

Late Backup

PS
Item 31

Mayor, Mayor Pro Tem, and Council Members:

Thank you for the opportunity to speak you today about a matter that is important to my neighborhood.

My name is Paul Saustrup. I am a 5th generation native Austinite. I live on Tillery Street with my wife and two school age children. We plan to continue to live in and support the Govalle / Johnson Terrace neighborhood.

I am here to request removal of the restrictive covenant from the tract that I own on Tillery Street.

In 2002, I participated in the neighborhood planning meetings at Brooke elementary school. City staff recommended CS/MU zoning and attached the existing restrictive covenant to my property. The covenant was presented to me (late in the multi-week process, as I recall) as my only option to continue the usage at the time, which was as an urban farm known as "Teds Trees."

Teds Trees and the Lopez family have been a vital part of my neighborhood for generations. I certainly did not want to endanger their ability to continue to operate and provide jobs in my neighborhood.

Over the next 12 years following the restrictive covenant, several City staff members informed me that usage as a farm is allowed by my CS/MU zoning and it is unclear why a restrictive covenant was recommended and attached. Staff changes overtime make it hard to find out now by whom, or why it was requested.

At the neighborhood planning meetings in 2002, I was led to believe that as the property owner , all I had to do to remove the restrictive covenant was to apply for its removal. I am here today as part of that ^{my} understanding process.

My tract is walking distance to many necessities and joys of community life. Grocery stores, Banking , public transit, schools, libraries, parks, eateries, and much more.

This proposed development includes much needed affordable housing in 78702. It will provide a series of "single family" 2,3, & 4 BR residences, not an apartment style "condo" structure.

This plan fits with the existing Govalle / Johnson Terrace Neighborhood Plan and will attract families not first time buyers looking to "trade up." Families who's children will attend local schools with my children. Families who will support the neighborhood as my family supports it. Our proposed plan allows some 15% affordable housing and does so without any use of bond dollars or government subsidies.

15% homes starting mid 100's
Remaining 85% 3,4 BR Homes in 2-300k Range
I have said "no" many times to other projects in the past. Recent ^{vs} handful of expensive opposition to neighborhood farms made me fear for my ability to continue to be a steward ^{of my} to the property. Now that I propose smart growth, the same people that oppose urban farms now oppose "Smart development." I want the use of my land to set a precedent for the type of family oriented development that fits our neighborhood so other tracts will proceed in a similar way.

I have brought with me signatures and statements of property owners and business owners in my neighborhood who also share my opinion and vision on the best usage of the land and smart growth for my neighborhood.

Thank you for your time. I will be happy to answer any questions you may have.

Paul Sastrup
620 Tillery Street
Austin TX, 78702

Where children to play?

Park \approx 1 block away

— Teds trees continue? Paul moyer

100 yrs

Gift%

SF 41B — Planning

Commission nix

Proximity

— Guadalupe Seldane stalled

(PS) Item 31

City of Austin Decision Makers, or Whom this May Concern,

I am a resident property owner in Central East Austin, 78702. I am in favor of removing the zoning restrictions on the 3.5 acre tract at 1120 Tillery St. to allow for the development of a single family freestanding condominium development on this property. I think a development of this type will fit nicely into the neighborhood. I believe this would be a good use of a tract of this size as it will increase the availability of housing options in the neighborhood. Since houses have become so out of financial reach for many people in this neighborhood, a project of this nature should provide a more economical choice than is currently available.

I have not been contacted by the Govalle/Johnson Terrace Neighborhood Planning Group to give my input or opinion on this matter. I understand that the planning group opposes this removal of restrictions which would allow the development of residential freestanding condominiums on this tract. Furthermore I understand this group opposes a development of this type on this tract. I do not agree with the neighborhood group's opposition on this issue.

Please consider my signature below, as an area resident in support of allowing this type of development on this subject property.

SIGNATURE

ADDRESS

- 1) [Signature]
- 2) [Signature]
- 3) Elash D. Sharma
- 4) Maisha Rabeelo
- 5) Julia Lopez
- 6) Martin Robles Jr
- 7) Patty Carter
- 8) [Signature] DAVID CATER
- 9) DAVID WALLIS
- 10) STEVEN B. [Signature]
- 11) _____
- 12) _____
- 13) _____
- 14) _____

- 1) 1601 Red Bluff Road, Austin TX 78705
- 2) 3202 Kay St Austin 78702
- 3) 74 JULIUS ST., AUSTIN 78702
- 4) 76 JULIUS ST., AUSTIN, TX 78702
- 5) 72 Julius St. AUS. TX 78702
- 6) 76 Julius St. AUS. TX 78702
- 7) 640 Tillery St 78702
- 8) 638 Tillery St 78702
- 9) HOLTON St 78702
- 10) 1001 Willow St., Austin TX 78702
- 11) _____
- 12) _____
- 13) _____
- 14) _____

To Austin City Council Members, City of Austin Staff, or Whom this may Concern,

I am a business owner and/or commercial property owner in central East Austin, 78702. I understand that there is a developer who is committed to building a freestanding condominium development on a 3.5 acre tract at 1120 Tillery St. in 78702.

I have learned that the Govalle Johnson Terrace Neighborhood group is opposed to this development on this tract.

It is my understanding that the tract is currently being used as a tree farm/nursery and that the restrictions in place will not allow a freestanding condominium development on the subject tract, unless some of the restrictions are removed.

I am in favor of the removal of the restrictive covenants that prevent this type of development from occurring on this tract.

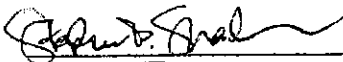
As a business owner I realize the vast importance of having a broader range of price, size, and type within the area's housing stock from which to choose. This is important to me and is important to my employees who wish to live close to where they work. I believe this development, as well as others like it, will be of great benefit to the neighborhood and it's residents.

This neighborhood has seen many changes over the past decade, some good and some bad. I would love to see some developments that expand the potential for homeownership to a broader range of buyers than seems to be currently available. I believe that this development and others like it will fit well and enhance the neighborhood.

I have not been contacted by the Govalle Johnson Neighborhood Group to give my opinions and/or input regarding this development. I do not agree with the "neighborhood group's" opposition to the removal of restrictions and/or necessary zoning changes that would allow this project to move forward. Furthermore I believe that any good neighborhood group should make it a practice to first poll the neighborhood property owners, businesses, and residents prior to supporting or opposing any item that might affect, or be of importance to, these same property owners, businesses, or residents.

SIGNATURE

BUSINESS NAME OR ADDRESS



OMAR
PIOS

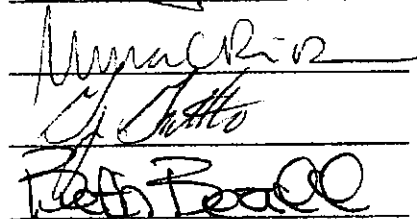
2DINEA FINECAKINZ - 3208 Gonzales St. 78702

KOSMIC KOMBUCHA - 3008 GONZALES ST 78702

KOSMIC KOMBUCHA - 3008 GONZALES, 78702

Greg Guthrie - 3300 Gonzales St. 78702 (Guthrie)

Texas Coffee Traders 1400 E. 4th 78702



To City of Austin Staff/ Whom This May Concern,

I am a Real Estate professional who works and/or lives in Central East Austin. I am in favor of the City of Austin Staff and/or elected officials working with potential developers to increase the options and availability of housing choices in East Austin. As a real estate professional, working in this area of town, I see a dire need for more choices in type and price range of available housing stock. I have been advised of the potential developer's plans, for this subject 3.5 acre tract at 1120 Tillery St. in the Govalle neighborhood, and I am in full support of their plans to construct free standing condominiums on the tract. I understand that there are restrictions in place that, unless removed, will prohibit this type of development. As such, I am in full support of removing these restrictions to allow this type of development to occur.

In my profession I encounter many buyers who wish to purchase in this neighborhood but simply cannot find a property that they can afford to purchase. In most cases these are buyers who make just over the threshold to be able to qualify for the City of Austin's Affordable Housing Program. This circumstance makes for a significant gap in the socioeconomic standing of our central city residents. Instead of maintaining the diversity that this area of town has known for many years, we as a city are not currently fostering an area where a wider range of earners can afford to live.

In addition to the aforementioned buyer types, many of our areas senior populace would greatly benefit from a condominium development of this type in our area. We have a gap in the available options for our central city senior citizens that a development of this type would partially fill. We have created this wonderful inner city transit system including bike paths, buses, walking distance businesses, metro rail, etc. and yet the current developments in this area leave very little opportunity for our aging population to benefit from these improvements. Many seniors wish to downsize or move to a property where they can maintain their independence while not having the responsibility of physically challenging maintenance. A condominium development of this type would make this possible in our area. The subject property is walking distance to (within 5 blocks of) a pharmacy, a grocery store, a public library, two banks, an institute of higher education, and many dining choices. There is a designated bike path that runs along Tillery St.. There is a bus route that runs along Tillery St.

I am in full support of any smart development that will increase the available housing options for the underserved portion of our central city residents that do not earn little enough to qualify for available assistance programs, but do not earn enough to be able to afford the majority of the other available options in Central East Austin. I believe a development of this type will partially fill this void. I feel a freestanding condominium development will fit nicely into this neighborhood.

The neighborhood group who is opposed to this development does not represent my opinions on this matter. I have not been contacted by this neighborhood group and asked my thoughts or opinions regarding this, or any other, proposed development for this neighborhood. In learning of this opposition by the small neighborhood group, I wonder how many other projects that would have been of benefit to this neighborhood have been quashed by the opinions of the few, as opposed to supported for the potential benefit to the many.

I applaud any developer who, or development that, is capable of providing additional housing options for our area while not taking resources from the coffers of our city's affordable housing programs and taxpayers.

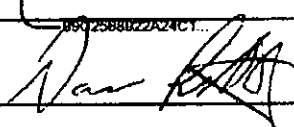
In signing this letter it is my hope that city staff and/or officials will hold my opinions in high regard.

Name	Signature	Contact Phone #
1 <u>Lauren Shelleness</u>	<u>Lauren Shelleness</u>	<u>512-921-5678</u>
2 <u>Suzie Miller</u>	<u>Suzie Miller, seers</u>	<u>512 413 3723</u>
3 _____	_____	_____
4 _____	_____	_____
5 _____	_____	_____
6 _____	_____	_____
7 _____	_____	_____
8 _____	_____	_____
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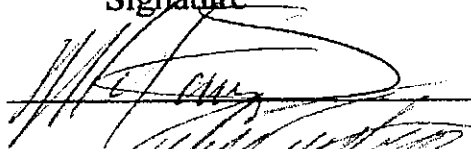
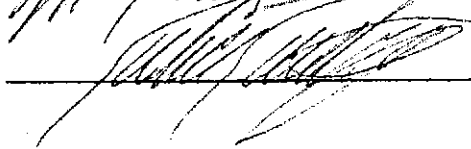
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	Name	Signature	Contact Phone #
1	Barbara DeBow-Lewallen	DocuSigned by: Barbara DeBow-Lewallen 0902588022A24C1...	512-657-5122
2	Dan Pruett		512-632-3820
3			
4			
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Name	Signature	Contact Phone #
1 <u>MARK SAWYER</u>		<u>512-784-8412</u>
2 <u>Sasha Sessums</u>		<u>512-844-7274</u>
3 _____	_____	_____
4 _____	_____	_____
5 _____	_____	_____
6 _____	_____	_____
7 _____	_____	_____
8 _____	_____	_____
9 _____	_____	_____
10 _____	_____	_____
11 _____	_____	_____
12 _____	_____	_____
13 _____	_____	_____

#31
Daniel Nanes

Dear Mayor and Members of City Council:

I am writing to about Item 31, a request regarding 1120 Tillery Street to terminate a Restrictive Covenant created during the Govalle-Johnston Terrace neighborhood planning process. I urge you to please uphold the Restrictive Covenant.

Please note that, in 2003, the owner (same owner as today) entered into a Restrictive Covenant with the City very willingly because, in short, he got a very good deal. The Govalle-Johnston Terrace plan significantly up-zoned the property at 1120y in order to allow commercial uses on land zoned that had been zoned for single-family (SF-3) for decades. This was to allow "Ted's Trees" to continue its business legally, **BUT ONLY until such a time that those uses ceased-- for example, if the property were to be sold for development.** That is happening now. See the attached Planning Commission backup from March 2003.

At the time the existing commercial uses cease, per the Restrictive Covenant, the property is supposed to be **re-zoned SF-4A**. Note that SF-4A is also an up-zoning from SF-3 because it allows for denser single-family development than the SF-3 zoning. So, the Restrictive Covenant was a short-term and long-term win (up-zoning) for the owner.

As part of the neighborhood planning process, the property owners and residents involved with creating the plan graciously agreed to allow the owner of 1120 Tillery to continue with commercial uses and to allow for denser single-family development once the owner decided to sell or develop the property. Again, that was a great deal for the owner. In exchange, via the Restrictive Covenant created by City staff and authorized by City Council, the property owners and residents of the Govalle Neighborhood would eventually see the property at 1120 Tillery developed in a compatible manner, with single-family housing, in a density and scale similar to the surrounding properties.

The Guadalupe Neighborhood Development Corporation (GNDC) owns a 4-acre tract, 1126 Tillery, that is immediately adjacent to 1120 Tillery Street. If the Restrictive Covenant is simply terminated, as is being requested, the property could be developed under the CS-MU-CO-NP that was specifically put into place to allow only for the tree and plant nursery operation to be able to continue until those operations ceased. That commercial mixed-use zoning was never intended to be long-term or to be used for any other purpose than "Ted's Trees". Let it be known that GNDC officially is absolutely

opposed to a termination of the Restrictive Covenant, and what is effectively a zoning change to CS-MU-CO-NP, on the property adjacent to our 4-acre subdivision (being developed under SF-4A regulations).

Terminating the Restrictive Covenant would send a message to every Austinite who thinks that a Restrictive Covenant authorized by a City Council is a method of enforcing agreements in our city, is really just a toothless, straw dog with no value. It also would suggest that our adopted neighborhood plans and their Future Land Use Maps have no lasting validity, but are always on the bargaining table with each new development scheme.

I know that you do not stand for that, and I'm certain you will oppose terminating the Restrictive Covenant just as the Planning Commission has recommended.

Thank you!

Mark C. Rogers, Executive Director
Guadalupe Neighborhood Development Corporation
p 512-479-6275 x3
