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**PLANNING COMMISSION SITE PLAN  
CONDITIONAL USE PERMIT REVIEW SHEET**

**CASE NUMBER:** SPC-2013-0409A **PLANNING COMMISSION DATE:** 5-13-2014

**ADDRESS:** 2002 Whitis Avenue

**PROJECT NAME:** Austin Megabus

**WATERSHED:** Shoal and Waller Creek (Urban)

**LEGAL:** Lot 17, Otl 21, Div.D Louis Horst Subdivision.

**AREA:** .201 Acres

**NEIGHBORHOOD PLAN:** West University/ Central Austin Combined

**EXISTING ZONING:** CS-NP

**PROPOSED USE:** Transportation Terminal

**APPLICANT:** Megabus NE, LLC  
369 First Street  
Elizabeth, NJ 07206  
(902) 354-3330 X 273

**AGENT:** Baker-Aicklen and Assoc., Inc.  
507 W. Liberty Ave.  
Round Rock, TX 78664  
(512) 244-9620

**NEIGHBORHOOD ORGANIZATION:**

1075- League of Bicycling Voters  
767- Downtown Austin Neighborhood Coalition  
1037-Homeless neighborhood Association  
1200- Super Duper Neighborhood Objectors  
and Appealers Association  
623- City of Austin Downtown Commission  
402- Downtown Austin Neighborhood Assn. (DANA)  
1400-Historic Austin Neighborhood Association  
767- Downtown Austin Neighborhood Coalition  
511- Austin Neighborhood Council

**AREA STUDY:** N/A

**APPLICABLE WATERSHED ORDINANCE:** Comprehensive

**CAPITOL VIEW:** Not in View Corridor

**SUMMARY STAFF RECOMMENDATION:** Recommended

C6/2

**PLANNING COMMISSION ACTION:** 3-25-2014, postponed (interested party)  
4-8-2014, postponed (PC)  
5-13-2014

**CASE MANAGER:** Lynda Courtney Telephone: 512- 974-2810  
Lynda.Courtney@austintexas.gov

**PROJECT INFORMATION:**

**EXIST. ZONING:** CS-NP

**EXISTING USE:** Commercial Parking lot

**GROSS SITE:** .201 Acres

**EXIST. BLDG. COVERAGE:** 0 SF

**ZONING-ALLOWED IMPERV. CVRG.:** 95%

**REQUIRED PARKING:**

**ALLOWABLE FAR:** 2:1

**PROPOSED USE:** Transportation terminal

**LIMITS OF CONSTRUCTION:** .207 Acres

**PROP. BLDG. CVR:** 0 SF

**EXISTING IMP. CVR:** 100%

**PROPOSED PARKING:** 10 dedicated for this use

**PROPOSED F.A.R.:** N/A

<u>Street</u>	<u>R.O.W.</u>	<u>Surfacing</u>	<u>Classification</u>
Whitis Avenue	60'	45' pavement	Urban
W. 20 <sup>th</sup> Street	70'	55' pavement	Collector
Alley	20'	20' pavement	Alley

**SUMMARY COMMENTS ON SITE PLAN:**

**PROPOSED DEVELOPMENT:** *The applicant is requesting approval of a Conditional Use Permit to change the use of an existing Commercial Parking lot to allow Transportation Terminal facilities for the Megabus passengers.*

Current conditions consist of a fully asphalt- paved, 100% impervious cover parking lot. This is a change of use only. No construction is proposed with this Conditional Use permit.

Ticketing, restrooms and waiting area are provided for customers within Dobie Mall, which is open daily from 7 a.m. until 12 a.m. Megabus hours are limited from 7:30 a.m. to 10:55 p.m. Two Megabus employees will be located on-site every day from 7:30 a.m. until 11 p.m.

**EXISTING ZONING:** CS-NP. CS (General Commercial Services) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are typically incompatible with residential environments.

The proposed use is conditionally allowed as a permitted use in the zoning district.

**Transportation:** Complies with all transportation requirements with regards to the Land Development Code.

**Environmental:** This site is located in the Waller and Shoal Creek , both identified as urban watersheds.

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### **SURROUNDING CONDITIONS:**

**Zoning/ Land use:** CS-NP, General Commercial Services in a Neighborhood Plan

**North:** CS-NP, Dobie Mall (Mixed Use)

**East:** Whitis Avenue, then CS-NP, Parking garage

**South:** CS-NP, Multifamily, Groundlevel parking with 2 stories of condominiums above

**West:** Alley, then CS-NP, Retail

### **CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA**

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

A conditional use site plan must:

1. **Comply with the requirements of this title;** Staff response: This application complies with the requirements of this title.
2. **Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district. The uses as shown are permitted uses, consistent with this zoning district. CS generally has more intense commercial or industrial uses with increased traffic service requirements. Uses in the area are mixed, with retail, restaurant, personal service, financial service, college and university, and multifamily residential in the immediate vicinity.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;** Staff response: No building is proposed. Traffic circulation is currently limited to difficult bus maneuvering entirely on the site but will allow alley access and through-site maneuvering after Planning Commission approval and alley repaving and improvements.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate and convenient off-street parking is provided in compliance with LDC standards for this site. The adjacent public parking garage is also available for any overflow patrons. Passenger loading is provided along the north side of the parking lot, toward Dobie Mall.
5. **Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project has associated noise and fumes as related to any bus operation. Current maneuvering requires a difficult backup and turnaround which will be alleviated with this approval, by allowing a pull-through access. The hours are limited to ameliorate this impact to nearby residents. Restroom facilities are available for patrons within the adjacent Dobie Mall, which is open during the operating hours the transportation facility is open.

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6. **For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is not in the East Austin Overlay.

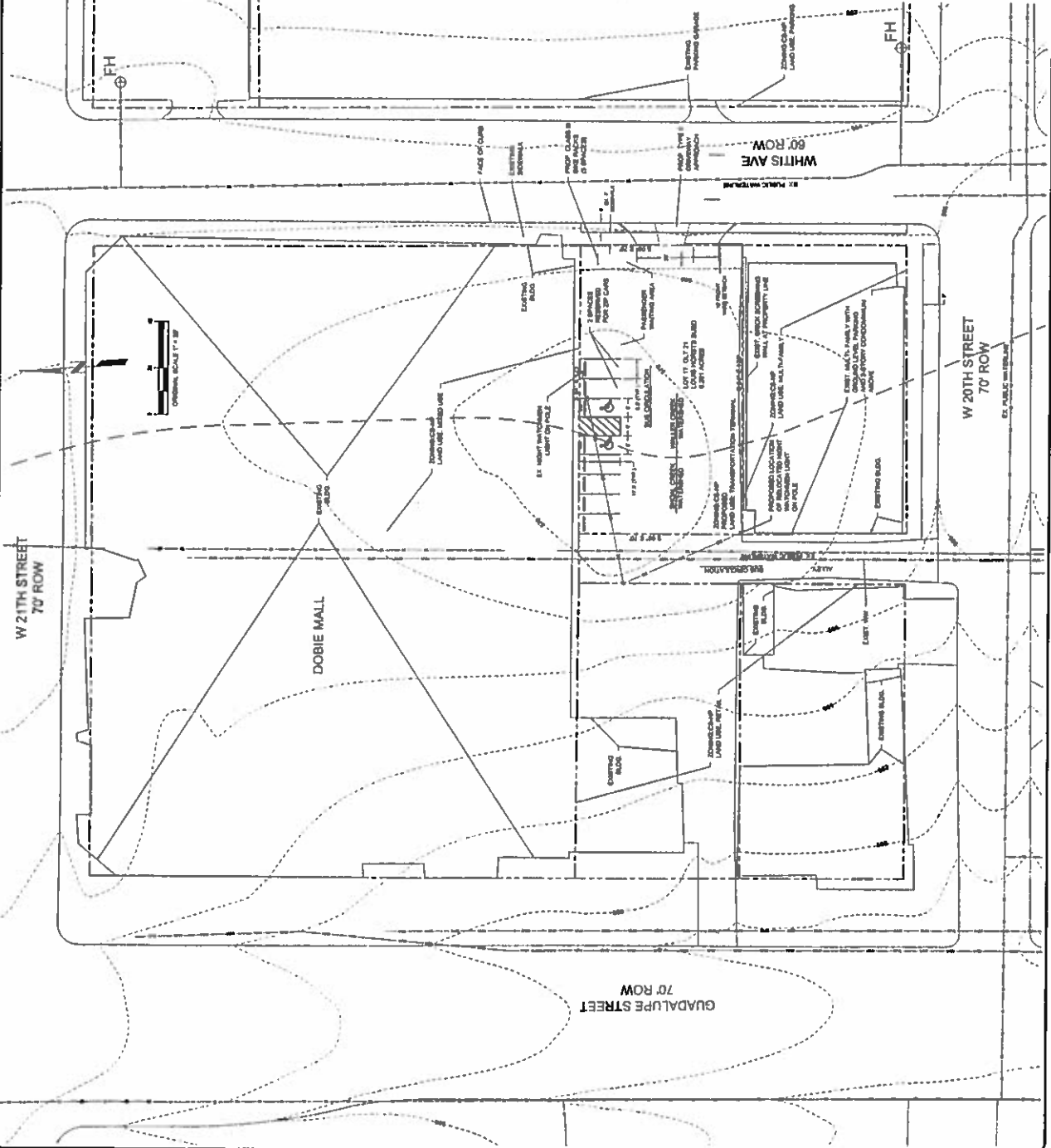
A Conditional Use Site Plan May Not:

1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform with all regulations and standards established by the Land Development Code. The operation of bus arrivals and departures creates more activity on the site during these times than would a commercial parking lot without the terminal operations. Limitation of operating hours and requirement of on-site security is proposed to limit this impact.
2. **adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: Development of this site will not adversely affect the safety or convenience of vehicular or pedestrian circulation. All operations related to the transportation terminal are proposed on the site, within limited hours. Ticketing and restrooms are located within Dobie Mall, adjacent, to the north.
3. **adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: The proposed project does not affect adjacent properties or traffic control through its location, lighting or type of signs. Lighting will be shielded and signs will comply with the sign ordinance.

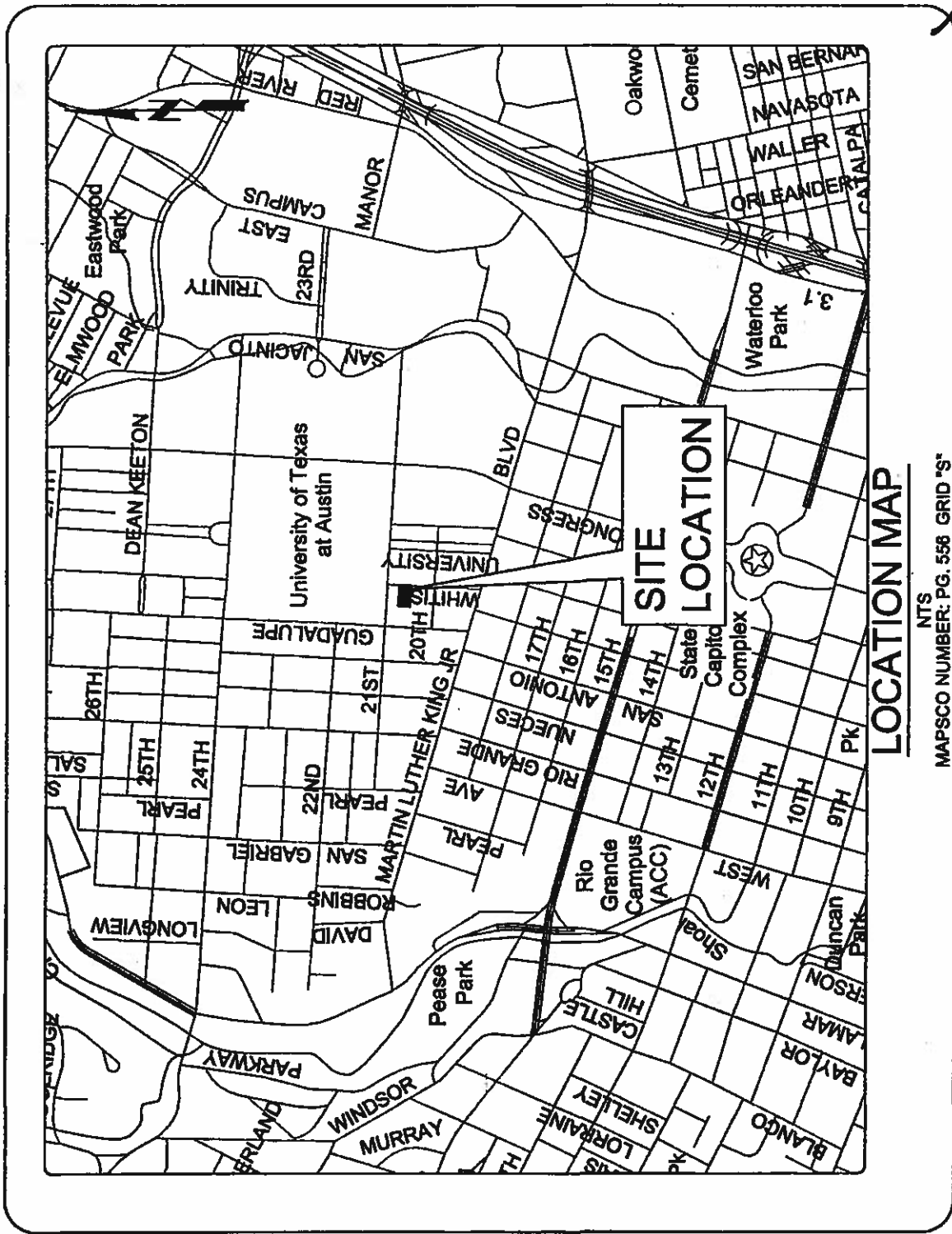


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Line	Lot	Net Price (\$)	Porting Rate	Required Parking
Transportation Terminal		0.750	See Note 1	See Note 1

[illegible]

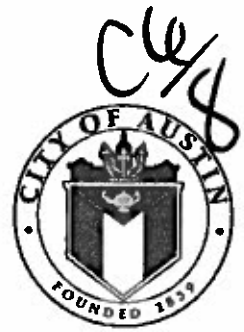
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# LOCATION MAP

NTS  
MAPSCO NUMBER: PG. 556 GRID "S"

CITY OF AUSTIN – PLANNING AND DEVELOPMENT REVIEW DEPARTMENT  
SITE PLAN APPLICATION – MASTER COMMENT REPORT



CASE NUMBER: SPC-2013-0409A  
REVISION #: 00  
CASE MANAGER: Lynda Courtney  
UPDATE: U1  
PHONE #: 512-974-2810

PROJECT NAME: Austin Megabus (Withdraw and Resubmit)  
LOCATION: 2002 WHITIS AVE

SUBMITTAL DATE: January 27, 2014  
REPORT DUE DATE: February 10, 2014  
FINAL REPORT DATE: February 28, 2014  
**18 DAYS HAVE BEEN ADDED TO THE UPDATE DEADLINE**

**STAFF REPORT:**

This report includes all staff comments received to date concerning your most recent site plan submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated site plan submittal.

The site plan will be approved when all requirements from each review discipline have been addressed. However, until this happens, your site plan is considered disapproved. Additional comments may be generated as a result of information or design changes provided in your update.

If you have any questions, problems, concerns, or if you require additional information about this report, please do not hesitate to contact your case manager at the phone number listed above or by writing to the City of Austin, Planning and Development Review Department, P.O. Box 1088, Austin, Texas 78704.

**UPDATE DEADLINE (LDC 25-5-113):**

It is the responsibility of the applicant or his/her agent to update this site plan application. **The final update to clear all comments must be submitted by the update deadline, which is May 20, 2014.** Otherwise, the application will automatically be denied. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

**EXTENSION OF UPDATE DEADLINE (LDC 25-1-88):**

You may request an extension to the update deadline by submitting a written justification to your case manager on or before the update deadline. Extensions may be granted for good cause at the Director's discretion.

**UPDATE SUBMITTALS:**

**An informal update submittal is required. You must submit the distribution to the case manager.**

**Please submit 1 copy of the plans and 1 copy of a letter that address each comment for distribution to the following reviewers. Clearly label information or packets with the reviewer's name that are intended for specific reviewers. No distribution is required for the Planner 1.**

**REVIEWERS:**

Planner 1 : Rosemary Ramos  
Site Plan : Lynda Courtney



Electric Review - David Lambert - 512-322-6109

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- EL 1. Show the location of the existing electric facilities on or near this site. There are two night watchman lights on poles on this site – one along the northern property line and one on the southern side of the driveway out to the alley to the west.  
Update 1: clear.

EL 2 – EL 4. Were informational.

Site Plan Review - Lynda Courtney - 512-974-2810

- SP 1. **FYI-This use is a conditional use and must be approved by Planning Commission before the Transportation Terminal Use is legal on this site.** Once all substantive comments are addressed, please contact this reviewer to schedule this for Planning Commission. An additional fee for notification of the hearing is required and must be paid prior to the mailing date.

SP 2. -4. Comments cleared.

SP 5. FLASH DRIVE REQUIREMENT–FYI

This application will require items listed in Exhibit VII of the application packet on an USB flash drive prior to the release of the permit. The flash drive must be taken directly to the Intake Department by the applicant after site plan approval.

Transportation Review - Caleb Gutshall - 512-974-6420

TR1-TR3. Comments Cleared.

End of Report

Cb/10

MEGABUS AUSTIN  
SPC-2013-0409A  
PROJECT HISTORY

May 2012	Megabus began operating from <u>street bus-stop near UT</u> due to proximity to majority of ridership.
June 15, 2012	Megabus received letter from City of Austin stating that they <u>could not utilize City bus-stop or ROW</u> .
June 2012	Megabus enters lease agreement on commercial parking lot at 2002 Whitis Avenue.
July 2012	Megabus was informed by Code Compliance about the Conditional Use Zoning and the Land Use Site Plan requirement. <u>Code Compliance said Megabus could use the Whitis site as long as they were diligently pursuing the Land Use site plan approval.</u> (see attached "Inspection Information", specifically the 7.6.2012 Information Update by Doug Baggett)
July 11, 2012	B-A met with Chris Johnson, COA Development Assistance Center to discuss permit requirements
August 6, 2012	Baker-Aicklen and Associates (B-A) contracted to meet with City of Austin and prepare and submit the site plan and application
August 14, 2012	B-A met with George Zapalac, Donna Galati, Mike McDougal, City of Austin PDRD to discuss the case and site plan specifics prior to submitting the site plan.
September 25, 2012	Completeness Check Submittal
October 16, 2012	Received "Complete" results on Completeness Check
October 22, 2012	Submitted for formal review (SPC-2012-0327A)
December 10, 2012	Received Comments
February 19, 2013	Submitted update
March 4, 2013	Received Comments
March 19, 2013	<u>Received approval from Transportation Division to use alley for circulation (see attached correspondence)</u>
March 21, 2013	Submitted update.
April 10, 2013	Public Works Street and Bridge Division confirmed <u>alley pavement section will need to be improved</u> (see attached correspondence)
April 16, 2013	Megabus met with Code Compliance to discuss complaints (litter, noise, length of operating schedule). Attendees included City of Austin Code Compliance Staff, APD representatives, PDRD staff, Megabus representatives (see attached attendance sheet; correspondence).
April 18, 2013	Megabus met with COA DAC team and Austin Transportation Division (Lee Austin) to discuss an alternative site and the potential use of an existing commercial zone along Guadalupe. Lee Austin to meet with division managers to discuss the prospect. (see attached attendance sheet)
April 24, 2013	Megabus implemented operational changes to address complaints per agreement with Code Compliance.
May 7, 2013	Received input from Austin Transportation Division <u>that the alternate site could be changed from Commercial Zone to Bus Zone.</u> <u>Megabus begins to pursue this site</u>

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while putting the Whitis Avenue application on hold. At this point, all comments had been addressed; the only pending item was the Planning Commission hearing.

October 14, 2013 Received input from alternate site owner; Megabus is unable to secure lease space at the alternate site.

October 17, 2013 Due to the application expiration date, the site plan cannot be put on the Planning Commission agenda prior to expiration. B-A submits a withdraw and resubmit request.

October 29, 2013 Completeness Check Submittal

November 14, 2013 Received "Complete" results on Completeness Check

November 20, 2013 Submitted for formal review (SPC-2013-0409A)

December 23, 2013 Received Comments

January 27, 2014 Submitted update

February 28, 2014 Received Comments

March 13, 2014 PC Notification

March 25, 2014 PC Hearing



**City of Austin**  
**Code Compliance Department**  
Summary of Complaint CC-2012-066181

06/12

**COMPLAINT INFORMATION**

**Case Status:** Active

**Address:** 2002 WHITIS AVE 78705

**Legal Description:** LOT 17 OLT 21 DIV D HORSTS LOUIS SUBD

**Property Owner(s):**

Ellen F Trust Byrum - Owner  
12501 Longhorn Pkwy Apt A415  
Austin, Texas 78732-1282

**Complaint Date:** July 2, 2012

**Complaint:** I have noticed a new bus service is operating out of a parking lot in the 2000 block of Whitis. It is my understanding that this lot is not zoned properly for a transportation terminal and so this company, Megabus, is in violation of city code.

**Complainant:** In order to maintain open communication with the public, the record pertaining to a complainant is withheld as our standard practice unless it is anonymous or the assigned investigator. If you desire the complainant record, an open record decision for withholding this record will be requested from the Texas State Attorney General's Office.

**INSPECTION INFORMATION**

**Investigator Assignment(s)**

Troy Collins assigned on July 2, 2012  
Transferred to Troy Collins on October 11, 2013

**Case Log**

DATE	STAFF NAME	ACTION TAKEN
07/03/2012	Doug Baggett	Inspection Performed
Site visit, found no evidence of any new bus terminal at this location.		
07/05/2012	Doug Baggett	Complainant Contacted
Called and left a voice mail message for complainant to call me regarding this complaint. I will verify the correct location of the complaint activity before closing this case.		
07/06/2012	Doug Baggett	Information Update
Complainant has not responded, however, after a second site visit, I discovered that the address of the violation is 2002 Whitis, and the zoning does permit a transportation terminal, however, they do not have a site plan for change of use. Later today, I received a phone call from the Megabus company's attorney, Mr. Jerry Converse, 536-4535, who stated he was working with the company and the COA to obtain the Conditional Use permit. He has spoken with Chris Johnson, and will be filing the application in the near future, after they have an engineer complete the application. I requested Mr. Converse to send me an email to this effect, and stated that as long as I see some action on the Megabus's behalf to accomplish this, I would work with them on the time line. I have received confirming emails from Chris Johnson, Mr. Converse, respectively. Emails are in attachments.		

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07/06/2012 Doug Baggett Insp / Violation(s) Found

On this site visit, I found the Megabus company using this commercial parking lot as a Transportation Terminal without the Conditional Use permit. I spoke with a Marqus Williams, a manager with Megabus, and he stated that the person to speak with is Mr. Shaun Sexton, 210-275-3243, and also, Mr. Jason Koltz, Cell: 466-8210; Off: 474-1530 ext: 104, as he is with Central Parking the owner of the parking lot.

07/27/2012 Doug Baggett Information Update

I have not seen any site plans for a change of use at this location. I called and left a voice mail message for Mr. Converse to call regarding this issue. Mr. Converse called me back, and I explained the situation to him that if I do not see any activity for a change of use permit by the end of next week, they will have to cease using this location for their terminal. Mr. Converse stated he would look into their progress and get back with me as soon as he can.

08/02/2012 Doug Baggett Information Update

I called Central Parking's, Mr. Jason Koltz, Project Manager, and he referred me to Mr. Jerry Wiggins, District Manager, 474-1530, Ext. 101, whom I called and left a voice mail message to call me regarding this issue. I received an email later today from Mr. Converse stating that the lease agreement has been reached with Central Parking, and the engineering firm will be engaged to submit plans for the Conditional Use permit, tomorrow. I will follow-up with Mr. Converse on Friday, August 3, 2012.

08/06/2012 Doug Baggett Information Update

I called and left a voice mail message for Ms. Tammi Migl, Baker-Aicklen Engineers, 512-244-9620 to call me regarding Megabus's Conditional Use Permit application. Later today, I received an email from Ms. Migl stating that they were in the process of submitting a site plan, had met with Chris Johnson, and were planning a meeting with George Zapalac, and the case manager to discuss specifics of the site plan. Copy of email in attachments.

08/07/2012 Doug Baggett Send CV Notice

08/15/2012 Doug Baggett Information Update

Received another email from Ms. Migl, stating the results of their meeting with George Zapalac, Donna Galati, Case Manager, and Mike McDougal, Environmental Reviewer. Email in attachments.

08/30/2012 Doug Baggett Information Update

Received another email from Ms. Migl stating the plans are ready to submit for completeness check, etc. Email in attachments.

12/03/2012 Doug Baggett Information Update

I received a phone call from Greg Guernsey requesting all the information I had on the Megabus case. I sent him an email, which is in attachments.

12/04/2012 Doug Baggett Information Update

I sent Michelle Casillas an email requesting an update on Megabus, and received her reply the same day. Emails are in attachments.

01/09/2013 Doug Baggett Information Update

Received a copy of the email from Ms. Migl to Shandrian Jarvis regarding Ms. Jarvis's comments on the Megabus land use plan, which was forwarded to me by Michelle Casillas after my voice mail request to her for information on this case.

01/10/2013 Doug Baggett Information Update

My reply to Ms. Casillas regarding her prompt response to my request, and also, some questions I had to her regarding the compatibility issues regarding this particular site being used as a transportation terminal. Email in attachments.

09/14

02/20/2013 Doug Baggett Information Update  
I sent Ms. Casillas an email stating the last complaint I had received and requested a comment from her regarding this type of complaint.

02/22/2013 Doug Baggett Information Update  
I received an email reply from Ms. Casillas stating that the only approval Megabus had received was for minor site work. Email in attachments.

03/22/2013 Doug Baggett Information Update  
Copies of emails from Paul Tomasovic, Greg Guernsey, and Chris Johnson. See Attachments.

03/25/2013 Doug Baggett Information Update  
Sent email to APD requesting the number of complaints they had received on this location, and also, sent an email to Ms. Migl requesting a meeting with her, and senior representatives of Megabus as soon as possible to discuss the complaints on Megabus's use of this property for a transportation terminal.

07/30/2013 Doug Baggett Information Update  
Called and left a voice mail message for Ms. Migl to call me regarding this case.

08/13/2013 Doug Baggett Information Update  
Email response from Ms. Migl. Copy in attachments.

08/16/2013 Doug Baggett Information Update  
Email update on Megabus's progress with Dobie Mall proposal. Copy in attachments.

08/20/2013 Doug Baggett Information Update  
Another update email from Ms. Migl on Dobie Mall plan. Copy in attachments.

08/21/2013 Doug Baggett Information Update  
Received an email from Ms. Migl regarding the security guards used by Megabus at 2002 Whitis. Email in attachments.

09/30/2013 Doug Baggett Information Update  
Received an email from Ms. Migl giving me an update of the status of Megabus using Dobie Mall for their terminal. Copy of email in attachments.

12/12/2013 Troy Collins Citation Prep/No Warning

01/17/2014 Troy Collins LC Review

01/17/2014 Troy Collins Investigation/Research

Troy Collins talked to  
R. G. "Jerry" Converse | Of Counsel  
Fulbright & Jaworski LLP  
98 San Jacinto Boulevard, Suite 1100 | Austin, Texas 78701-4255  
Tel +1 512 536 4535 | Cell +1 512 627 6479 | Fax +1 512 536 4598  
jerry.converse@nortonrosefulbright.com

He was informed that Megabus is still in violation and there still operating with out permits.

## VIOLATIONS

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### Land Use

Austin City Code Section: Site Plans Required (§25-5-1)

Violation: A person may not change the use of the property from commercial parking lot to transportation terminal prior to obtaining an approved and released site plan/site plan exemption.

Date Observed: 07/12/2012      Status: Not Cleared

### Structure Maintenance

## NOTICES

Notice of Violation to Ellen F Trust Byrum (Owner)

Mail sent regular on August 7, 2012

Mail sent certified 7010 0290 0001 4188 1237 on August 7, 2012


Received / signed by Sue Anderson on August 22, 2012

3/16/2014

Megabus - 2002 Whitis Ave - Tammi Migl

## Megabus - 2002 Whitis Ave

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Mon 8/6/2012 4:08 PM

To: doug.baggett@austintexas.gov <doug.baggett@austintexas.gov>; jerry.reynolds@austintexas.gov  
<jerry.reynolds@austintexas.gov>;

Cc: Jerry Converse <jconverse@fulbright.com>; Bryony Chamberlain <bryony.chamberlain@coachusa.com>; Ken Aicklen  
<kaicklen@baker-aicklen.com>;

Doug - Thanks for visiting with me this afternoon. As we discussed, Megabus has contracted Baker-Aicklen & Associates to prepare and submit a Land Use Commission Site Plan. We previously met with Chris Johnson with DAC (several weeks ago) to determine what type of application would be required for the project. We are currently preparing the Land Use Site Plan and I have a meeting request into George Zapalac requesting some time with a Case Manager to discuss the specifics of the plan. I hope this meeting helps expedite the review by limiting the number of comments we receive. I will keep you posted as we progress through the review process. I have copied Jerry Reynolds since you will be heading out on vacation on Wednesday. Have a safe and fun trip!

Thanks,  
Tammi

Tammi Migl  
Baker-Aicklen & Associates, Inc.  
507 West Liberty Avenue  
Round Rock, Texas 78664  
  
512.750.0440



## RE: Megabus - Alley Pavement

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Sharma, Binaya &lt;[REDACTED]@austintexas.gov&gt;

Wed 4/10/2013 7:39 AM

To: Tammi Migl &lt;[REDACTED]&gt;

Cc: Moin, Pirouz &lt;Pirouz.Moin@austintexas.gov&gt;; Duncan, Daren &lt;Daren.Duncan@austintexas.gov&gt;;

1 attachment

1-44.pdf;

Tammi,

As you have mentioned, alley off of W 20<sup>th</sup> street will be used as ingress or as driveway. In your case, you need to upgrade or improve the alley to meet the bus and other traffic uses requirement. Like many other alleys we recommend concrete pavement, which is required if you are planning for surface water runoff on alley towards W 20<sup>th</sup> street; however, Street and Bridge certainly can review other alternatives.

Once your pavement plan and details are available please forward them for us to review and for your reference a typical alley section from City of Austin Transportation Criteria Manual is attached.

Thanks,  
Binaya

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**From:** tammi migl <[REDACTED]>  
**Sent:** Tuesday, April 09, 2013 4:21 PM  
**To:** Sharma, Binaya  
**Subject:** Megabus - Alley Pavement

Binaya - Lee Austin with the City of Austin Traffic Engineering Division suggested I contact you regarding a project I am working on.

B-A is working on site permits for the Megabus site located at 2002 Whitis Avenue. We have a Non-Consolidated Planning Commission Land Use site plan in review to get the "transportation terminal" use approved. Michelle Casillas is the case manager and the case number is SP-2012-0327A. We also recently received approval on a Site Plan Exemption for minor site improvements including widening of the driveway, removal of two diseased trees and striping.

The buses currently enter the site using the driveway off of Whitis Avenue and make a three-point turn, load/unload, and then exit using the same driveway. They would like to enter from the alley off of 20th Street and exit using the driveway onto Whitis. The alley is on the west side of the property; Whitis Avenue is on the east; Dobie Mall borders the site on the north; and an apartment complex is located on the south. Using the alleyway simplifies their

3/16/2014

RE: Megabus - Alley Pavement - Tammi Migl

C6/8


turning movement significantly.

Lee Austin has approved the use of the alley for circulation. I wanted to get your input regarding the alley pavement section and if improvements will be required. Megabus wants to repave their lot and we will be getting input from a geotechnical engineer for the improved site pavement section. I want to get your input prior to meeting with the geotech in case we need to expand the scope to include the alleyway.


The site plan is attached, as well as the approved exemption.

Thanks in advance for your input.

Tammi

Tammi Migl, P.E.  
Baker-Aicklen & Associates, Inc.  
507 West Liberty Avenue  
Round Rock, Texas 78664  
  
512.750.0440

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**From:** "Lee Austin" <[Lee.Austin@austintexas.gov](mailto:Lee.Austin@austintexas.gov)>  
**To:** "Tammi Migl"   
**Cc:** "Amber Mitchell" <[Amber.Mitchell@austintexas.gov](mailto:Amber.Mitchell@austintexas.gov)>  
**Sent:** Tuesday, March 19, 2013 10:50:19 AM  
**Subject:** RE: Megabus Exemption

Ok, looked at the site plan. I don't have any problems with the buses using the alley to enter the parking lot, they just need to make sure the pull completely into the lot and don't wind up queuing in the alley and blocking it. As far as repaving and appropriate cross sections (I would think concrete might be appropriate), Public Works would need to weigh in. If you haven't resolved that yet, I'd suggest Binaya Sharma at S&B.

A. Lee Austin, P.E.  
Traffic Engineering Division  
Transportation Department  
Austin, TX  
512-974-7681

## Fwd: Megabus Meeting - Tuesday, April 16, 2013

C/19

Wed 4/24/2013 12:03 PM

To: Tammi Migl [REDACTED];

Cc: Marques.Williams@coachusa.com <Marques.Williams@coachusa.com>; Jerry Converse <jconverse@fulbright.com>;  
doug.baggett@austintexas.gov <doug.baggett@austintexas.gov>;

Doug,

I apologize for the delay. I was stuck in Chicago yesterday without my computer as the airline lost my bag.

In response to the requests:

1. Our field operations manager is meeting with local businesses to see if anyone is in favor of the partnership idea and cost splitting ideas.
2. We have moved our que line.
3. Our hours of service already are in line with Dobie Mall and will be reduced even further 5/1.
4. Our Ground crew members have made an extra effort to control street problems to the best of their ability and rights.
5. We have a site plan with construction plans that will provide a relief to these issues. This construction will take place once the permit is approved.
6. As of the date of our meeting, all documents have been submitted.

Please let me know if you need anything else.

Thanks again,  
Shaun

-----tammi migl [REDACTED] wrote: -----

To: Shaun Sexton &lt;[REDACTED]&gt;, Shaun Sexton [REDACTED]

[REDACTED]

From: tammi migl &lt;[REDACTED]&gt;

Date: 04/19/2013 11:43AM

Subject: Fwd: Megabus Meeting - Tuesday, April 16, 2013

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**From:** "Doug Baggett" <Doug.Baggett@austintexas.gov>**To:** tmigl@baker-aicklen.com**Cc:** jconverse@fulbright.com**Sent:** Friday, April 19, 2013 9:13:30 AM**Subject:** Megabus Meeting - Tuesday, April 16, 2013

Ms. Migl,

The additional operational requested changes for Megabus are as follows:

Cl  
20

1. Provide off-duty licensed peace officer security to address and prevent unlawful behavior, and activity at the Megabus terminal site.
2. Move the passenger queue line from the south side of this lot to the north side adjacent to the Dobie Mall structure.
3. Reduce operating hours to coincide the Dobie Mall operating hours.
4. Implement measures to reduce drop-off and pick-up traffic congestion on Whitis Street.
5. Implement methods to reduce noise from the buses while entering the site, loading at the site, and leaving the site.
6. Provide necessary documents and resources to ensure all required approval, permitting, and development for the Bus Terminal Use are completed.

We are requesting the additional measures listed above, and on our memo dated April 10, 2013, in order to address public safety and quality of life issues occurring due to the bus terminal operation at the site. Compliance with the above request does not override requirements to comply with all city codes related to proper approval for this development or use.

Please respond to the additional above measures requested with your action plan, and implemented procedures by April 23, 2013.

Please contact me should you have any questions or need further assistance.

Respectfully,

Doug Baggett

Code Enforcement Officer

## Fwd: Austin Megabus

Cb  
21

tammi migl &lt;tmigl@baker-aicklen.com&gt;

Thu 5/9/2013 4:10 PM

To: Doug Baggett &lt;doug.baggett@austintexas.gov&gt;;

Cc: Shaun Sexton &lt;shaun.sexton@coachusa.com&gt;; Jerry Converse &lt;jconverse@fulbright.com&gt;;

Doug - I wanted to touch base with you regarding the Megabus project and the pull-in area on Guadalupe in front of Dobie Mall. We have received ATD feedback that they are willing to change this area to a Bus Zone (see below email from Lee Austin). We will be submitting a new land use site plan for the Bus Terminal conditional use at the Guadalupe location and are currently working with City staff to make sure we understand all of the requirements. We will be preparing the plans and hope to submit within a couple of weeks. I'll let you know when the plans have been submitted. In the meantime, if you have any questions, please feel free to call or email me.

Thanks,  
Tammi

Tammi Migl, P.E.  
Baker-Aicklen & Associates, Inc.  
507 West Liberty Avenue  
Round Rock, Texas 78664  
[REDACTED]  
512.750.0440

---

**From:** "Lee Austin" <Lee.Austin@austintexas.gov>  
**To:** "tammi migl" <tmigl@baker-aicklen.com>  
**Cc:** "Gordon Derr" <Gordon.Derr@austintexas.gov>  
**Sent:** Tuesday, May 7, 2013 4:04:01 PM  
**Subject:** RE: Austin Megabus

Hi Tammi,

The ATD feedback is that we are willing to change the pull-in area on Guadalupe in front of Dobie Mall from a Commercial Service Zone to a Bus Zone with the caveat that if we see problems at the location, we would remove the Bus Zone. I'm sorry about the delay and I haven't heard how things went with the Planning Commission. Please let me know if this is still a direction y'all would like to go.

Thanks, Lee

A. Lee Austin, P.E.  
Traffic Engineering Division  
Transportation Department  
Austin, TX

3/16/2014

Fwd: Austin Megabus - Tammi Migl

512-974-7681

**From:** tammi migl [REDACTED]  
**Sent:** Tuesday, April 30, 2013 8:26 AM  
**To:** Austin, Lee  
**Cc:** Shaun Sexton; Shaun Sexton; Jerry Converse; Casillas, Michelle  
**Subject:** Re: Austin Megabus

CL  
22

Good morning Lee,

Touching base with you regarding the Megabus project and the possible use of the existing off-street commercial loading zone adjacent to Guadalupe Street. Have you had any feedback from Rob Spiller and the other staff you needed to coordinate with? The Whitis Avenue parking lot site is scheduled for Planning Commission next week. However, we feel like the Guadalupe facing lease space and drop-off is a much more desirable location for customers, neighbors, and the owner. We'd like to pull the case from the PC agenda if we think the Guadalupe Street site will be an acceptable location and agreeable by the City. Please let me know your input on this site at your earliest convenience. Thanks in advance!

Tammi

Tammi Migl, P.E.  
Baker-Aicklen & Associates, Inc.  
507 West Liberty Avenue  
Round Rock, Texas 78664  
[REDACTED]  
512.750.0440

---

**From:** "tammi migl" [REDACTED]  
**To:** "Lee Austin" <[lee.austin@austintexas.gov](mailto:lee.austin@austintexas.gov)>  
**Cc:** "Shaun Sexton" <[shaun.sexton@coachusa.com](mailto:shaun.sexton@coachusa.com)>, "Shaun Sexton" <[shaun.sexton@me.com](mailto:shaun.sexton@me.com)>, "Jerry Converse" <[jconverse@fulbright.com](mailto:jconverse@fulbright.com)>  
**Sent:** Wednesday, April 24, 2013 9:15:26 AM  
**Subject:** Austin Megabus

Good morning Lee,

Just touching base to see if you've had an opportunity to discuss Megabus utilizing the off-street drop-off / commercial loading zone adjacent to Guadalupe Street. Let me know if you have any questions or need additional information.

Thanks,  
Tammi

Tammi Migl, P.E.  
Baker-Aicklen & Associates, Inc.  
507 West Liberty Avenue

3/16/2014

Re: Megabus Guadalupe Street - status - Tammi Migl

**Sent:** Monday, August 05, 2013 10:06 AM

**To:** Baggett, Doug

**Cc:** Marques Williams; Rich.Funke@coachusa.com

**Subject:** Megabus Guadalupe Street - status

CL 23

Doug - Thanks for visiting with me last week regarding the Megabus project. As we discussed, the Land Use application and plan is 95% complete for the pull-in location off of Guadalupe. We are lacking signatures from Dobie management which recently changed. Megabus has a meeting request into Dobie Center management to discuss a lease space and their future plans. We will submit the application and plans once we get Dobie approval.

We still have the pending application open for the parking lot off of Whitis Avenue and all staff comments have been cleared on that application. We are pursuing the pull-in location of Guadalupe Street as we feel it is the best location; however, if that pull-in does not work out, we will move forward with the Whitis parking lot and take it to Planning Commission.

When we spoke, you inquired about the security for the parking lot. I do not know the security measures Megabus is using but have forwarded your questions to Megabus.

Please let me know if you have any questions or if I can assist with anything.

Thanks,  
Tammi

Tammi Migl, P.E.  
*Project Manager*

Baker-Aicklen and Associates, Inc.

507 West Liberty Avenue | Round Rock, TX 78664 | Cell: 512.750.0440

ENGINEERING | SURVEYING | LANDSCAPE ARCHITECTURE | GIS | CONSTRUCTION MANAGEMENT

October 28, 2013

Ms. Lynda Courtney  
City of Austin  
Planning and Development Review Department  
505 Barton Springs  
Austin, Texas 78704

Cb/24

RE: Austin MegaBus  
2002 Whitis Avenue  
Engineer's Summary Letter  
Withdraw and Resubmit of Case Number SPC-2012-0327A

Dear Ms. Courtney:

This application is a withdraw and resubmit of Case Number SPC-2012-0327A. The application consists of a Planning Commission Land Use Site Plan (Non-Consolidated) for the change of use of the Austin MegaBus site located at 2002 Whitis Avenue. The legal description of the property is Lot 17, Outlot 21, Division D of the Louis Horsts Subdivision. The gross site area and net site area is 0.201 acres.

## **ZONING AND LAND USE**

The project site is zoned CS – NP (General Commercial Services). The site is located in the West University / Central Austin Combined Neighborhood Plan. The site is currently a commercial parking lot. The proposed use is an off-street bus terminal facility for MegaBus. MegaBus offers express bus service between Austin, San Antonio and Dallas serving a customer base primarily comprised of students.

Sites adjacent to the project site are also zoned CS – NP. Adjacent uses are commercial, retail and multi-family. The Dobie Mall is immediately north of the project site. An apartment building is immediately south of the site. An alley borders the west property line and Whitis Avenue borders the east property line.

Upon approval of the change of use, the buses will access the site from the west from the alley on 20th Street. Lee Austin with the Transportation Division has approved the use of the alley for circulation. We have visited with Binaya Sharma with Public Works and are aware that the alley will need to be upgraded to meet the bus use requirements. We will coordinate the concrete pavement and alley sections with Public Works upon approval of the change land use.



16/25

Eight (8) parking spaces will be located on site for drop-off and pick-up of passengers. For the safety of the passengers, no long-term parking on-site is proposed. Passengers who wish to park their vehicles long-term, may do so in the adjacent public parking garage.

Two (2) MegaBus employees will be located on-site from 7:30 am – 11 pm daily. These employees will assist passengers with loading and unloading and answer questions about ticketing. MegaBus has a ticket agent within Dobie Mall; therefore, customers and employees have access to Dobie Mall for restrooms and as a waiting area. Dobie Mall is immediately north of the site and the ticket office is easily accessed from the Whitis Avenue entrances. Dobie Mall hours are from 7 am until 12 am; the mall is locked between 12 am and 7am with keyed access during these hours for residents. Tickets may also be purchased on-line. Departures will begin at 7:30 am and end at 10:45 pm; arrivals will run from 7:30 am through 10:55 pm.

No permanent building or facilities are proposed on-site. A restroom is available on each of the buses and within Dobie Mall.

## **PROPOSED IMPROVEMENTS**

Minor site improvements have been permitted through the City of Austin Site Plan Exemption process (DA-2013-0086). Improvements include restriping of the parking spaces, addition of bike racks, removal of a diseased tree, and widening of the driveway on Whitis Avenue.

The site is currently an asphalt parking lot and 100% impervious cover. No existing areas are proposed for redevelopment and no new impervious cover is proposed. No buildings exist on site and none are proposed.

Upon approval of the land use change, the pavement section on the site and within the alley will be assessed and improvements will be proposed and permitted as required.

## **WATERSHED / FLOODPLAIN**

The Austin MegaBus site at 2002 Whitis Avenue is located within the Shoal and Waller Creek Watersheds, which are both classified as urban watersheds. The project is not located within the Edwards Aquifer Recharge Zone. No portion of this site is within the 100 year flood plain as per Panel 48453C0465, dated September 26, 2008 for Travis County, Texas.

CL  
2/16

## **DRAINAGE**

Existing storm water drainage overland flows across the site. No alterations to the existing drainage are proposed.

## **DETENTION**

The Austin Megabus change of use will not change drainage patterns or increase storm water runoff; therefore, no detention is proposed, as there are no increased flows to detain.

## **WATER QUALITY**


No new impervious cover is proposed with this project; therefore no water quality controls are proposed.

## **UTILITIES**

No new utility connections are proposed. We will coordinate with Austin Energy to relocate an overhead utility pole.

Please do not hesitate to call should you have any questions or concerns regarding this project.

Sincerely,

  
Tammi Migl

CH  
27

**Registered Interested Parties:**

1. Harish Kotecha, 2000 Whitis
2. Aikuo Lee, 2000 Whitis
3. Edward Chen, 2000 Whitis
4. Mark Finley, 2000 Whitis
5. Chuan-Fu Chen, 2000 Whitis
6. Jainn-Min Lee, 2000 Whitis
7. Washoe Company, 1904 Guadalupe
8. Bill Corbett, 2001 Guadalupe

## PUBLIC HEARING INFORMATION

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A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

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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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0409A

Contact: Lynda Courtney, 512-974-2810

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Mar 25, 2014

HARISH N. KOTECAL

Your Name (please print)

2000 WHITIS AVENUE

Your address(es) affected by this application

HN Kotecal

Signature

Date

Daytime Telephone: 512.994.4638

Comments:

The noise caused by  
and traffic created will  
disturb the residents  
The buses are noisy disturbing  
the college kids living at  
2000 Whitis Ave.  
We also fear the security  
of the residents.

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Lynda Courtney

P. O. Box 1088

Austin, TX 78767-8810

CE  
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## INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:  
[http://www.amlegal.com/austin\\_tx/](http://www.amlegal.com/austin_tx/).

Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City through the case manager and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the site of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

If a person satisfies the criteria to become an interested party, they must communicate an interest by either delivering a written statement to the Land Use Commission conducting the hearing or appearing and speaking for the record at the public hearing. A person may also provide a written statement to the Case Manager or by making telephone contact with the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; and 3) if the communication is by telephone, be confirmed in writing.

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

Case Number: SPC-2013-0409A

Contact: Lynda Courtney, 512-974-2810 or

Rosemary Ramos, 512-974-2784

☒ I meet the requirements for and request to be an interested party  
Note: All contact information is mandatory.

AIKUO LEE (832) 367-9115

Name (please print) 2000 Whit's Ave. #302, Austin, TX 78705 telephone number

2000 Whit's Ave. #302, Austin, TX 78705

Address(es) affected by this application (Street, City, ZIP Code)

9215 Memorial Valley Dr. Spring, TX 77379

Mailing address (Street, City, ZIP Code)

Signature Date 1/20/2014

Comments: I object to change the use from commercial parking to bus terminal. The reasons are 1) Safety of resident - Due to the limit space of parking lot, blind spots could be easily formed by the blocking view from building. The resident could be hit by the bus. 2) The structural damage of building - The wall of the community parking lot under the building was damaged by the bus due to

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Lynda Courtney

P. O. Box 1088

Austin, TX 78767-1088

the limit space of commercial parking lot

3) See attached ...

CE  
29

AIKUO LEE attachment:

C6/30

I object to change the use from commercial parking to bus terminal. The reasons are 1) Safety of resident – Due to the limit space of commercial parking lot, blind spots could be easily formed by the blocking view from building. The resident could be hit by the bus. 2) The structural damage of building – The wall of the community parking lot under the building was damaged by the bus due to the limit space of commercial parking lot, 3) Noise – The bus is still operated after 9pm and before 8am which disturbs the normal living condition (sleep, study, rest, etc.), 4) Air pollution – The quality of air becomes worse which may causes health problem, 5) The security of community – Non-residence people are noticed and are wondering around the building which causes the concern of the security of community.

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Case Number: SPC-2013-0409A

Contact: Lynda Courtney, 512-974-2810

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Mar 25, 2014

Edward T. Chen

Your Name (please print)

2005 Whitis Ave, Apt #202

Your address(es) affected by this application

Colleen Chen

3-10-14

Signature

Date

Daytime Telephone: 281-980-0860

Comments: We are "AGAINST" the Mega Bus Station on our corner next to the noise, pollution, safety and our great community. Please STOP this Applicant's permit.

NO Mega Bus Station.

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Lynda Courtney

P.O. Box 1088

Austin, TX 78767-8810

CE  
3/6

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Case Number: SPC-2013-0409A

Contact: Lynda Courtney, 512-974-2810

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Mar 25, 2014

JANN-MEN LEE

Your Name (please print)

☐ I am in favor  
☒ I object

2000 WHITIS AVE #305, AUSTIN, TX 78705

Your address(es) affected by this application

3/17/2014

Date

*[Signature]*

Signature

Daytime Telephone: 646-236-1286

Comments: I object to change the use of commercial parking to bus terminal. Following are the reasons.

1. Noise - from the bus and people talking when waiting for bus.
2. Safety of residents - people waiting for bus are around/in the building in the rain/cold/hot/sunny days, even parking the cars in the building.
3. bus damage of building - due to limit space, bus hit the wall of building.
4. bus air pollution - the bus never turn off when waiting for boarding.
5. living environment - no restroom provided by bus company, people used our building as open restroom.

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Lynda Courtney

P. O. Box 1088

Austin, TX 78767-8810

C6/32



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**Case Number: SPC-2013-0409A**

**Contact: Lynda Courtney, 512-974-2810**

**Rosemary Ramos, 512-974-2784**

**Public Hearing: Planning Commission, Mar 25, 2014**

WASHOE COMPANY

Your Name (please print)

1904 GUADALUPE

Your address(es) affected by this application

03/19/2014

Date

Signature

Daytime Telephone:

Comments: Your notice makes no sense. The map

attached shows you tearing down Doble Mall to

make a bus terminal. Please send a correct map

that properly outlines the project since it is

hard to believe you are destroying Doble Mall.

If you are talking about an intercity

bus service. It should be located over on IH-35.

Washoe Company

P. O. Box 986

Reno, NV 89504-0986

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Lynda Courtney

P. O. Box 1088

Austin, TX 78767-8810

CLB  
B3

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A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](http://www.austintexas.gov/development).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0409A

Contact: Lynda Courtney, 512-974-2810

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Mar 25, 2014

CHEN, CHUAN-FU

Your Name (please print)

2000 Whitis Ave #206 Austin

Your address(es) affected by this application

3/20/14

Signature

Date

Daytime Telephone: 713-591-6589

Comments:

I don't want the place becomes a bus  
terminal. more safety concern.

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Lynda Courtney

P. O. Box 1088

Austin, TX 78767-8810

*CH*  
*3/21*

**Courtney, Lynda**

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**From:** Karan Greco [REDACTED]  
**Sent:** Tuesday, April 29, 2014 1:07 PM  
**To:** Linseisen, Andrew  
**Cc:** Courtney, Lynda  
**Subject:** Add'l Mega Bus Back-Up  
**Attachments:** megabus photo 1.JPG; megabus photo 2.JPG

CL/35

Andy/Lynda,

Please provide this information as back-up for the next Megabus meeting, at this time I believe it is scheduled for Tuesday May 13, 2014.

Just as an FYI, my daughter met with Mr. Converse the MegaBus attorney and Tammi Migl an engineer working on behalf of Megabus yesterday. They informed her that they were going to remove the "dead" tree that was on the lot and referenced dead on more than one occasion. My daughter sent me copies of this "dead" tree and I have attached them to this e-mail. Also my daughter went on the Megabus site yesterday and noticed their routes that used to end at 11:00pm now schedule until 12:25am. This is the scheduled time, the actual times usually have an hour or so delay. They also informed her that putting bathrooms on the site was not monetarily doable, I know this was a big issue for her and I believe for some of the Commissioners as well. She did voice this to them and Mr. Converse told her he would check with Megabus again, but didn't think he would get anywhere with the bathroom issue.

I do appreciate all your help concerning this matter.

Sincerely,

Karan Greco

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C10

## **Argument Against the Approval of the Site Plan – Conditional Use Permit for MeagBus**

Megabus' customers defecate on the surrounding premises.

Megabus' customers urinate on surrounding premises.

Megabus' hours of operation are a minimal of: 7:00am -11:00pm, usually after midnight.

Megabus has a minimum of 48 trips per day out of this location, averaging say 50 passengers, probably more, totaling 2400 customers daily.

Megabuses beep continually creating non-stop noise at this location.

Megabus creates extreme pollution and soot that is thrown off from the MegaBuses and onto the balconies of adjacent apartment complex because they do a minimal of a 3 point turn and usually a 4 or 5 point turn.

Megabus has damaged the property they operate out of twice in the last two months and have made two major repairs at this location. This work was done at extremely early hours of the morning and interrupted the sleep of the residents from the adjacent apartment complex

These giant MEGABUSES are operating out of a tiny parking lot that is NOT suitable for use as a bus terminal and definitely not one that operates with the high volume of trips and passengers that Megabus does. There are no public toilets for said customers to use, so they feel free to wonder and use adjacent properties as their public restrooms. Their customers not only use my daughters parking garage as a toilet they also use it as their shelter because Megabus has no shelter for them, so in cold weather, hot weather, rainy weather (just about every day of the year), the Megabus customers are loitering in her parking garage. I fear for her safety because the Megabus customers are always in her parking garage and many look like they are drug addicts. This is no place for 2000 or more bus passengers a day to be hanging out. I ask you to truly contemplate and consider my argument against the approval of the MegaBus Site Plan – Conditional Use Permit.

from  
Karan Greco

**Courtney, Lynda**

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**From:** Karan Greco [REDACTED]  
**Sent:** Monday, April 28, 2014 10:28 AM  
**To:** Linseisen, Andrew  
**Cc:** Courtney, Lynda; Sandoval, Marie  
**Subject:** RE: Late Backup for Mega Bus

06/31

Andy,

Please provide this information as back-up for the next Megabus meeting, at this time I believe it is scheduled for Tuesday May 13, 2014.

One of the issues that was addressed at the meeting on April 6<sup>th</sup> was Megabus idling. I believe one of the Commissioners by the name of Jack asked about Megabus idling, stating that it is against City Ordinance for a commercial diesel vehicle to idle longer than 5 minutes. The response from Rich Funky who is the Megabus Regional V.P. stated they do not idle for longer than 5 minutes, but then contradicted himself by stating that after two minutes, if the air-conditioner was shut off, the buses would heat up too fast for any passengers who remand on the Megabus. My daughter Nicolette Greco, who addressed the committee on April 6<sup>th</sup> has since made a couple of idling observations that she wanted me to include in this e-mail:

**Megabus idling**

April 16, 2014 11:10am until 12:32pm (1 hour, 22 min), she had to leave, so she isn't sure how much longer it idled for.  
April 16, 2014 5:15pm until 5:55pm (40min), once again she had to leave.  
April 21, 2014 Two buses:  
12:25pm until 12:33pm (8 min)  
12:25pm until 12:40pm (15 min)  
April 21, 2014 5:27pm until 6:03pm (36 min)  
April 23, 2014 5:30pm until 6:08pm (38 min)  
April 25, 2014 5:13pm until 5:27pm (14 min)  
April 25, 2014 6:50pm until 7:04pm (14 min)  
April 25, 2014 7:09pm until 7:27pm (18 min)

My daughter is just notating Megabus idling as she observes them. My guess is there are numerous city ordinance violations daily and this is something that can be easily verified by City staff before the Meeting on May 13, 2014.

Also the Kerrville bus company operates from this location as well. My daughter has noticed large white buses that say Kerrville Bus on them operating from this location as well.

Thanks, Karan Greco

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**From:** Linseisen, Andrew [REDACTED]  
**Sent:** Monday, April 14, 2014 3:10 PM  
**To:** Karan Greco  
**Cc:** Courtney, Lynda; Sandoval, Marie  
**Subject:** Late Backup for Mega Bus

Ms. Greco,

C/38

I called and was not able to reach you to discuss your concerns about the late backup materials that you provided to PDRD for the Mega Bus Conditional Use Site Plan so I thought I would follow up with an email. Lynda Courtney made copies of your emails and materials that you sent to us on April 4<sup>th</sup> and 6<sup>th</sup> and distributed copies to each of the commissioners prior to the meeting on the 8th. This is our standard procedure for distributing materials that we receive after the backup has already been distributed to the commission. Since a final decision on this case was postponed until May 13<sup>th</sup>, these materials will be included in the backup for the next meeting. If you have additional information that we need to consider prior to the meeting on the 13<sup>th</sup>, please try to have it to us no later than April 30<sup>th</sup> so we could include as part of the normal back up information. If you should have any questions or require additional assistance please let me or Lynda know.

Andy

**Andrew J. Linseisen, P.E.**

Managing Engineer, Land Use Review

City of Austin

Planning and Development Review Department

512-974-2239

[Andrew.linseisen@austintexas.gov](mailto:Andrew.linseisen@austintexas.gov)

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From: "Courtney, Lynda" <Lynda.Courtney@austintexas.gov>  
To: Bill Corbett <williamrcorbett@yahoo.com>  
Sent: Wednesday, March 12, 2014 5:35 PM  
Subject: RE: Case: SPC-2013-0409A

C6  
39

Mr. Corbett, Thank you for our email. I can include your email as part of the support material for the Planning Commission hearing, if you wish. If you come to the hearing and speak, you are considered an "Interested Party". Or, likewise, if you fill out one of those forms that were sent with the hearing notice, and send it back, you will be an official "Interested Party". If you want to let me know your address within 500' of the triggering property, I can put you on the list. Then, any comment reports that are issued or decisions that are made regarding this project will be sent to you.

Lynda J. Courtney

Phone (512) 974-2810 ; (512) 775-5191 cell  
Development Services Process Coordinator  
COA Planning and Development Review Department  
Creative. Sustainable. Responsible. Land Development.

Direct Supervisor: Andrew Linseisen, (512) 974-2239

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From: Bill Corbett [REDACTED]  
Sent: Wednesday, March 12, 2014 5:09 PM  
To: Courtney, Lynda  
Subject: Case: SPC-2013-0409A

Ms. Courtney,

Concerning this application, I object for numerous public health and increased pedestrian and motor vehicle traffic reasons.

Many of the hundreds of passengers waiting to load almost 24 hours a day onto the mega buses URINATE, DEFECATE and leave trash on our adjoining property diagonally located at 2001 Guadalupe Street in the same block with the subject property lot. How about the city staff deciding the fate of this application come to our property each morning and clean up the passenger's refuse left during the night. Make sure the Mega Bus owners provide adequate on-site restrooms to properly handle the amount of passengers loading onto and disembarking the busses.

A small part of this problem can be taken care of if a permanent, secure and 8 ft tall non-see-through fence is erected between the Dobie building and the Whitis Place Condos, so that people cannot make their way around the ends of the fence.

The amount of exhaust fumes from the busses is absolutely too thick from each bus 24 hours a day for the amount of persons residing and passing through this small neighborhood area. This concentration of fumes can kill people.

The city staff is not taking into account the amount of vehicular traffic caused by the passengers being dropped off and picked up from

this "bus station" location. With UT building a structure that will also be adding hundreds of vehicles to this small neighborhood area, with the bus station, the new UT business school building, the AT&T Convention Center and hotel, along with the existence of Dobie residence hall, pedestrians and vehicles are too congested for the city staff to recommend the approval this bus station application. City staff is not taking these upcoming and current situations in mind when considering how to make a recommendation to the commission members.

Cb  
40

As an example, the staff is essentially barely looking over the end of a vehicle's front hood while driving a vehicle at a high speed, rather than peering down the road as far as can be seen when considering how to advise the commission to make a final decision. These future building events as well as the current congestion must be taken into account before recommending the commission approve this application.

Is there a way to fill in your form on-line or do we need to mail back a completed form or letter so that it will be filed with this case? There are more reasons to be considered before a final staff recommendation is decided and presented to the commission members.

Regards,

Bill Corbett



CB  
41

March 13, 2014

**To: Linda Courtney, Staff, City of Austin, Planning and  
Development Review, POB 1088, Austin, Texas  
78767**

**From: William R. Corbett, Corbett Services, Inc.,  
PO Box 92977, Austin, Texas 78709, 512.627.0185  
williamrcorbett@yahoo.com**

**RE: SPC-2013-0409A**

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**Planning Commission:**

**Our property address is 2001 Guadalupe Street, at the corner of 20th and Guadalupe Street, located within the same block as is the subject lot.**

**The city staff should spend a few hours at the bus station lot operation at different times of the day and night to better understand the problems the bus company is creating for the adjoining lot owners and tenants.**

**Restroom facilities and a large fence at the alley property line are absolute requirements that should be mandated by the city staff before they make any recommendations to the commission members.**

**The lots not owned by the Dobie owners are owned by persons that do not office at their properties. Tenants rent all of our lots and buildings. Owners are never down there except for me from time to time. The other owners do not know the problems the bus company is creating for the their tenants occupying the buildings owned by them.**

**Your notification process probably does not include their tenants and the tenants probably cannot address these issues with the city because they do not know of the application process you are conducting. If they were involved, you would hear many negative comments concerning the bus company**

operation.

C6  
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The owner of the bus station lot is a sweet elderly lady that is simply desiring to continue to rent out the lot for income. It is doubtful that she knows what disturbances the bus company creates. The company does not even repair her paved lot after the buses continually dig a large 1 foot + deep divot below the pavement surface as they turn around on this lot that is too small to have buses of this size attempting to turn around as they do.

Regards,

  
William R. Corbett  
Property Owner

624  
Signatories  
(in file)

C6  
43

PETITION IN FAVOR OF APPLICANT

IN THE MATTER OF MEGABUS AUSTIN


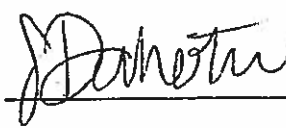
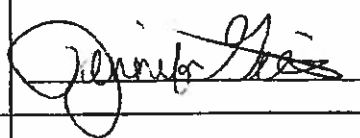
PENDING BEFORE THE PLANNING  
COMMISSION  
CITY OF AUSTIN

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SPC-2013-0409A

TO: City of Austin Planning Commission

The undersigned are interested parties with respect to the captioned permit application pending before the Planning Commission of the City of Austin because the undersigned either have been a MegaBus Austin passenger/customer or expect to be a MegaBus Austin passenger/customer. Each of the undersigned urge the Planning Commission to APPROVE the application of MegaBus Austin for a conditional use permit to operate a transportation terminal on the property at 2002 Whitis St., Austin, Texas.

<u>NAME &amp; ADDRESS:</u>	<u>DATE:</u>	<u>SIGNATURE:</u>
701 W 24th Street Austin, TX 78705 Anton Palmer	3/6/14	
Shruti Dahotre 3306 Belmont St Denton TX 76210	3/7/14	
Jennifer Giglio 201 East 21st St Austin, TX 78705	3-6-14	

(3)