff thinks the approved site plan, though expired, demonstrates that additional condominium development was considered a reasonable use of the property by that applicant, as well as staff.

EXISTING CONDITIONS

Site Characteristics

The site is undeveloped and relatively bare, with the exception of some trees on the western boundary and far southern edge. It is unknown whether these are protected trees. It is a gently-sloped tract, with the southern point being the highest point. It slopes gently downward to the north and slightly to the west. There appear to be no significant topographical constraints or environmental features on the site.

Site Plan and Compatibility Standards

1. There is an existing site plan for the site, SP-07-0114C , Austin Overlook Condominiums; for the construction of 3 buildings, which will include 36 condo units, and associated parking and improvements.
2. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
3. Parkland dedication fees will be required to be paid during the site plan process; \$650 per unit.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Country Club West Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

2. According to flood plain maps there is no flood plain within or adjacent to the project boundary.

3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. 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.
5. Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:
 - Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.
6. At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

1. No additional ROW is required in accordance with the AMATP at this time.
2. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].
3. There are existing sidewalks along both sides of Oltorf ST and Wickersham LN for the subject parcel.
4. Following table shows 2009 Bicycle Plan recommendations for the boundary streets for this parcel:

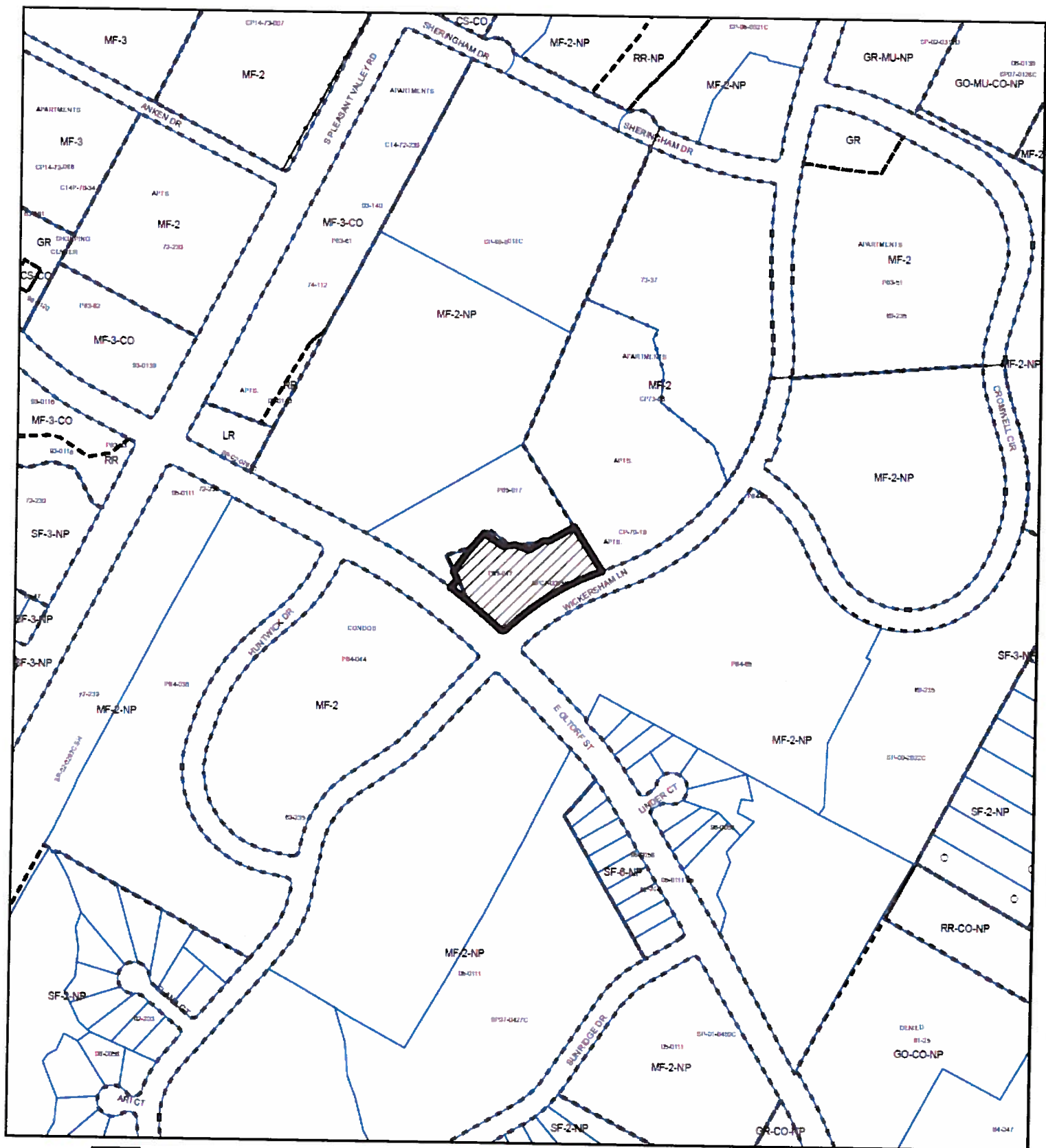
Street Name	Existing Bicycle Facility	Recommended Bicycle Facility
Oltorf ST	Bike Lane	Bike Lane
Wickersham LN	None	Multi Use Path

5. Following Capital Metro bus service routes are available in this zoning district:

331 – Oltorf
20 – Manor RD/LBJ high
411 – E Bus Riverside
685 – WL/CP Wickersham LN Crossing Place
675 – Wickersham LN/UT

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.



ZONING

ZONING CASE#: C14-2012-0114



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

Exhibit A

C14-2012-0114 / Monaco II

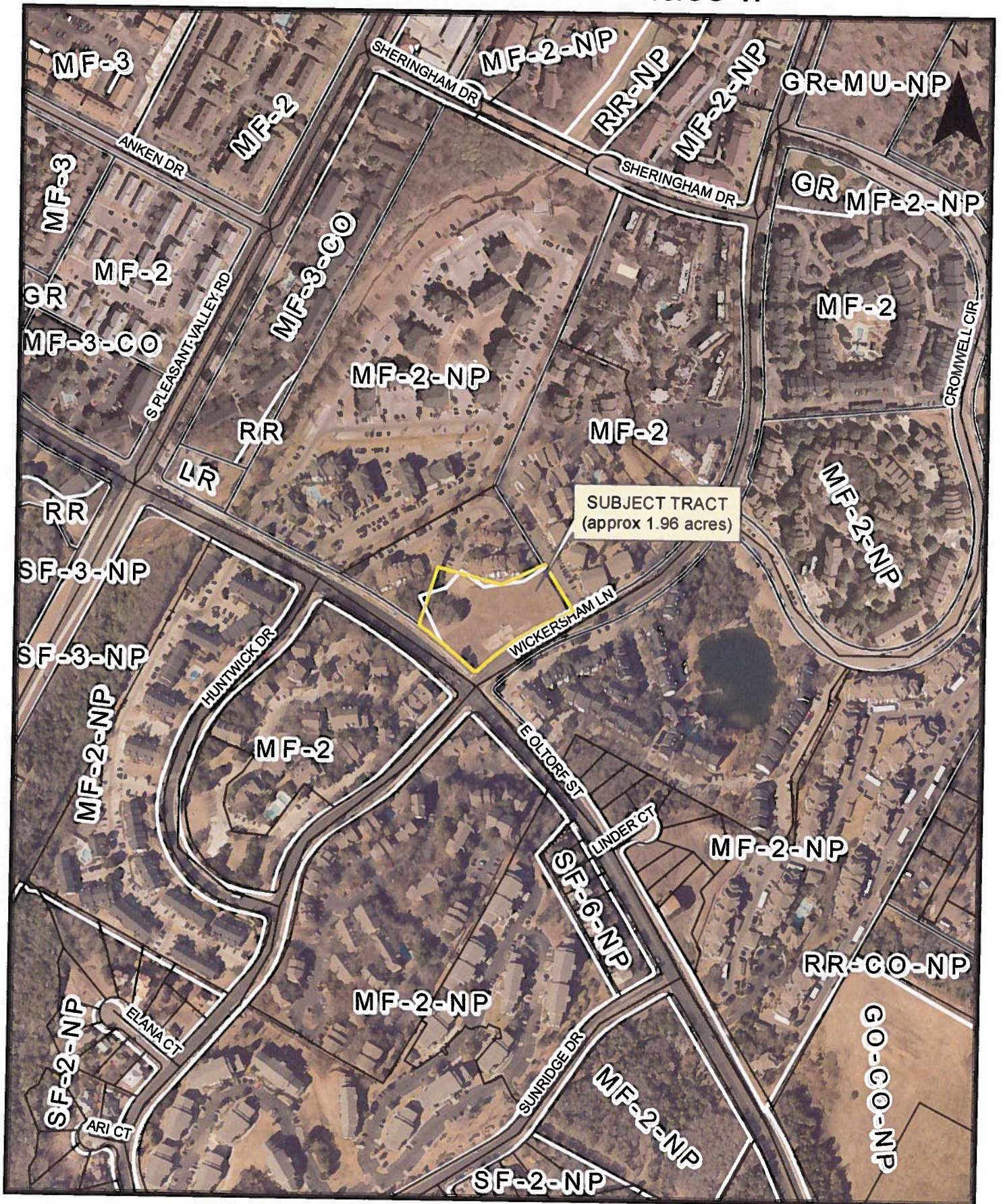


Image Data: 2009

**Aerial Image
Exhibit A - 1**

0 200 400 800
Feet
1 inch = 400 feet

C14-2012-0114 / Monaco II

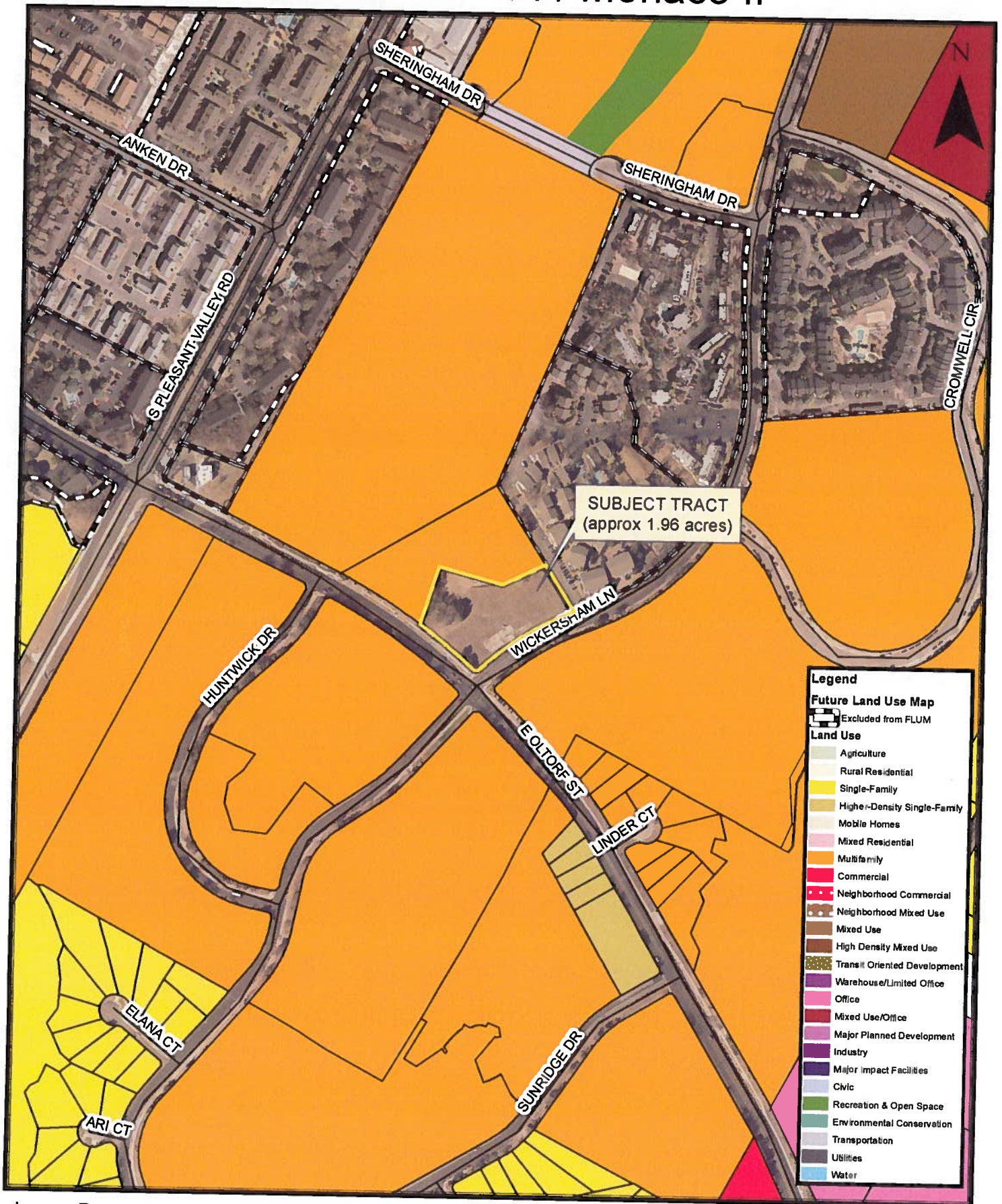
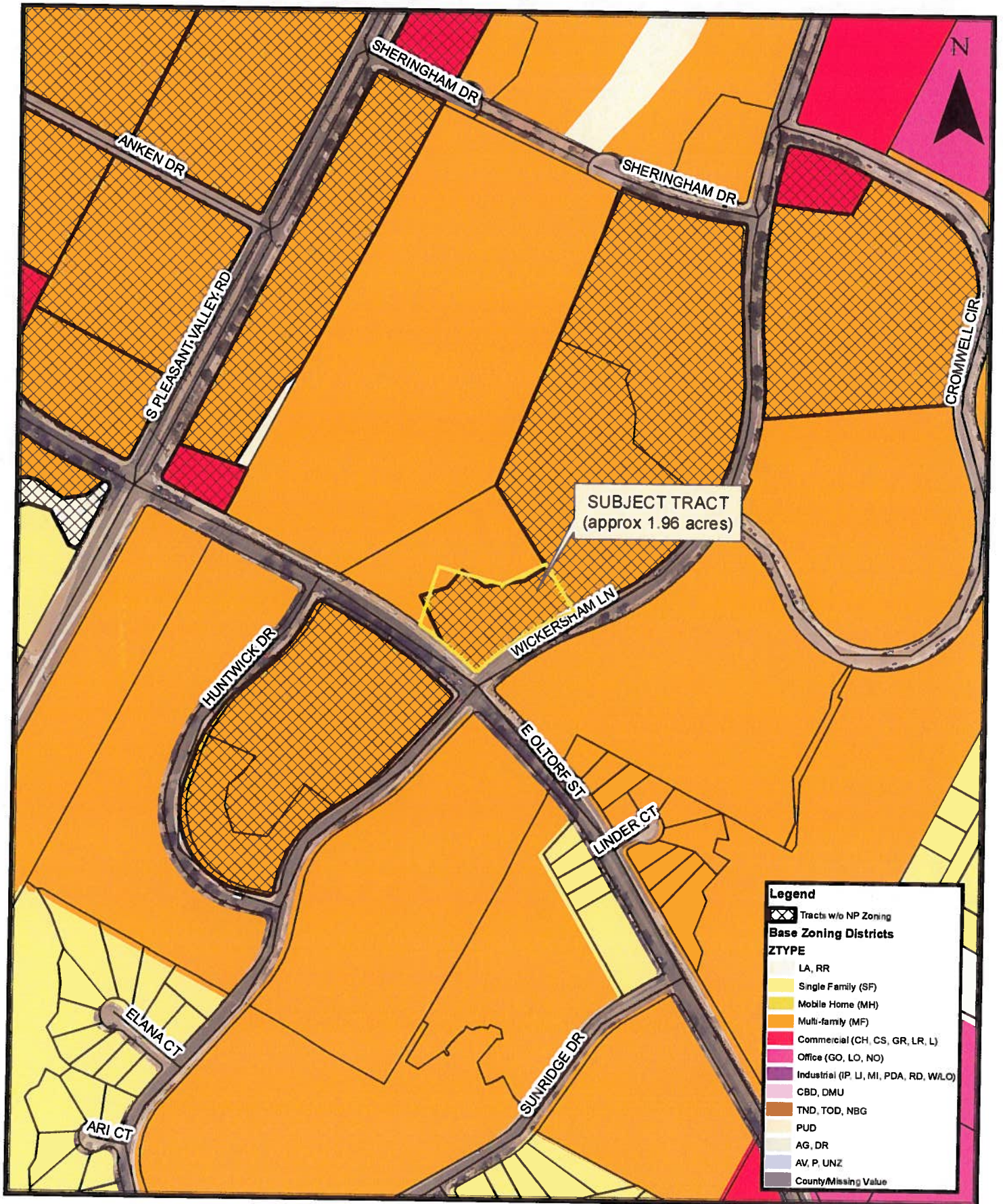


Image Data: 2009

**Future Land Use Map
Exhibit A - 2**

C14-2012-0114 / Monaco II



Zoning & Tracts w/o NP Zoning
Exhibit A - 3

0 200 400 800 Feet

1 inch = 400 feet

RECIEVED

JAN 16 2013

Planning & Development Review

FROM: Mr. Jesse Lona

REGARDING: Agenda Item #83 on January 17, 2013

Dear Sirs and Madam, I am writing to respectfully ask you to please follow the Austin Planning Commission recommendation on Item #83, the zoning case at 2440 Wickersham (Wickersham and East Oltorf), and **please do NOT allow alcohol sales at this location.**


I am a longtime resident of this area. The corner of Wickersham and East Oltorf has residential apartments on all four corners, and beer / alcohol sales will negatively impact our neighborhood's quality of life. We ALREADY have serious problems with crime and vagrancy and DUI in our area! Zoning this property for liquor sales will hurt our neighborhood.

I have collected the attached petition signatures from my concerned neighbors in this area who are opposed to alcohol sales at this location. I have received many phone calls and emails from others.

The party requesting this rezoning originally AGREED to prohibit beer / alcohol sales. They received the support of the Austin Planning Commission based on this promise. Now it seems the developer is going back on their word at the last minute and asking the City Council for permission to sell alcohol after all. This is not right, and bad for our neighborhood.

Please ask the developer to keep their word and support the recommendation of the Austin Planning Commission to NOT allow alcohol sales at 2440 Wickersham.

Thank you,



Mr. Jesse Lona
2201 Willowcreek Drive, Apt. 238
Austin, TX 78741
Phone: 512-803-5400
Email: SaveOltorf@gmail.com

Exhibit C - 1



Pacific Institute
FOR RESEARCH AND EVALUATION

PIRE

Translating Science into Practice

How Alcohol Outlets Affect Neighborhood Violence

Kathryn Stewart



Prevention Research Center
PACIFIC INSTITUTE FOR RESEARCH AND EVALUATION

www.resources.prev.org

Pacific Institute for Research and Evaluation is one of the nation's preeminent independent, nonprofit organizations merging scientific knowledge and proven practice to create solutions that improve the health, safety and well-being of individuals, communities, nations, and the world.

Exhibit C - 2

Introduction

Neighborhoods where bars, restaurants and liquor and other stores that sell alcohol are close together suffer more frequent incidences of violence and other alcohol-related problems, according to recent research by the Prevention Research Center and others. The strong connection between alcohol and violence has been clear for a long time – but now we know that this connection also relates to the location of places that sell alcohol.

Government agencies with authority over land-use and/or liquor licenses can help fight crime and blight and improve quality of life by controlling licenses to sell alcohol and the location of licensees. Governments can make rules that set minimum distances between alcohol outlets; they can limit new licenses for areas that already have outlets too close together; they can stop issuing licenses when a particular location goes out of business; and they can permanently close outlets that repeatedly violate liquor laws.

This paper presents some of the questions and answers about alcohol sales outlets and alcohol problems – especially the relationship between outlet location and violence.

What is the relationship between outlet density and violence?

A number of studies have found that in and near neighborhoods where there is a high density of places that sell alcohol, there is a higher rate of violence. That is, when bars, liquor stores, and other businesses that sell alcohol are close together, more assaults and other violent crimes occur.

Some of the important findings about outlet density and violence are described below.

- In a study of Camden, New Jersey, neighborhoods with alcohol outlet density had more violent crime (including homicide, rape, assault, and robbery). This association was strong even when other neighborhood characteristics such as poverty and age of residents were taken into account.¹
- In a study of 74 cities in Los Angeles County, California, a higher density of alcohol outlets was associated with more violence, even when levels of unemployment, age, ethnic and racial characteristics and other community characteristics were taken into account.²
- In a six-year study of changes in numbers of alcohol outlets in 551 urban and rural zip code areas in California, an increase in the number of bars and off-premise places (e.g., liquor, convenience

and grocery stores) was related to an increase in the rate of violence. These effects were largest in poor, minority areas of the state, those areas already saturated with the greatest numbers of outlets.³

- Violence committed by youth was more common in minority neighborhoods where there are many outlets that sell alcohol for consumption off the premises (such as liquor and convenience stores).⁴ This finding makes sense because underage drinkers are more likely to purchase alcohol in a store than in a bar or restaurant.
- In neighborhoods where there are many outlets that sell high-alcohol beer and spirits, more violent assaults occur.⁵
- Large taverns and nightclubs and similar establishments that are primarily devoted to drinking have higher rates of assaults among customers.⁶

A larger number of alcohol outlets and a higher rate of violence might be expected in poorer neighborhoods or in neighborhoods with a larger population young people. But as the research described above shows, even when levels of poverty and the age and the ethnic background of residents are taken into account, a high density of outlets is strongly related to violence regardless of a neighborhood's economic, ethnic or age status.

All of the characteristics of alcohol outlet location can be important. It is easy to see that a town with many bars, restaurants, and stores that sell alcohol could be different from one that has fewer outlets. It is also easy to see that a neighborhood that has a bar on each corner and a liquor store on each block has a completely different environment than one that has few outlets or none at all. Other characteristics of the environment make a difference, too. For example, a strip of bars near a college campus presents a different environment from a similar density of bars in an upscale city center and also different from a similar density in a poor neighborhood. But in each case, some form of increased violence would be expected as compared to comparable areas with fewer alcohol outlets. A study of changes in outlet density over time as related to violence in California found that regardless of other neighborhood characteristics, an increase in outlets increased violence. In neighborhoods with a high minority population and low incomes, the effect was more than four times greater than for the statewide sample of communities.

What accounts for the relationship between outlet density and violence?

The research that has been done so far cannot pinpoint exactly why having more outlets in a small area seems to result in more violence. Various explanations have been proposed. One is that alcohol outlets can be a source of social disorder. A liquor store parking lot full of people drinking in their cars or on the curb and broken bottles littering the area outside a bar may send a message that this is a neighborhood in which normal rules about orderly behavior are not enforced. Another possible explanation is that a neighborhood with a large number of outlets acts as a magnet for people who are more inclined to be violent or more vulnerable to being assaulted. It is also possible that a high number of outlets results in a large number of people under the influence of alcohol – which makes them both more likely to be violent and less able to defend themselves.⁷ It is most probable that all of these factors come into play.

What is the relationship of outlet density to other alcohol problems?

The density of alcohol outlets has also been found to be related to other alcohol problems such as drinking and driving, higher rates of motor vehicle-related pedestrian injuries, and child abuse and neglect.⁸⁹

How do governments regulate outlet density?

States and communities can regulate the number of bars, restaurants, and stores that sell alcohol in a given area. Sometimes the number and location of alcohol outlets is not limited at all. In some jurisdictions, the number of alcohol outlets is limited based on the population of the area – only so many outlets per thousand residents, for example. In other cases, the location of outlets is regulated – for example, some states or communities set minimum distances from schools or churches. Research increasingly finds, however, that geographic density is the key aspect of outlet location – that is, the distance between outlets. Where over-concentrations of outlets occur, greater problems arise.

Governments can use their regulatory powers to reduce violence by:

- Making rules that set minimum distances between alcohol outlets;
- Limiting new licenses for areas that already have outlets too close together;
- Not issuing a new license when a particular location goes out of business;
- Permanently closing outlets that repeatedly violate liquor laws (such as by selling alcohol to minors or to intoxicated persons or allowing illicit drug sales or prostitution on the premises).

What implications do these findings have for state and local licensing policies?

The research strongly suggests that limits on outlet density may be an effective means of reducing alcohol problems, especially violence. States and communities can use controls on the number and location of alcohol outlets as a tool for reducing violence, creating a safer and healthier alcohol environment, and improving the quality of life of a community.

What other alcohol policies are important?

Alcohol is a legal and widely consumed commodity; but it is also a commodity that can create a variety of serious health and social problems. Alcohol policies are an important tool for preventing these problems. Every day, states and communities make decisions about the sale of alcohol: who can sell it, when and where it can be sold, who it can be sold to. State and local laws and policies control many aspects of the system by which alcohol is manufactured, marketed, sold, purchased, and consumed.

Regulations serve a variety of purposes, for example, they help ensure that tax revenues are collected. But the regulation of the business of selling alcohol goes beyond economic concerns. Each element of the regulatory system provides opportunities for creating a healthier social environment with respect to alcohol. For example, regulations can prevent unsafe sales practices – such as prohibiting all-you-can-drink specials that encourage intoxication. Regulations can control advertising and promotion that appeals to minors and establish the minimum age and training qualifications for people who sell and serve alcohol. Each type of regulation has the potential to ensure that alcohol is consumed in a safe and healthy manner.

What aspects of alcohol availability can be regulated?

The regulation of alcohol sales can have an impact on the availability of alcohol – that is, how easy and convenient it is to buy. Some states and communities try to make alcohol less available by selling it only in limited places – for example, state liquor stores. Other communities sell it more freely – making it available in grocery stores, convenience stores, gas stations, laundromats, drive-through windows, and so forth. States and communities can also limit the hours and days of sale, and other aspects of the conditions of sale. The regulation of availability is important because research generally shows that when alcohol is more easily available, people drink more and more alcohol problems occur.

References

- ¹ Gorman, D., Speer, P., Gruenewald, P., and Labouvie, E. (2001) *Journal of Studies on Alcohol*, 62: 628-636.
- ² Scribner, R. et al. (1995) The risk of assaultive violence and alcohol availability in LA County, *American Journal of Public Health*, 85:335-340.
- ³ Gruenewald, P.J. and Remer, L. Changes in outlet densities affect violence rates. In review, Alcoholism: Clinical and Experimental Research, 2004.
- ⁴ Alaniz, M., Cartmill, R., and Parker, R. (1998) Immigrants and violence, *Hispanic Journal of Behavioral Sciences*, 20, 155-174.
- ⁵ Stevenson, R., Lind., B. and Weatherburn, D. (1999). The relationship between alcohol sales and assault in New South Wales, Australia, *Addiction*, 94(3):397-410.
- ⁶ Stockwell, T. et al. (1992) Levels of drunkenness of customers leaving licensed premises in Perth, Western Australia: a comparison of high and low "risk" premises. *British Journal of Addiction*, 87: 873-881.
- ⁷ Gorman, et al. (2001).
- ⁸ Freisthler, B., Midanik, L.T. and Gruenewald, P.J. Alcohol outlets and child physical abuse and neglect: Applying routine activities theory to the study of child maltreatment. *Journal of Studies on Alcohol*, 65, 586-592, 2004.
- ⁹ Stockwell, T. and Gruenewald, P. (2001) Controls on Physical Availability of Alcohol, in Heather, N., Peters, T., and Stockwell, T. (eds.), *International Handbook of Alcohol Dependence and Problems*, John Wiley and Sons, Ltd.



Save Oltorf< saveoltorf@gmail.com>

Item #38 - No to Alcohol Sales of any kind!

Tanna Allen<XXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXX>

Tue, Jan 15, 2013 at
6:38 PM

To: "saveoltorf@gmail.com" <saveoltorf@gmail.com>

Tanna Allen
2450 Wickersham Lane 903
Austin, TX 78741
512-903-5542

I strongly oppose sales of liquor, beer, wine or any kind in our immediate neighborhood. The lot is surrounded by residences that are hoping for a safer, more appealing environment. Not to devalue what we have. Alcohol sales on that corner will only increase crime, bringing it even closer to the comfort of our homes. As a homeowner in this area, I beg you DO NOT allow the sales of alcohol at the corner of Wickersham and Oltorf.

Thanks,
Tanna

Sent from my iPad

Exhibit C - 8

Gmail - Please prevent sale of liquor at Oltorf and Wickersham development



Save Oltorf <saveoltorf@gmail.com>

Please prevent sale of liquor at Oltorf and Wickersham development

1 message

Linda Yeatts <XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX>
Reply-To: Linda Yeatts <XXXXXXXXXXXXXXXXXXXXXXXXXXXXX>
To: "saveoltorf@gmail.com" <saveoltorf@gmail.com>

Wed, Jan 16, 2013 at 10:34 AM

Dear Mayor and City Council members -

Thank you for all of your hard work and endeavors to make Austin a better city.

I am asking you to please prevent the sale of liquor at the proposed development at Oltorf and Wickersham as liquor is a enabler of more crime in an already high crime area. This area is part of the APD Henry Sector that is historically plagued with the highest or second highest levels of serious and miscellaneous crime in the City of Austin. Historical data studies prove this truth. We do not need to add more fire to the crime flame as this location is in the middle of leased apartments and dwellings of homeowners. Adding additional liquor sales to this area significantly increases the chance of increase in life threatening crime. I will gladly pull statistics and present to council again soon. Statistics show that severity one crimes (homicide and assault) are committed usually as a result of passion, drug or substance abuse (comment from Chief Acevedo). We already have clubs in this area that we have had to repeatedly write/call TABC to make them stop selling liquor as there were murders in their parking lots and sales to minors. Please do not move this potential deeper into the highly poputlated areas of personal homeowners and renters. Wickersham and Oltorf still have a high density of student renters so please consider this fact that you are also endangering students by allowing the sale of liquor at this location. There are several stores in the business areas on Riverside and Oltorf already that sell alcohol. It should not be on every block and it is not available in most neighborhoods across the city. APD is already severly understaffed and does a good job with the limited staff they have, but let's stop adding increased availabilty of liquor that can lead to more crimes in an already understaffed police force and demonstrated high crime area.

This WAS NOT part of the builders plan in negotiation with the neighborhood representatives. Please make him honor his original plan that does not include liquor or alcohol sales. It will be refreshing for you will support the neighborhood as we continue to try to fix our sector via parks, crime fighting initiavtives, etc.- or side with the business man who is not concerned about the neighborhood. The EROC population density is the highest in the city so it would be a great market - but also makes it a great threat for catastrophic rise in crime due to increase in liquor availability.

Thank you for your consideration and time,
Linda Yeatts - very concerned home owner

Exhibit C - 9



Save Oltorf< saveoltorf@gmail.com>

Stop liquor sales on Oltorf and Wickersham.

KC Beck<[REDACTED]>

Tue, Jan 15, 2013 at 10:07
PM

To: saveoltorf@gmail.com

Kenneth Beck
2450 Wickersham Lane, Austin TX
512 422 2623

I am opposing liquor sales at the corner of Oltorf and Wickersham.
This is the only quiet, peaceful section of this entire neighborhood.
Myself and other residents of the area would like to keep it this
way.

Thank you.

Exhibit C - 10



Save Oltorf< saveoltorf@gmail.com>

opposition to alcohol sales

misha bendavid<[REDACTED]>

Wed, Jan 16, 2013 at
6:41 AM

To: Saveoltorf@gmail.com

Phone: 577-3834

Address: 4806 Allison Cove 78741

I oppose alcohol sales at 2440 Wickersham Lane because it promotes crime, exploits lower socio-economic groups, lowers property values and generally is detrimental to the neighborhood.

shalom alechiem

Rabbi Misha ben-David

--

Rabbi Misha L. ben-David B.A./ L.C.D.C./ C.I.S.M.

Pastoral Counselor * Chaplain * Officiant *

Addictions Counselor And Consultant

E-mail communications are not guaranteed to be secure

Exhibit C - 11



pachecod@me.com <XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX>

To: SaveOltorf@gmail.com

Reason for opposing liquor sales: Neighborhoods where bars, restaurants and liquor and other stores that sell alcohol are close together suffer more frequent incidences of violence and other alcohol-related problems, according to recent research by the Prevention Research Center and others. The strong connection between alcohol and violence has been clear for a long time – but now we know that this connection also relates to the location of places that sell alcohol.

Exhibit C - 12

PETITION OPPOSING

ZONING CASE # C14-2012-0114

We do not want another convenience store or any other use that would permit the sale of alcoholic beverages for off premise consumption in our neighborhood! We ask the City Council to make the Developer live up to the agreement he made with Planning Commission and prohibit the off-premise sale of alcoholic beverages recommendation for case # C14-2012-0114 for the property located at 2440 Wickersham Drive.

NAME

ADDRESS

Anna Bruns 1521 Oltorf 512-746-7235

Antonia Torres 3100 Collins Creek Dr ^{945 2171} # ⁷⁸⁷⁴ 7874

Mansa Vasquez 2900 Sunridge Dr #404 78741

Leticia Flores 2400 Wickersham Ln #275 78741 ⁵¹² 552 2833

Ben Leland 3502 E Oltorf

Debra Benthon 2504 Huntwick Dr # 78741

Ronald C Vasey 4704 Sunridge Ct, 78741

[Signature] 2503 E Oltorf Apt 1110 512 4307

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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.austintexas.gov

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: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

Victor GenA

Your Name (please print)

2504 Huntwick Dr.

Your address(es) affected by this application

1-14-12

Signature

Date

Daytime Telephone: *512-552-7265*

Comments:

Would be prime in the area. Need to clean up area and keep it safe for our neighbors & kids.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0114
Contact: Lee Heckman, 512-974-7604
Public Hearing: Oct 23, 2012, Planning Commission
Dec 6, 2012, City Council

ASUN COLEMAN
Your Name (please print)

2900 SUNDY DR. Apt. 215
Your address(es) affected by this application

☐ I am in favor
☒ I object

18741
1/2/13
Date

Signature
Daytime Telephone: 832 6774747

Comments: No way!

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

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

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission
Dec 6, 2012, City Council

Timothy Castanight
Your Name (please print)

4404 E. Oltorf Apt. 802
Your address(es) affected by this application

☐ I am in favor
☒ I object

Austin TX 78741

1-14-13
Date

Signature

83112656745
Daytime Telephone:

Comments:

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

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

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission
Dec 6, 2012, City Council

Your Name (please print)

Tere Jones

Your address(es) affected by this application

2501 Hupstich Dr. Apt 208

Signature

Tere Jones

Daytime Telephone:

Date

1-14-2013

Comments:

No more negativity.
Alcohol cause bad temper.
And bad judgment.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission
Dec 6, 2012, City Council

Pedro Mercado Jr.

Your Name (please print)

4404 E Olton

Your address(es) affected by this application

Lee Heckman

Signature

Daytime Telephone: 731-695-4189

Date

14 JAN 2013

☐ I am in favor
☒ I am against

Comments: Because I don't want more problems on Olton.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

Your Name (please print)

Lee Heckman

Your address(es) affected by this application

4404 E. Oltorf

Signature

Daytime Telephone: 512-906-7245

01/14/12
Date

☐ I am in favor
☒ I object

Comments:

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

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Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

Abraham Garcia
Your Name (please print)

2425 Compton Circle
Your address(es) affected by this application

Abraham Garcia
Signature

Date

Daytime Telephone: *1512-731-3962*

Comments:

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

City of Austin
Planning & Development Review Department
Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

Heston Thomas

Your Name (please print)

9404 E. Ulta St. APT 9302

Your address(es) affected by this application

Heston Thomas III

Signature

1-14-13

Date

Daytime Telephone:

Comments:

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

City of Austin
Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission
Dec 6, 2012, City Council

Joc Gracis

Your Name (please print)

2504 HULWICK #1002

Your address(es) affected by this application

Joc Gracis

Signature

Date

11 JAN 13

Daytime Telephone: 512-389-6762

Comments:

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

City of Austin
Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0114
Contact: Lee Heckman, 512-974-7604
Public Hearing: Oct 23, 2012, Planning Commission
Dec 6, 2012, City Council

Your Name (please print)
Jose D Tello

☐ I am in favor
☒ I object

Your address(es) affected by this application
5200 WICKERSTON AVE
AUSTIN, TX 78740

Signature

Daytime Telephone: 512 384 2411-9338

Date

Comments: IIS a good piece everybody out here sell drugs or look for drug or how to get to drugs

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

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

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.austintexas.gov

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: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

Your Name (please print)

☐ I am in favor
☒ I object

24026177175141110

Your address(es) affected by this application

Signature

Dare

Daytime Telephone:

Comments:

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

9 NAME: Alberto Zamorano V.
ADDRESS: 2400 Wickersham
PHONE: 512 902 94 86
SIGNATURE: ~~Alberto Zamorano V.~~

4 NAME: Tony Brilleas
ADDRESS: 2211 Santa Rianis
PHONE: 512-701-9096
SIGNATURE: Tonf

5 NAME: Norma
ADDRESS: 2315 Wickersham
PHONE: 512
SIGNATURE: _____

2 NAME: Rosalio Zamora
ADDRESS: 2504 Huntwick Drive
PHONE: _____
SIGNATURE: Rosali Zamora

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

✓ NAME: Maurice Kiser

ADDRESS: 2425 Comwell Cir

PHONE: (512) 529-2960

SIGNATURE: Maurice Kiser

✓ NAME: Manuel Delgado

ADDRESS: 2400 Wickersham Ln

PHONE: (512) 848 0086

SIGNATURE: Manuel Delgado

✓ NAME: Alfredo Ramirez

ADDRESS: 2317 PLEASANT VALLEY

PHONE: 512 678 9764

SIGNATURE: Alfredo Ramirez

NAME: MATT BATTLE

ADDRESS: 2900 SUNRIDGE PR

PHONE: 512 574 3648

SIGNATURE: Matt Battle

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

9/ NAME: Francisco Alcacio

ADDRESS: Wickersham

PHONE: 512-609-9326

SIGNATURE: Frank Alcacio

NAME: Alfredo Frias

ADDRESS: 130 Deep Wood LOT 29c cedar creek

PHONE: 512 999 2244

SIGNATURE: fff

✓ NAME: Armando Vazquez

ADDRESS: 512 765 2371

PHONE: _____

SIGNATURE: Armando Vazquez

f NAME: Juan Zavala

ADDRESS: 7506 W Wickersham Ln. 114

PHONE: (512) 386-7344

SIGNATURE: J. Zavala

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

7/ NAME:

ADDRESS:

PHONE:

SIGNATURE:

4/ NAME:

ADDRESS:

PHONE:

SIGNATURE:

NAME:

ADDRESS:

PHONE:

SIGNATURE:

9/ NAME:

ADDRESS:

PHONE:

SIGNATURE:

NEIGHBORHOOD PETITION OPPOSING
LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: _____

ADDRESS: _____

PHONE: _____

SIGNATURE: _____

NAME: _____

ADDRESS: _____

PHONE: _____

SIGNATURE: _____

NAME: _____

ADDRESS: _____

PHONE: _____

SIGNATURE: _____

NAME: _____

ADDRESS: _____

PHONE: _____

SIGNATURE: _____

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: Doris Blakely

ADDRESS: 2314 WICKERSHAM RD #105

PHONE: 512-773-7864

SIGNATURE: Doris Blakely

NAME: Andrew Myers

ADDRESS: 5203 1137 GUNTER

PHONE: (512) 743-2289

SIGNATURE: Andrew Myers

NAME: Tom Rogers

ADDRESS: 4402 EDITH ST. Apt. 1102-13

PHONE: 865-719-6573

SIGNATURE: Tom Rogers

NAME: Sosé Carrizosa

ADDRESS: 2002 Freguies Ln.

PHONE: (512) 367-0780

SIGNATURE: Sosé Carrizosa

NEIGHBORHOOD PETITION OPPOSING **LIQUOR SALES AT 2440 WICKERSHAM**

Please ask developers to keep their word and protect our neighborhood!

NAME: Maria Garcia

ADDRESS: 2425 Cromwell cr

17 PHONE: 512 289-3659

SIGNATURE: [Signature]

NAME: Jana Write

ADDRESS: 2425 Cromwell cr

18 PHONE: 512 599-1789

SIGNATURE: [Signature]

NAME: Joel Powers

ADDRESS: 2425 Cromwell cr

19 PHONE: 512-209-5624

SIGNATURE: [Signature]

NAME: Nina Rodriguez

ADDRESS: 2425 CROMWELL CR

20 PHONE: 512 209-5462

SIGNATURE: [Signature]

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: Lee Dean

ADDRESS: 2317 #416⁵¹⁷ Pleasant Valley Rd.

PHONE: 512-701-1269

SIGNATURE: Lee Dean

NAME: Isbria Rodriguez

ADDRESS: Gessner dr

PHONE: 662 72 48

SIGNATURE: Isbria

NAME: Juan MTZ

ADDRESS: 2201 Willow Creek

PHONE: 512-608-3065

SIGNATURE: Juan MTZ

NAME: James Rasmussen

ADDRESS: 2000 Sunridge Dr Apt 701

PHONE: 214 488-3973

SIGNATURE: JR

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: Peter Armentariz

ADDRESS: 2425 Cromwell Circle Apt. 202 Austin, TX 78741

PHONE: 325-718-9247

SIGNATURE: Peter Armentariz

NAME: Lidia Manscal

ADDRESS: 2425 Cromwell Cir. #201 Austin, TX 78741

PHONE: 228-7224

SIGNATURE: Lidia Manscal

NAME: Julio Gutierrez #201 Austin, TX 78741

ADDRESS: 2425 Cromwell Cir

PHONE: 264-4264

SIGNATURE: Julio

NAME: Gloria Padilla

ADDRESS: 2425 Cromwell Circle #204 Austin, TX 78741

PHONE: _____

SIGNATURE: Gloria Padilla

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: Leandro Colunga

ADDRESS: Ottorf 4th 308

PHONE: 696-8861

SIGNATURE: Leandro Colunga

NAME: JUAN TOBIAS

ADDRESS: OTTORF A.P. 24

PHONE: 512-394-2096

SIGNATURE: JUAN TOBIAS

NAME: WILLIAM SANCHEZ

ADDRESS: _____

PHONE: 512-775-4006

SIGNATURE: WILLIAM SANCHEZ

NAME: Jose Villa Briones

ADDRESS: _____

PHONE: 512 305 4181

SIGNATURE: Jose Villa Briones

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

✓ NAME: Luis Mata

ADDRESS: 2304 Wilson Street #104

PHONE: 512-516-1241

SIGNATURE: Luis Mata

✓ NAME: Josh Daniel

ADDRESS: 4120 Wickersham Ln

PHONE: (512) 494-5330

SIGNATURE: Josh Daniel

✓ NAME: Brandon Young

ADDRESS: 2601 S Balconville Rd. Austin Tx 78741

PHONE: 504-228-8855

SIGNATURE: Brandon Young

✓ NAME: B. Vasquez

ADDRESS: City View 3134 78741

PHONE: 512 462-8040

SIGNATURE: B. Vasquez

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

✓ NAME: William Dint
ADDRESS: 10704 Arken River Dr
PHONE: (512) 743-1652
SIGNATURE: [Signature]

✓ NAME: Henry Meininger
ADDRESS: 4810 E Oltorf Dr
PHONE: 513-368-6776
SIGNATURE: hdm2109@columbia.edu

✓ NAME: Cej McCann
ADDRESS: 2501 Wickersham #2133
PHONE: (903) 617-3253
SIGNATURE: [Signature]

NAME: _____
ADDRESS: _____
PHONE: _____
SIGNATURE: _____

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

4/ NAME:

Jose Osorio

ADDRESS:

2400 Wickersham Ln 1131

PHONE:

512-80-5289

SIGNATURE:

[Signature]

4/ NAME:

Sandra Guerra

ADDRESS:

1633 Royal Crest

PHONE:

512-815-1667

SIGNATURE:

[Signature]

4/ NAME:

Stephen Johnson

ADDRESS:

2501 Huntwick Dr Austin TX

PHONE:

SIGNATURE:

[Signature]

NAME:

ADDRESS:

PHONE:

SIGNATURE:

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: Tyron Harmon

ADDRESS: 2501 Wickersham Ln

PHONE: 828-292-1030

SIGNATURE: TH Harmon

NAME: Iris Cantu

ADDRESS: 2501 Anken Dr # 606

PHONE: 512 902-3475

SIGNATURE: Iris Cantu

NAME: Joe Angel Rodriguez

ADDRESS: 2501 ANKEN DR #606

PHONE: (512) 696-9794

SIGNATURE: Joe Angel Rodriguez

NAME: Elida M Colunga

ADDRESS: 2501 anken Dr

PHONE: 512 696-8861

SIGNATURE: Elida M Colunga

NEIGHBORHOOD PETITION OPPOSING **LIQUOR SALES AT 2440 WICKERSHAM**

Please ask developers to keep their word and protect our neighborhood!

NAME: Logan Matthes

ADDRESS: 4900 E. Oltorf St.

PHONE: (817) 300-8539

SIGNATURE: [Signature]

NAME: John Duke

ADDRESS: 1615 Sunnyvale St.

PHONE: (512) 459-3652

SIGNATURE: [Signature]

NAME: JONICIO SANCHEZ

ADDRESS: 2620 S. PLEASANT VALLEY

PHONE: (512) 369-5859

SIGNATURE: [Signature]

NAME: Brandon Turner

ADDRESS: 4404 E. Oltorf

PHONE: (903) 563-4003

SIGNATURE: [Signature]

NEIGHBORHOOD PETITION OPPOSING **LIQUOR SALES AT 2440 WICKERSHAM**

Please ask developers to keep their word and protect our neighborhood!

NAME: Jordan Ayers

ADDRESS: _____

PHONE: 512-828-9042

SIGNATURE: Jordan Ayers

NAME: Suan Cota

ADDRESS: 317 4515

PHONE: _____

SIGNATURE: [Signature]

NAME: Diana Fumar

ADDRESS: 2314 Wickersham

PHONE: 512-994-0123

SIGNATURE: Diana Fumar

NAME: Wayne Donaldson

ADDRESS: P.O. Box 651 LA Grange TX

PHONE: _____

SIGNATURE: Wayne D

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: Jessie Thornton

1 ADDRESS: 2425 Cromwell Cir #1111

PHONE: 512 507-6191

SIGNATURE: [Signature]

NAME: Lucia Allen

2 ADDRESS: 1108 Cromwell Cir #111

PHONE: _____

SIGNATURE: [Signature]

NAME: Chase Harvin

3 ADDRESS: 2425 Cromwell Cir Apt. 605

PHONE: _____

SIGNATURE: [Signature]

NAME: Armando Martinez

4 ADDRESS: 2425 Cromwell Circle

PHONE: _____

SIGNATURE: [Signature]

NEIGHBORHOOD PETITION OPPOSING **LIQUOR SALES AT 2440 WICKERSHAM**

Please ask developers to keep their word and protect our neighborhood!

NAME: Forace Ricardo

ADDRESS: 2425 Cromwell Circle # 1112 Austin, TX 78741

PHONE: 512 207 9579

SIGNATURE: [Signature]

NAME: Shannon Barbie

ADDRESS: 2425 Cromwell Circle # 1110 Austin, TX 78741

PHONE: _____

SIGNATURE: Shannon Barbie

NAME: Charles Isaiah Tedder

ADDRESS: 1515 Wickersham Apt # 602

PHONE: ~~915-422-5446~~ 915-422-5440

SIGNATURE: [Signature]

NAME: Tommy Ladke

ADDRESS: 2425 Cromwell # 100 Austin TX 78741

PHONE: 254-716-1387

SIGNATURE: [Signature]

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: Shelly Robinson

ADDRESS: 2425 Cromwell #616 78741

PHONE: 512-299-3281

SIGNATURE: Shelly Robinson

NAME: [Signature]

ADDRESS: 2425 Cromwell Cr. #907 Austin, TX 78741

PHONE: _____

SIGNATURE: MARCO VILLAFRANCA

NAME: Jorge A. Citz

ADDRESS: 2425 CROMWELL Austin, TX 78741

PHONE: (512) 579-6210

SIGNATURE: [Signature]

NAME: _____

ADDRESS: _____

PHONE: _____

SIGNATURE: _____

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME:

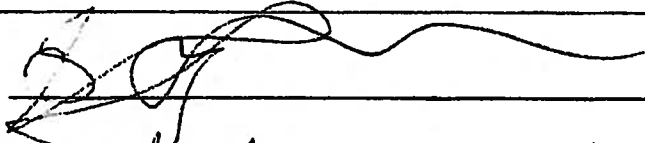
Stacey Engler

21 ADDRESS:

2425 Cromwell Apt 623

PHONE:

SIGNATURE:



NAME:

Christine M Mancias

22 ADDRESS:

2425 Cromwell Circle

PHONE:

(512) 494-1550

SIGNATURE:

Christ M. Mancias

NAME:

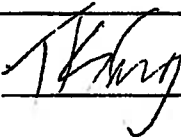
ERRI KING

ADDRESS:

2025 CROMWELL C.

PHONE:

SIGNATURE:



NAME:

ADDRESS:

PHONE:

SIGNATURE:

NEIGHBORHOOD PETITION OPPOSING LIQUOR SALES AT 2440 WICKERSHAM

Please ask developers to keep their word and protect our neighborhood!

NAME: Louis Clary

ADDRESS: 1327 Pleasant Hill

PHONE: [Signature]

SIGNATURE: [Signature]

NAME: Dylan Berler

ADDRESS: 2239 Cromwell ATX 78741

PHONE: [Signature]

SIGNATURE: [Signature]

NAME: Josua Poupard

ADDRESS: 2425 CROMWELL CIR APT 207 Austin, TX 78741

PHONE: (512) 483 5277

SIGNATURE: [Signature]

NAME: Erick Morales

ADDRESS: 2425 Cromwell Cir. Austin, TX 78741

PHONE: 504 237 5984

SIGNATURE: [Signature]

NEIGHBORHOOD PETITION OPPOSING **LIQUOR SALES AT 2440 WICKERSHAM**

Please ask developers to keep their word and protect our neighborhood!

NAME: Isabel Gonzalez

ADDRESS: 2425 Cromwell cir. Austin TX 78741

PHONE: _____

SIGNATURE: Isabel Gonzalez

NAME: Greg Morgan

ADDRESS: 2425 Cromwell Circle #206 Austin, TX 78741

PHONE: _____

SIGNATURE: Greg Morgan

NAME: Greg Morgan

ADDRESS: 2425 Cromwell Circle #507 Austin, TX 78741

PHONE: 251 866 5578

SIGNATURE: Greg Morgan

NAME: JACK ROBERSON

ADDRESS: 2425 CROMWELL CIR #519

PHONE: (214) 533-6615 Austin, TX 78741

SIGNATURE: Jack Roberson

January 16, 2013

From: Monaco Homeowners Association

c/o: Mr. Rick Thompson, President
Ms. Corri Mava, Board Member

To: Austin City Council

c/o: Mr. Lee Heckman, Case Manager
Case #: C14-2012-0114
Monaco II


Dear Council:

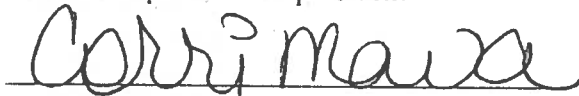
Our HOA has had the opportunity to meet with the developer of the Monaco II, as well as the engineer Mr. Tom Winkley and Mr. Rick Vaughn at the offices of Winkley engineering. We support this zoning request and are unaware of any homeowners within our community that do not support it.

Our HOA has also been in contact with Mr. Malcolm Yeatts who represents the East Oltorf Combined Neighborhood Plan and have communicate our support to him as well.

However, Mr. Jim Whitliff has been opposing this project. He previously represented Abdul Patel when Mr. Patel was trying to buy the land from the current owner. Mr. Patel is one of Mr. Whitliff's long time clients. Mr. Whitliff does not live anywhere near our neighborhood has nothing to do with our neighborhood and yet to get around not being registered as a lobbyist for the city, simply claims that he represents himself. We do not support any of Mr. Whitliff's claims. There was the mistaken impression communicated to staff at planning commission that we do not support beer and wine sales within the neighborhood convenience grocery store planned for that site. Staff is now aware of that mistake and is correcting it. We do support beer and wine sales for the planned neighborhood convenience grocery store during the agreed operating hours shown in the new restrictive covenant. The Monaco II will serve the entire neighborhood and allow us to walk next door for a large majority of things for which we currently have to get into our cars and drive.

PLEASE APPROVE THIS ZONING REQUEST



Rick Thompson, board president

Corri Mava, board member

From: James Beasley

Sent: Wednesday, January 16, 2013 8:16 AM

To: Heckman, Lee

Subject: Zoning change and development at 2440 Wickersham Lane / C14-2012-0114

Dr. Mr. Heckman,

I am a homeowner in the Sunridge Neighborhood, and I am writing to inform you that I fully support the proposed zoning changes and development at 2440 Wickersham Lane

I believe having some retail and food services within walking distance of the neighborhood will be the beginning of significant improvements for the area. Do nothing and it stays the same - no-one comes out at night because there's nowhere to go! Responsible development is how neighborhoods and cities develop.

The development as presented will have a positive effect on the environment and traffic by reducing the need for many people to drive out of the neighborhood to go shopping or get a good meal. Walkability is a significant value factor in today's real estate market.

Additionally, I support liquor service at the development, in a cafe or restaurant setting, as this will attract responsible tenants and clientele. Other restaurants on Oltorf and Riverside responsibly serve liquor, and I don't see how this is any different.

Unfortunately I cannot attend the hearing on this issue. Please feel free to enter my comments into the record.

Please feel free to call me if you have any questions, and thank you for your service to the city.

James Beasley
4505 Elana Ct.
[REDACTED]

From: Charlie

Sent: Wednesday, January 16, 2013 5:19 AM

To: Heckman, Lee

Subject: PROHIBIT ALCOHOL / LIQUOR SALES ON 2440 WICKERSHAM LN

Please prohibit the sale of alcohol at 2440 Wickersham Lane. We already have a place to purchase alcohol at the intersection of Pleasant Valley and Oltorff. We don't need another location.

Thank you

Charles Diggs
2905 Allison Dr
385-3756

From: Save Oltorf

Sent: Thursday, January 17, 2013 12:41 AM

To: Heckman, Lee

Subject: Fwd: Agenda Item #83, January 17, 2013. (Case # C14-2012-0114 Monaco II) Alcohol Sales on Proposed New Development

Mr. Heckman

Please add the email below to Agenda Item #83 for Thursday, January 17, 2013. (Case # C14-2012-0114 Monaco II).

----- Forwarded message -----

From:

Date: Wed, Jan 16, 2013 at 2:28 PM

Subject: Alcohol Sales on Proposed New Development

To:

Dear Sirs:

As a property owner in this neighborhood for over 20 years, I have watched the steady encroachment of apartments in the area. And I actually have no beef with development of apartments and condos, although they tend to bring crime and litter with them. Still, people need housing and maybe an upscale condo would be a good fit for this area.

I understand the aim of COA is to encourage business to cohabitate with new condo developments in a mixed use format. But there are a lot of vagrants and homeless loose in our neighborhood, causing quite a bit of trouble. It seems to me that easy access to alcoholic beverages is just going to make the problems worse.

So please, no alcohol sales in the area (unless as part of a licensed food establishment.)

Regards,

M.T.Valescu

4803 Allison Cove

(512) 385-8268

From: Bryan Dimery
Sent: Thursday, January 17, 2013 4:21 AM
To: Heckman, Lee
Subject: Resident Opposition to C14-2012-0114

Dear Mr. Heckman,

As a resident of Monaco Condominiums for the past six years, I would like to express reservations to the proposed rezoning as-is. While I admit an unused lot is a blight, my concerns stem from these three items

1. The abolition of Condition #4.

Since 2009, through substantive talks, the residents of Monaco have expressed their concern with the rezoning effort leading to liquor storefronts and/or drunk loiterers. Citizens we have had multiple police calls against.

While TABC provides some chance of relief in an window of protest for a license to open such an establishment, we felt more secure with the assurances originally made to us by the owners agent.

2. Lack of a buffer in proposed plan

The current plan appears to offer little to no protection from noise and odor/trash.

3. Drainage

This plan does not address any measure to deal with topsoil runoff, pooling, and or flooding that will result if all vegetation is removed with no further action taken. While this is ideal for the developer, it will lead to long term costs on our end.

My sincere desire is to see the adjacent lot developed in a fashion as described in this plan, however my obvious concerns are that the plan will come with unseen consequences and that the final design will vary greatly from the proposal. I have faith that the Zoning Commission and City Council will work in the best interests of the citizenry and thank you for taking the time to hear my concerns.

Sincerely,
Bryan Dimery
Resident, Monaco Condominiums
4500 E. Oltorf unit 412
(512) 297-8460

From: Carol Hirsh

Sent: Wednesday, January 16, 2013 7:18 PM

To: Saveoltorf@gmail.com; Heckman, Lee

Subject: Oppose Alcohol Sales at Oltorf and Wickersham new construction

We don't need more alcohol to fuel the fire of crime and problems in the 78741 neighborhood. We really don't need more apartment/condo style living either. We are jammed in here as it is with low income and increasing traffic, and fast food, and poor shopping choices. Things won't improve unless there is more attention spreading out the apartments in Austin. Putting all low income in one area is a BAD idea and allowing the opening of more alcohol sales is not what we need!

Carol Hirsh

4808 Allison Cove

Austin, TX 78741 5123854938

I have lived in a home for 23 years in this neighborhood and have seen nothing but more apartments, over crowding of traffic, crime, and deterioration of structures. We have an increase of tagging too, all the problems that go with putting all the apartments in one area. Shame on Austin! Read the stats below:

THERE ARE SO MANY STORES AROUND OLTORF AND BURTON THAT SELL ALCOHOL AND AS A RESULT IT GENERATES LOTS OF CRIME , DRUG ACTIVITY AND LOITERING

IT WILL LOWER PROPERTY VALUES IN THE AREA

LAST YEAR THERE WERE 459 ALCOHOL / DWI RELATED POLICE CASES IN OUR NEIGHBORHOOD. (BY COMPARISON TO 78745 ZIP CODE THERE WERE ONLY 115 ALCOHOL RELATED INCIDENT)

OVERALL NUMBER OF INCIDENTS REPORTED LAST YEAR WERE CLOSE TO 7000 IN OUR AREA

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

From: Teresa Morris

Sent: Wednesday, January 16, 2013 4:56 PM

To: Heckman, Lee

Subject: Rezoning case #C14-2012-0114

Mr. Heckman:

My husband and I own a unit at the Monaco condominiums complex. We live in Austin part-time and only just arrived after having been away for a few weeks. We found some disturbing information about the proposed zoning change in a packet left on our door. We strongly oppose this zoning change. I see from our info packet and see that we have to let you know by 5 pm today if we object to the change. I have not time to list all our reasons if I am to get this email to you by the 5 pm deadline. One reason I can list now is that if the change goes through, we will have a dumpster only 40 feet from our unit. We just spent \$35,000 dollars renovating our unit, and we never expected to have any such unpleasant businesses as a drive-through with its accompanying noise, pollution, and trash near our second home.

We do not support this change in any way. We will attend tomorrow's meeting concerning this change.

Thank you,

Teresa and Phillip Morris

4500 Oltorf, #401 78741

Sent from my iPhone



MEMORANDUM

TO: Lee Heckman, PRDR-Current Planning
CC: Kathy Smith, P.E., HDR Engineering, Inc.
FROM: Joe Almazan, PDRD-Land Use Review
DATE: January 11, 2013
SUBJECT: Monaco II
Zoning Case No: C14-2012-0114

The Transportation Review Section has reviewed the Traffic Impact Analysis (TIA) dated December 31, 2012 for the Monaco II rezoning application, prepared by Kathy Smith, P.E. with HDR Engineering, Inc. and provides the following summary and recommendations.

Trip Generation

Monaco II development is a 1.9-acre tract proposed for mixed-use development in east Austin, at the northeast corner of Wickersham Lane and East Oltorf Street. This proposed development will consist of 27,625 sq.ft. of shopping center use, 3,000 sq.ft. of convenience market (24-hour), and 64 dwelling units of condominiums/townhomes. The property is currently undeveloped and zoned multifamily residential (MF-2). The applicant is requesting a zoning change to general retail with mixed-use (GR-MU). Completion of the project is planned for 2014. The development will have access to Wickersham Lane via one (1) driveway.

The table below shows the unadjusted trip generation by land use for the proposed development based on ITE's *Trip Generation Report*, 8th ed.

Table 1. Unadjusted Trip Generation				
Land Use	Size in Sq.Ft.	ADT	AM	PM
Shopping Center	27,625	2,943	72	269
Convenience Market (24-Hour)	3,000	2,214	202	157
Residential Condo/Townhouse	64 units	436	36	42
Total		5,593	310	428

*The "shopping center" rate is applied to any use typically found in shopping centers, such as nail salons, cellular service providers, sandwich/coffee shops, flower shops, etc. This does not include large restaurants or restaurants with drive-through service.

Based on the land uses assumed for this mixed-use development, reductions for pass-by traffic were only applied to the peak hour evening trips. Reductions were also assumed for internal capture and bus transit usage for both the a.m. and p.m. peak hour travel periods. Results of the adjusted trip generation by land use are shown in Table 2.

Exhibit D

Table 2. Adjusted Trip Generation				
Land Use	Size in Sq.Ft.	ADT	AM	PM
Shopping Center	27,625	2,076	61	151
Convenience Market (24-Hour)	3,000	1,562	172	88
Residential Condo/Townhouse	64 units	414	35	40
Total		4,052	268	279

Transportation System

E. Oltorf Street – The Austin Metropolitan Area Transportation Plan (AMATP) classifies E. Oltorf Street as a four-lane, divided arterial, with a center left-turn lane, from IH-35 to Montopolis Drive. In 2010, the traffic volume on E. Oltorf Street, east of S. Pleasant Road, was 16,300 vehicles per day (vpd). There are no improvements currently recommended in the AMATP. The 2009 Bicycle Plan does not recommend any upgrade to the bike lanes that are currently provided for Route 68, between Willow Creek Drive and Montopolis Drive.

S. Pleasant Valley Road – The AMATP classifies S. Pleasant Valley Road as a four-lane, divided major arterial from Riverside Drive to E. Oltorf Street. South of E. Oltorf Street, S. Pleasant Valley Road narrows to a two-lane undivided roadway and terminates approximately one-half mile south of E. Oltorf Street. In 2010, the traffic volume on S. Pleasant Valley Road, north of E. Oltorf Street, was 11,800 vpd. The AMATP recommends S. Pleasant Valley Road be extended from its current terminus, south of E. Oltorf Street, to SH 71 (E) as a four-lane, divided major arterial by 2025. This improvement was not assumed to be completed within the scope of this traffic study. Bike lanes and shared lanes are currently provided for Route 61 on S. Pleasant Valley Road, north and south of E. Oltorf Street. The 2009 Bicycle Plan recommends upgrading to bike lanes for Route 61, south of E. Oltorf Street.

Wickersham Lane – Wickersham Lane is a four-lane, undivided collector roadway north of E. Oltorf Street and a two-lane, undivided collector roadway south of E. Oltorf Street. In 2010, the traffic volume on Wickersham Lane, south of Riverside Drive, was 9,200 vpd. There are no improvements scheduled by the City of Austin for Wickersham Lane in the vicinity of the project site. No bicycle route or bicycle facilities are currently provided or recommended in the 2009 Bicycle Plan on Wickersham Lane.

Assumptions

1. Background traffic volumes for 2014 included actual traffic counts and a two (2) percent annual growth rate for this project.
2. A thirty-four (34) percent reduction was assumed for pass-by for the shopping center and convenience market (24-hour) land uses for the p.m. peak hour period only.
3. A ten (10) percent reduction was assumed for internal capture for the shopping center and convenience market (24-hour) land uses for both the a.m. and p.m. peak hour period.
4. A five (5) percent reduction was assumed for bus transit use for both the a.m. and p.m. peak hour period based on the proximity to Capital Metro bus stops and bicycle routes.

Intersection Level of Service (LOS)

The TIA analyzed two (2) intersections plus the site driveway. Existing and projected levels of service are as follows, assuming that any roadway and intersection improvements recommended in a TIA are constructed. However, no improvements are recommended at these intersections.

Table 3. Level of Service				
Intersection	2012 Existing		2014 Site Forecasted	
	AM	PM	AM	PM
S. Pleasant Valley Road and E. Oltorf Street*	C	C	C	C
Wickersham Lane and E. Oltorf Street*	B	B	C	C
Wickersham Lane and site driveway	N/A	N/A	A	A

*Signalized Intersection

Based on the analysis, all the intersections will continue to operate at an acceptable level of service C or better. Existing and projected traffic volumes using the roadway system without the proposed project (or "site") are generally referred to as **background** traffic volumes. For the analysis, background traffic includes traffic counts collected in October 2012 and a two (2) percent growth rate for forecasted traffic conditions in 2014.

Recommendations/Conclusions

No additional roadway and/or traffic improvements are recommended.

Development of this property should be limited to uses and intensities which do not exceed or vary from the from the projected traffic conditions assumed in the TIA, including peak hour trip generation, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2674.



Joe R. Almazan
Land Use Review Division/Transportation Review Section
Planning and Development Review Department

From: Malcolm Yeatts
Sent: Sunday, October 21, 2012 8:50 PM
To: Heckman, Lee
Subject: Case # C14-2012-0114

I am opposed to the zoning change from MF-2 to GR-MU. There is not enough area on this property to adequately buffer the adjacent condominium complex from what will become an all-night convenience store.

Malcolm Yeatts EROC Contact Team member

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.austintexas.gov

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: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

EVA GONZALES

Your Name (please print)

2450 WICKERSHAM LN #1504

Your address(es) affected by this application AUSTIN TX

Eva Gonzales 10/15/2012
Signature Date

Daytime Telephone: (512) 293 9642

Comments:

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

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

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

Jason Breitschopf

Your Name (please print)

4500 East Oltorf Unit #102

Your address(es) affected by this application

Jason Breitschopf

Signature

10-18-12

Date

Daytime Telephone: 830-540-4467

Comments: I believe that by allowing more business to enter the neighborhood versus just housing, it will cause more crime/littering and become more like the area closer to I35. We had lots of problems with people walking through parking lot to get to the gas station nearby. I would like this to remain a quiet nice area to live in.

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

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

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Case Number: C14-2012-0114

Contact: Lee Heckman, 512-974-7604

Public Hearing: Oct 23, 2012, Planning Commission

Dec 6, 2012, City Council

Dale & Sandy Steichen
Your Name (please print)

☐ I am in favor
☒ I object

2450 Wickersham 902
Your address(es) affected by this application

[Signature]
Signature

11/4/2012
Date

Daytime Telephone: *203 482 2034*

Comments:

We don't object to having commercial development if it fits the neighborhood. Restaurants, food stores etc. would be fine but not check cashing services etc that do not serve the immediate neighborhood.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

From: Malcolm Yeatts
Sent: Monday, January 07, 2013 8:49 PM
To: Heckman, Lee
Subject: RE: Zoning Case - Monaco II - Oltorf & Wickersham

If I can be assured that the City of Austin is responsible for enforcing the public restrictive covenant limiting business hours, my concerns will have been addressed.

From: Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]
Sent: Monday, January 07, 2013 1:01 PM
To: Malcolm Yeatts
Subject: Zoning Case - Monaco II - Oltorf & Wickersham

Mr. Yeatts:

I'm updating the staff report for this case, scheduled to be considered next Thursday at City Council, and wanted to check in with you to see if the draft public restrictive covenant (RC) addressed your concerns regarding the hours of operation. Does this satisfactorily address your concerns?

As I think we have discussed, a signed RC is required prior to Council's final action on a zoning request. In this case, that might be January 31, if the TIA question has been resolved. That also presumes the prohibition against liquor sales is removed by the Council. Please contact me should you have any questions.

Lee Heckman, AICP
City of Austin
Planning & Development Review Dept.
One Texas Center
505 Barton Springs Road, 5th Fl
Austin, Texas 78704

Tel: 512 – 974 – 7604
Fax: 512 – 974 – 6054
Email: lee.heckman@austintexas.gov

October 16, 2012

Mr. Lee Heckman, AICP
Planning and Development Review Dept.
City of Austin
505 Barton Springs Road
Austin, TX 78704

Re: Monaco II, Zoning Restricted Land Uses

Dear Mr. Heckman,

As representative of the owner of the above property located at 2400 Wickersham, I would respectfully request the following uses be restricted from the "GR-MU" zoning request submitted for your review. The property is currently zoned for MF-2 and has had multi family site plans prepared for that use. The economy has prohibited these plans from moving to completion. Furthermore, the MF-2 zoning requires a 25 ft. front building line for the site. My client wishes to design a Subchapter E compliant site plan for a mixed use development.

RESTRICTED USES:

- Family Home
- Group Home Class I-General
- Group Home Class I- Limited
- Group Home Class II
- Hospital Services-General
- Private Primary Educational Services
- Private Secondary Educational Services
- Automotive Repair Services
- Automotive Sales
- Commercial Off-Street Parking
- Drop-Off Recycling Collection Facility
- Exterminating Services
- Hotel-Motel
- Indoor Sports and Recreation
- Off-site Accessory Parking

- Outdoor Entertainment
- Pawn Shop Services
- Service Station
- Theater
- Community Recreation-Public
- Congregate Living
- Residential Treatment

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

Richard W. Vaughn, CET