

## CENTRAL WEST AUSTIN NEIGHBORHOOD PLAN CONTACT TEAM

May 12, 2014

### Organized 2010

*"To facilitate the implementation of the Central West Austin Combined Neighborhood Plan."*

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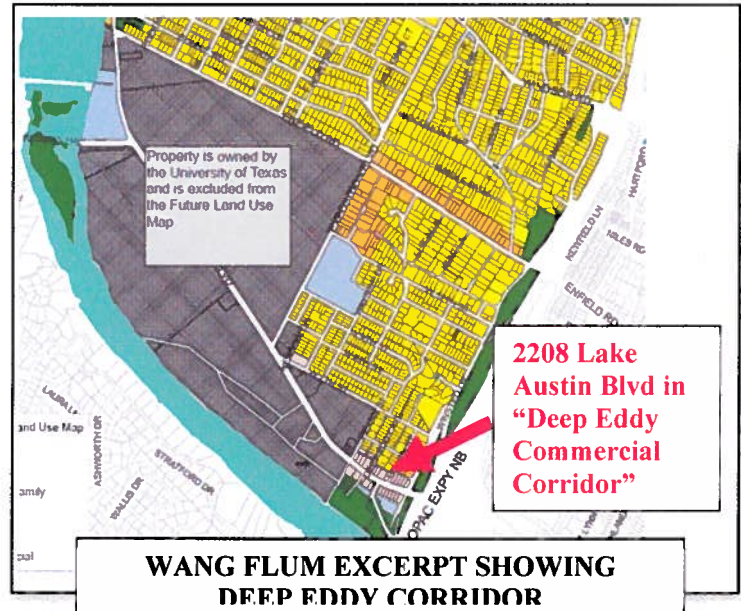
Honorable Mayor Leffingwell and City Council Members  
Austin City Council  
City Hall  
301 West 2nd Street  
Austin, Texas 78701

Re: Neighborhood Plan Amendment Case No. NPA-2014-0027.01 (2208 Lake Austin Boulevard)

Dear Mayor Leffingwell and Council Members:

The Central West Austin Neighborhood Plan Contact Team (PCT) ***opposes*** the requested amendment to our Future Land Use Map (FLUM) for 2208 Lake Austin Boulevard because it ***directly*** conflicts with specific guidance in our recently completed neighborhood plan and FLUM regarding the desired development and land use at this site.<sup>1</sup> As illustrated below, the proposed plan amendment would convert a vital "Neighborhood Commercial"

property serving our neighborhood's commercial needs to a neighborhood mixed for the purpose of increasing the size of the available residential use and to allow additional "short term rental" use(s) at the site. However, our FLUM explicitly retains "Neighborhood Commercial" land use at the location to provide a sustainable and compatibly scaled neighborhood-serving commercial area to serve the neighborhood's commercial needs, thereby advancing Imagine Austin's vision of a compact and connected Austin. On this point, our plan expressly designates the Deep Eddy's commercial corridor (where 2208 Lake Austin Blvd. is located) as one of the small areas of neighborhood-serving commercial districts that should be ***preserved*** because they serve the neighborhood's needs. See, Land Use Recommendation 2.6 ("Deep Eddy's commercial corridor along Lake Austin Boulevard should remain a mix of neighborhood niche shops and offices").



<sup>1</sup> In addition, the PCT voted to not oppose the termination of the public restrictive covenant.

A few short years ago, our neighborhood plan (NP) was approved by City Council to provide our community's vision for how growth and development should occur in our planning area. As you will recall, the major issue driving the planning process was the potential development of UT's Brackenridge Tract and the Austin State School properties. Since there will most certainly be significant residential, mixed use, and commercial development in these tracts, our NP process sought to plan for this growth and account for its presence while simultaneously protecting the character of the existing residential and commercial areas. Thus, our plan clearly recognizes that there will be growth, and attempts to provide guidance on where and how that growth should occur, but otherwise seeks to preserve the neighborhood's current residential character and supporting commercial services until the larger tracts are developed. **In defiance of our plan's explicit guidance here, City Staff has recommended plan amendment by misstating our plan requirements (using draft plan language that was never approved) and by mischaracterizing "Imagine Austin Planning Principles" which actually weigh in favor of retaining our neighborhood commercial area.**

Neighborhood Plan Should Guide Decision: When the actual plan language is considered, the proposed FLUM amendment -- to replace the FLUM's "neighborhood commercial" land use with "neighborhood mixed use" -- would reduce the available stock of shopping, food and other commercial services in our neighborhood, thereby violating numerous provisions from our neighborhood plan which seek to protect, preserve, promote, and enhance Deep Eddy's commercial corridor along Lake Austin Boulevard which serves as an important mix of neighborhood-serving niche shops and offices. The relevant provisions of the neighborhood plan are briefly noted below along with comments identifying the conflicting features from the proposed development:

<u>Neighborhood Plan Guidance</u>	<u>Conflicting Features of FLUM Amendment</u>
"Central West Austin is a mature, stable and diverse community that includes a collection of four predominantly single family neighborhoods <u>supporting and supported by small-scale businesses</u> , with tree-lined streets and local schools, history, and amenities, <u>all of which are worthy of protection.</u> " NP Vision Statement, p. 9.	The proposed neighborhood mixed use (NMU) does not protect the small-scale businesses located at the site, and actually reduces the available stock of shopping, food and other commercial services in our neighborhood since the proposed residential use would displace a potential shopping, food or other commercial service.
"The plan ... will promote a sustainable neighborhood with <u>compatibly scaled and located neighborhood-serving commercial</u> and civic <u>areas</u> , so as to maintain the neighborhood's quality of life, <u>avoid increasing traffic</u> , preserve the mature tree canopy, protect creeks and the lakes, and prevent flooding." NP Vision Statement, p. 9.	The proposed NMU does not promote neighborhood-serving commercial areas at the site, and actually reduces the available stock of shopping, food and other commercial services in our neighborhood since the proposed residential use would displace a potential shopping, food or other commercial service. The displacement of neighborhood commercial would also increase traffic as residents drive out of the neighborhood to obtain commercial services.
"Preserve and protect the historic character and integrity of Central West Austin's predominantly single-family neighborhoods, <u>with their neighborhood-serving commercial centers</u> , civic	The proposed NMU does not preserve and protect the existing neighborhood-serving commercial center located at the site, and actually reduces the available stock of shopping, food and

<u>Neighborhood Plan Guidance</u>	<u>Conflicting Features of FLUM Amendment</u>
areas, safe parks, and attractive open spaces, so as to maintain the neighborhood's quality of life, avoid increasing traffic, preserve the mature tree canopy, protect creeks and the lakes, and prevent flooding." NP Land Use Goal, p. 41.	other commercial services in our neighborhood, thereby increasing traffic required to visit displaced shopping, food or other commercial services.
"Preserve or enhance, as appropriate, <u>existing</u> multifamily housing and <u>neighborhood-serving commercial districts</u> ." NP Land Use Objective 2, p. 42.	The proposed NMU does not preserve or enhance the existing neighborhood-serving commercial district at Deep Eddy, but instead reduces the available stock of shopping, food and other commercial services in our neighborhood.
<u>"Deep Eddy's commercial corridor along Lake Austin Boulevard should remain a mix of neighborhood niche shops and offices."</u> NP Land Use Recommendation 2.6, p. 43.	The "Neighborhood Commercial" Land Use for this site was the subject of two specific meetings during the NP process, and the neighborhood's consensus choice of "Neighborhood Commercial" <u>should not be casually disregarded.</u>
The NP specifically designates appropriate locations for "mixed use" development as being "the area surrounding Seton Medical Center and along 38th Street and Lamar Boulevard," "the northeast corner of the Windsor Road Planning Area," "along 38th Street and Lamar Boulevard," "along the north side of 31st Street," at the "Austin State Supported Living Center," and at the "Brackenridge Tract". NP Land Use Goal, Land Use Objective 4, Land Use Recommendation 4.1, Land Use Recommendation 4.4, Land Use Recommendation 6.2, and Land Use Objective 7.	<i>There is no mixed use land use designated for this location or area in the Future Land Use Map or in any plan text. Instead, the NP specifies other locations for mixed use.</i>

As seen above, there is substantial and explicit guidance from our neighborhood plan that we should protect, preserve, promote, and enhance Deep Eddy's commercial corridor along Lake Austin Boulevard as a mix of neighborhood-serving niche shops and offices. NP Land Use Recommendation 2.6, p. 43 ("Deep Eddy's commercial corridor along Lake Austin Boulevard [including 2208 Lake Austin Boulevard] should remain a mix of neighborhood niche shops and offices."). In addition, there is ample guidance from our neighborhood plan on where mixed use should be located in the planning area, none of which points to the Deep Eddy area as an appropriate location for mixed use. We believe that the vision, goals, and objectives of our neighborhood plan are not being served by the proposed neighborhood mixed use development at 2208 Lake Austin Boulevard since it effectively displaces designated neighborhood commercial property use from our neighborhood in favor of a slightly larger residential use. Instead, the neighborhood plan envisions that the Deep Eddy Corridor continue to provide vital neighborhood commercial services for the surrounding residential neighborhood, as articulated in the Plan text provisions noted above.

Imagine Austin Supports "Neighborhood Commercial" for a Compact, Connected Austin: In recommending the plan amendment, Staff argues that residential use "is appropriate for the property location along a major arterial and for the guiding land use principles in the Imagine Austin Comprehensive Plan." Staff Recommendation, p. 2. In response, we would first note that residential

use is already allowed under the current zoning and land use under LDC Section 25-2-894. The only reason a FLUM amendment is being requested is that applicant now claims to need 200 additional square feet of residential space above what is allowed by LDC Section 25-2-894.

More importantly, we object to Staff's selective citation of passages from the Imagine Austin (IA) Plan to subvert clear, express, and repeated planning guidance from our neighborhood plan. Indeed, a careful reading of the IA Plan confirms that neighborhood commercial land use would **more** consistent with goals of the IA Plan than the additional residential mixed use being requested. For example, "neighborhood commercial" at this site would help "create complete neighborhoods ... that have ... access to ... retail, employment, [and] community services" by keeping commercial land uses within walking distance of the single family neighborhood, as called for by Housing Policy HN P10. The FLUM amendment effectively displaces "neighborhood commercial" from the neighborhood by expanding the residential component, thereby increasing transportation costs and making it more difficult to walk and bicycle to the displaced commercial services. Thus, retaining "neighborhood commercial" at this site would help align land use and transportation planning ... to achieve a compact and connected city in line with the Growth Concept Map" by keeping commercial land uses within walking distance of the single family neighborhood, as called for by Land Use Transportation Policy LUT P1. Retaining "neighborhood commercial" at this site would also help "promote development in compact centers, communities, or along corridors that are ... designed to encourage walking and bicycling, and reduce ... housing and transportation costs," as called for by Land Use Transportation Policy LUT P3. Retaining "neighborhood commercial" at this site would also "encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities," as called for by Land Use Transportation Policy LUT P7. In addition, "neighborhood commercial" at this site would help protect neighborhood character by ensuring context-sensitive development and directing more intensive development (such as neighborhood commercial) is to "designated redevelopment areas, corridors, and infill sites," as called for by Land Use Transportation Policy LUT P4. Keeping "neighborhood commercial" at this site would also help with "coordinating and planning for housing near public transportation networks ... to reduce household transportation costs and vehicle miles traveled," as called for by Housing Policy HN P4. Retaining "neighborhood commercial" will also "implement policies that ... nurture and retain small and local businesses," as called for by Economic Policy E P2.

**Conclusion:** In short, we do not see any good policy reason to change the community's land use decision or FLUM for this tract or by extension for that area. There are no changed circumstances since our NP was adopted in 2010. Nor is there any equitable argument for the FLUM change. **When all is boiled down, Applicant's FLUM amendment seeks to change a long term planning decision from our NP so that they could add about 200 sq. ft. to the residential accessory use portion of their building. That is not planning. And that is not our vision or plan for the neighborhood.**

For the foregoing reasons, the Plan Contact Team (PCT) for the Central West Austin Neighborhood Plan supports keeping the existing "Neighborhood Commercial" land use designation for the property at 2208 Lake Austin Boulevard, and opposes the requested Neighborhood Mixed Use FLUM amendment.

Thank you for your consideration.

Sincerely,  
Michael Rocco Cannatti  
Chair, Central West Austin Neighborhood Plan Contact Team