

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

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NEIGHBORHOOD PLAN: Govalle/Johnson Terrace Combined Neighborhood Plan

CASE#: NPA-2014-0016.02 **DATE FILED:** July 23, 2014 (In-cycle)

PROJECT NAME: Springdale Farm

PC DATE: October 28, 2014

ADDRESS: 755 Springdale Road

SITE AREA: Approx. 4.848 acres

OWNER/APPLICANT: Glenn M. and Paula W. Foore

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family **To:** Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2014-0123
From: CS-CO-MU-NP **To:** CS-CO-MU-NP (to amend conditions in the CO)
Restricted Covenant Termination Case: C14-99-2061 (RCT)

NEIGHBORHOOD PLAN ADOPTION DATE: March 27, 2003

PLANNING COMMISSION RECOMMENDATION: Pending.

STAFF RECOMMENDATION: Recommended

BASIS FOR STAFF'S RECOMMENDATION: The property is currently zoned CS-MU-CO-NP zoning and the land use on future land use map is Single Family. The applicant's request for Mixed Use land use would be consistent with the existing zoning. Furthermore, Springdale Road is an Activity Corridor in the Imagine Austin Comprehensive Plan, which supports Mixed Use land uses; in addition, the property is less than 200 feet south of a Neighborhood Center.

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Land Use Goals

- Goal 1:** **Adjacent land uses should be compatible.** (Sector Plan)²
- Key Principles:** Address the "over-zoning" of properties in the Govalle/Johnston Terrace Neighborhood Planning Area. (Sector Plan and modified by Gov/JT)
- Non-residential development should not adversely affect existing businesses or neighborhoods, either by increases in traffic, noise, pollutants, or other safety hazards. (Sector Plan)
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- Goal 2:** **Preserve and protect current and future single-family neighborhoods.** (Gov/JT)
- Key Principles:** Initiate appropriate rezoning to preserve and protect established and planned single-family neighborhoods. (Gov/JT)
- Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods. (Sector Plan)
- Encourage higher density non-residential land uses to locate near major intersections and in industrial districts/business parks. (Sector Plan)
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- Goal 3:** **Develop a balanced and varied pattern of land use.** (Sector Plan)
- Key Principles:** Provide a balance of land use and zoning for people to both live and work in the area. (Gov/JT)
- Encourage mixed use so that residential uses are allowed on some commercial properties. (Gov/JT)
- Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment. (Gov/JT)

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Goal 4: Create and preserve a sense of "human scale" to the built environment of the neighborhood. (Gov/JT)

Key Principles: Ensure that new development and redevelopment respects the existing scale and character of the planning area. (Gov/JT)

Housing

Goal 5: Maintain an affordable and stable housing stock. (Sector Plan)

Key Principles: Provide a diverse range of housing opportunities for all stages of life and income levels. (Sector Plan and modified by Gov/JT)

Increase home ownership opportunities. (Sector Plan)

Encourage the development of affordable single-family and multi-family units on vacant tracts in established neighborhoods. (Sector Plan)

Goal 6: Foster and protect existing neighborhoods. (Sector Plan)

Key Principles: Increase code enforcement related to housing quality and use in the neighborhood. (Gov/JT)

(Goal 2 under Land Use also addresses the protection and preservation of existing neighborhoods).

Goal 8: Increase opportunities for people to live in close proximity to daily needs such as shopping and transportation. (Gov/JT)

IMAGINE AUSTIN PLANNING PRINCIPLES

- Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
 - *The property is currently operating as an urban farm and provides surrounding residents an opportunity to purchase local produce.*

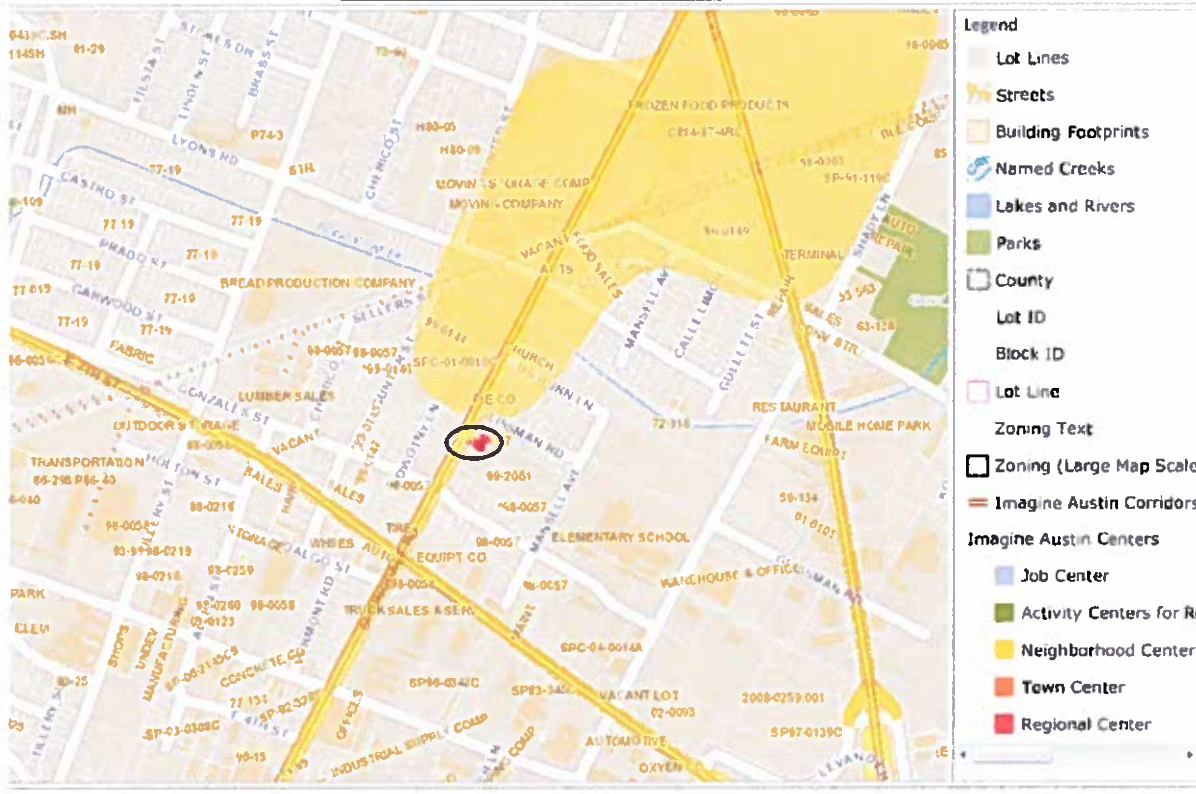
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- Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
 - *The property is located on an Activity Corridor and is south of a neighborhood center.*
- Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - *The Urban farm use is low-intensity, although the applicants' request an amendment to the conditional overlay to allow for Outdoor Entertainment as a permitted use. The zoning planners have worked with the owners to make sure the proposed new use is compatible with adjacent residential uses.*
- Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - *The existing zoning would allow for residential uses.*
- Ensure harmonious transitions between adjacent land uses and development intensities.
 - *The zoning planners have worked with the owners to ensure the proposed new use (Outdoor Entertainment) is compatible with surrounding residential uses.*
- Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
 - *The existing use is an urban farm that is a low intensity use preserving open space, although in a private setting.*
- Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
 - *The urban farm provides open space within a growing urban environment.*
- Protect, preserve and promote historically and culturally significant areas.
 - *Not applicable.*
- Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
 - *The urban farm provides the City and neighborhoods locally grown food.*
- Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - *The owners of the property say the urban farm provides six full-time jobs for people, several of whom are local workers. The farm also provides opportunities for elementary school children and college students to learn about local farming.*

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- Sustain and grow Austin’s live music, festivals, theater, film, digital media, and new creative art forms.
 - *Not applicable.*
- Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
 - *Not applicable.*

Imagine Austin Comprehensive Plan



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Neighborhood Centers

The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or

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mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Corridors

Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

LAND USE DESCRIPTIONS

EXISTING LAND USE

Single Family --Single family detached or two family residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

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Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

PROPOSED LAND USE

Mixed Use - An area that is appropriate for a mix of residential and non-residential uses

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

Application

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;

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5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

BACKGROUND: The plan amendment application was filed on July 23, 2014, which is in-cycle for neighborhood planning areas located on the east side of I.H.-35.

The applicant has property with an urban farm operating on it. The existing zoning is CS-CO-MU-NP. The existing land use on the future land use map is Single Family. The proposed change to the future land use map is for Mixed Use land use. The proposed zoning is to amend the existing conditional overlay to allow for Outdoor Entertainment, which is currently prohibited in the existing conditional overlay, and to prohibit some currently allowed uses. For more information on the zoning request, please see associated zoning case report for C14-2014-0123.

PUBLIC MEETINGS: The ordinance required plan amendment meeting was held on September 10, 2014. Approximately 148 meeting notices were mailed to property and utility account holders located within 500 feet of the property, in addition to neighborhood and environmental groups registered on the community registry who requested notification for the area. Thirty-two people signed in on the meeting date.

After city staff made explained to the attendees the applicant's request and the planning process in general, the following presentation was made.

Paula Foore, one of the property owners, said in 1992 the City of Austin's Economic Development Office had a business loan program so people could to start businesses to create jobs. We got one of those loans and created a tree business which employed 42-45 people. In 2008 the recession hit and we decided to start a garden/farm business. The City liked it and people got involved. It became a Community Garden and a gathering place. We gave tours for school children and university students. As people came to visit the site, it became popular for a wedding venue. Since it's difficult to make money from only selling the produce from the farm and property taxes are high, we have continued to have more weddings to keep the farm viable. Our vision is to have a restaurant on the property, as well, to have a farm to table concept. Currently the existing conditional overlay prohibits Outdoor Entertainment and Restaurants. We are requesting to change that to allow for Outdoor Entertainment and Restaurant (Limited). In addition, we propose to prohibit some more uses.

Q. Your current zoning is commercial. Why do you want to change the zoning?

A. Yes, we have commercial zoning, but we want to amend the conditional overlay to allow for Outdoor Entertainment so we can have more weddings. Right now we have to get a Temporary Use Permit to do weddings.

Q. Under the current Urban Farm Ordinance aren't you limited to six weddings a year?

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A. No, because we are zoned commercial. The other urban farms are zoned residential.

Q. It seems after the ordinance was approved the number of weddings you had on your property as increased.

A. The frequency has not increased. It's not any different from last year. The typical times we have wedding events during the weekends are mid- to late September; mid- to early November; late March, and early June.

Q. If you plan to continue what you're doing now, why are you requesting a change? Do you plan to have South-by-Southwest Events there?

A. We would like to have Outdoor Entertainment as an allowed use so we don't have to request a Temporary Use Permit for every wedding we have.

Q. When you have weddings, the music is loud. I'd like to sleep with my windows open at night. How loud can your music be allowed by the City?

A. 65 decibels. Right now we turn the music down at 10:30 p.m.

Q. Is there a person leasing the restaurant in the food trailer on your property?

A. Yes.

Q. Are they selling alcohol without the property zoning?

A. No, they are not selling alcohol.

Q. Why did you have to get so many temporary use permits once the Urban Farm Ordinance was approved?

A. After the ordinance was approved we went down to the city to get permission to have weddings and were told they City had not set up a process by which to permit them, so we had to get a temporary use permit.

Q. So you're also proposing to build a 3,000 sq. foot restaurant. I'm concerned about the drainage of the water on the property if you do that.

A. If we were to get the zoning change to allow a restaurant, we would have to hire an engineer and submit a site plan that would address all of those issues.

Q. If you get your zoning, would anyone who leases the restaurant space from you have to follow all city rules?

A. Yes.

Q. We have concerns about your parking situation in that you don't have any so people park all over our residential streets and leave litter and beer bottles. How will you handle this/

A. We are working with AISD on a parking agreement to use their parking lot across the street from us.

The Govalle/Johnson Terrace Planning Contact Team submitted a letter on page 11.

Letter from stakeholders are at the back of this report.

01/10

CITY COUNCIL DATE: November 6, 2014

ACTION:

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

EMAIL: Maureen.meredith@austintexas.gov

Letter from the Govalle/Johnson Terrace
Combine Planning Contact Team

Govalle/Johnson Terrace Neighborhood Contact Team
Strength Through Unity

September 10, 2014

On behalf of the Govalle/Johnson Terrace Neighborhood Contact Team, I submit this letter to express our **OPPOSITION** to the proposed changes for:

Plan Amendment Case # NPA-2014-00116.02
755 Springdale Rd. - proposed change from SF3 to Mixed Use

and

Zoning Case # C14-2014-0123
755 Springdale Rd. - proposed Conditional Use changes to include Outdoor Entertainment, Restaurant (limited)

Thank you,

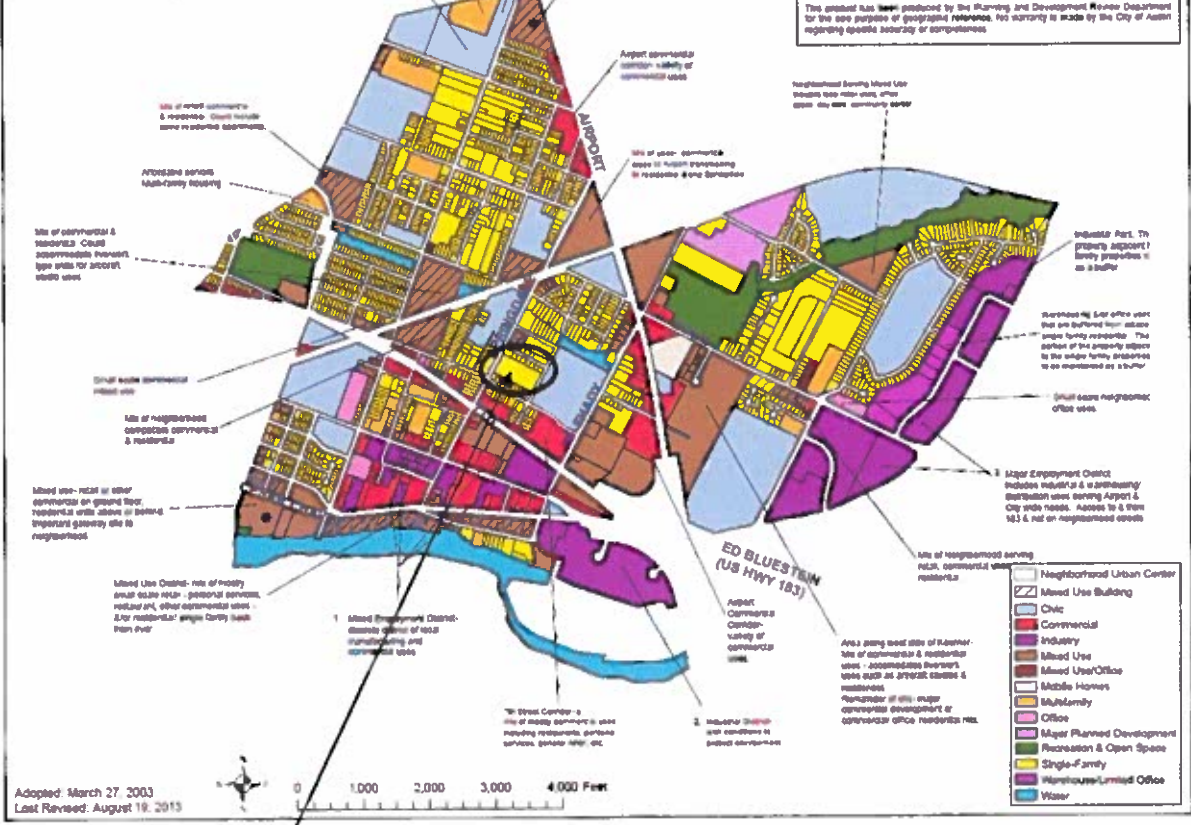


Daniel Llanes, Chair
Review Committee for
Govalle/Johnson Terrace Neighborhood Contact Team
512-431-9665

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Govalle / Johnston Terrace Combined Neighborhood Plan Future Land Use Map



Site

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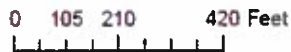
**Govalle/Johnson Terrace Combined Neighborhood Plan
NPA-2014-0016.02**

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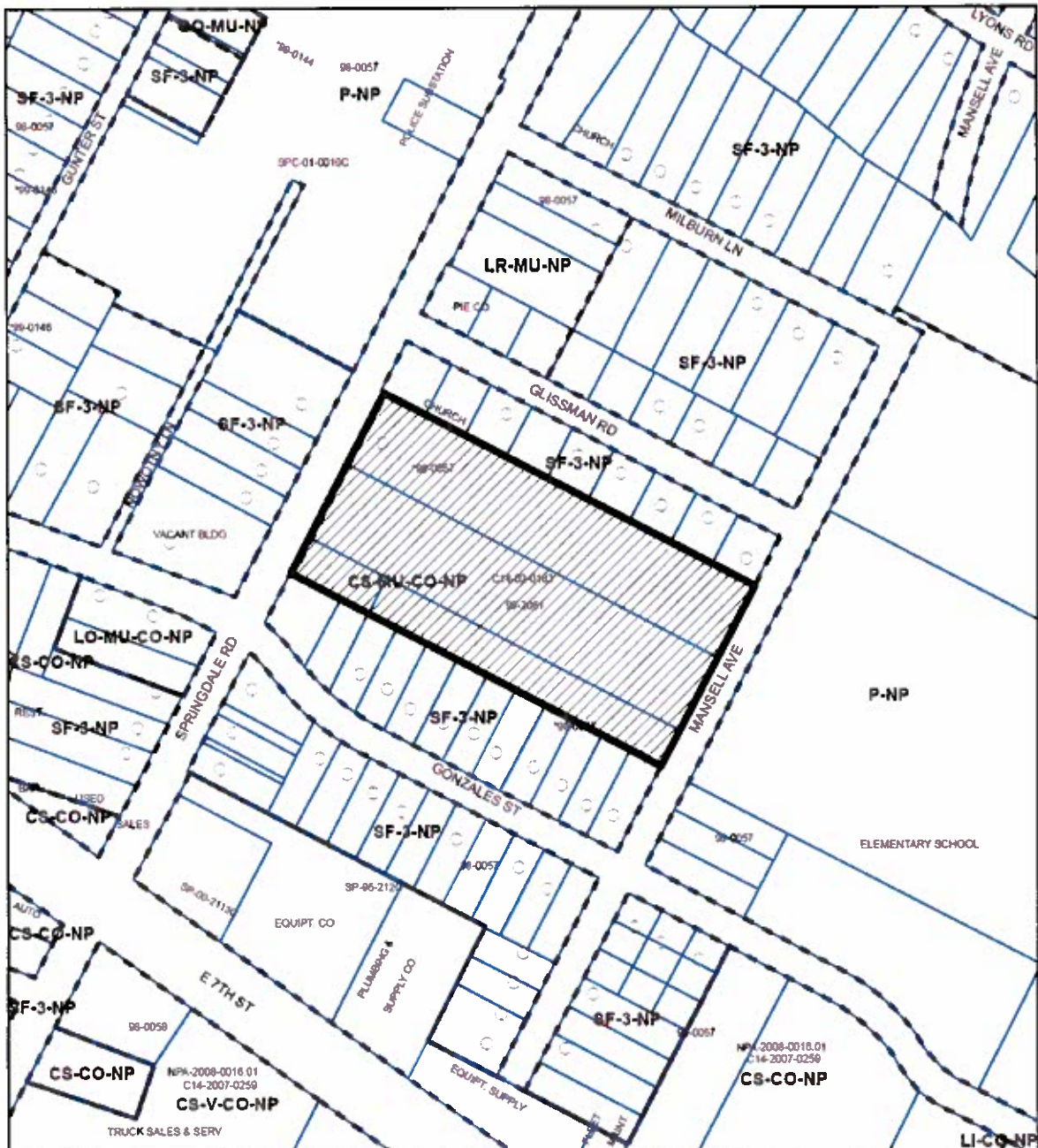
City of Austin
Planning and Development Review Department
Created on July 26, 2014_M Meredith



Legend

- Core Transit Corridor
- 500ft notification boundary
- NPA CASES
- Civic
- Commercial
- Industry
- Mixed Use
- Multi-Family
- Single-Family
- Water

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- N
- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

NEIGHBORHOOD PLAN AMENDMENT

CASE#: NPA-2014-0016.02
 ADDRESS: 755 SPRINGDALE RD



1" = 200'

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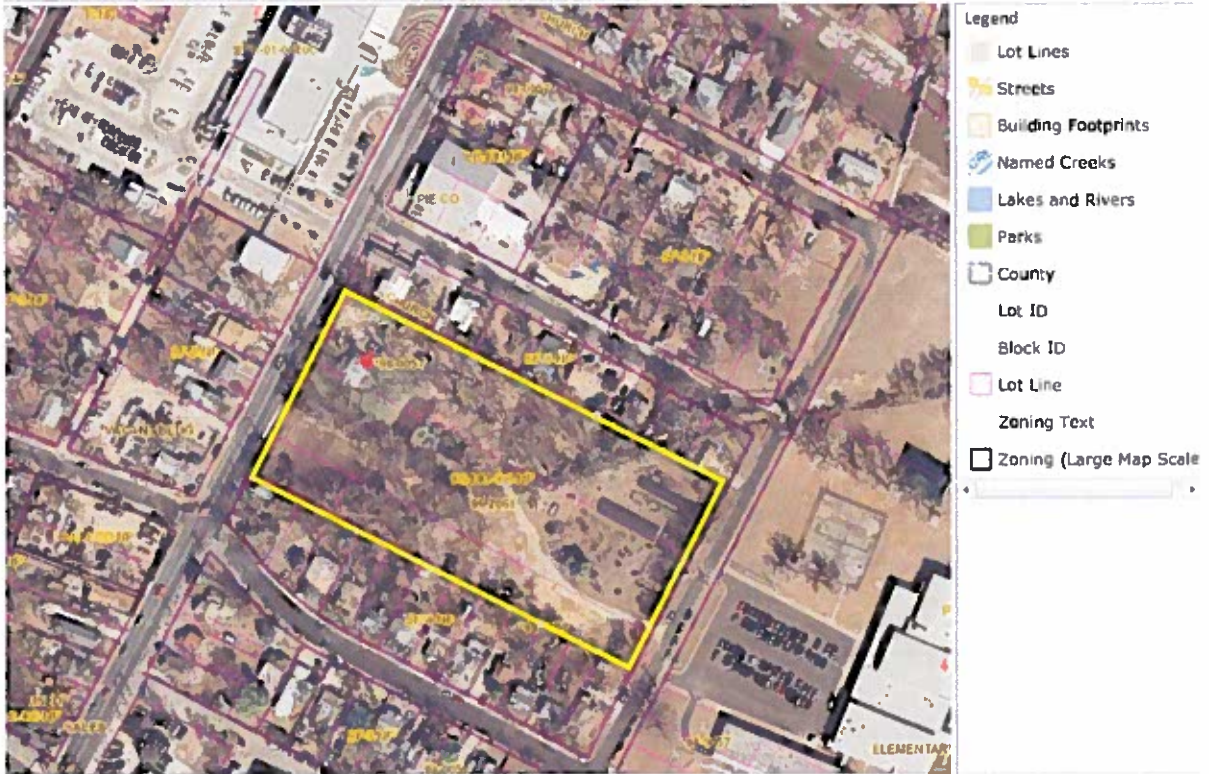
CITY OF AUSTIN DEVELOPMENT WEB MAP



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CITY OF AUSTIN DEVELOPMENT WEB MAP



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Letters from Stakeholders

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From: cscrown@
Sent: Sunday, September 14, 2014 6:20 PM
To: Meredith, Maureen
Subject: Springdale Farm Contact Team Meeting

Dear Maureen,

I was an attendee at the Springdale Farm/Contact Meeting on September 10, 2014. That was not my first experience with the Govalle Johnston Terrace Contact Team/ PODER group. I must say that you handled the meeting better than most people, and I felt for you. I find their tactics and lack of decorum to be a distraction from the issues at hand, but that seems to be their way, and it appears to work for them, which is a shame.

I attended the meeting to support Springdale Farm, Paula and Glenn Foore. While I am not a neighbor, I fully support everything they do. I met them a couple years ago, when their farm stand first opened. I had been a frequent shopper at Boggy Creek, around the corner, and was so excited for a new farm stand. Upon meeting Paula and Glenn, we became friends instantly. They are such good and kind people, passionate about growing good food, teaching others, and lending their farm to all who wish to come there. It has become a special place where friends and neighbors come to take in the greenspace, chickens, ducks, food crops and fellowship.

Farming is hard and commercial property taxes are high. Springdale has 8 or so men who have worked there for years and years, and paid a fair wage for their labor. Selling produce doesn't bring in enough money to cover these costs, so the weddings are essential to the farm.

I have attended many weddings at the farm, a couple as a guest, and many more as a mere spectator from the porch of the farmhouse where the Foore's live. I can tell you that the reports of people leaving piles of beer cans in the neighborhood and parking lot of the school, seem quite far fetched. The attendees at farm weddings and fundraisers are not exactly the kinds of folks to throw back a sixer in their car before coming in, and less likely to litter.

They are friends and family of wedding attendees, ticket holders to fundraisers for non-profits, and otherwise polite adults attending events. I believe this is one of PODER's tactics to achieve their goal of denying Springdale their change in zoning.

During the numerous wedding and events that I have attended on the farm, the Foore's are constantly worrying about sound from whatever music is playing. We walk to all ends of the farm, and frequently walk the block, to hear how the sound is carrying, in an effort to respect the neighbors. I have never known of a neighbor to complain of noise while music is playing, not once. Any complaint would be immediately respected, and the volume adjusted.

The Foores live on the farm, and don't want loud music either. They are farmers, and get up at the crack of dawn, and don't want to be kept awake by music. They respect the sound ordinance cut off times.

It was very telling to me in the meeting that Daniel Llanes stood up and said that the reason they were objecting to Springdale's proposed zoning changes was because Springdale sided with HausBar Farms Last year, when the Urban Farm Code was up for decision. This is not a valid reason to oppose the zoning change, and represents mere punishment for something they (PODER) didn't like, which is another of their tactics.

Finally, and I apologize for my lack of brevity, but several attendees at the meeting saw Daniel Llanes take the sign in sheets out of the room and into the library, presumably for copying. When he returned, he handed the copies to Susana Almanza. I fully understand

that there was no way for you to control this, and I wish we had been in a secure facility for all of our sakes, but I am very unhappy having those folks know my name, email, address and phone number. I actually feel less safe knowing that that they have my personal information. I find this action to be a breach of ethics that should disqualify both Llanes and Almanza from serving on the neighborhood contact team going forward. In the event this letter is ever subject to any open records request, I respectfully request that my name and email be redacted from any copies.

Thank you for your time.
Kindest regards,
Carla Crownover

01/18

From: Houston McClenny
Sent: Sunday, September 14, 2014 10:29 PM
To: Meredith, Maureen
Subject: Springdale Zoning Change Meeting 09/10/14

Maureen:

I wanted to write and express my support for the change in Conditional Overlay for Springdale Farm. The change in zoning would not only assist in providing opportunities for the farm to succeed, but will allow Glenn and Paula to continue to serve the community in a responsible manner. Many of the arguments that those opposed to the change expressed, were either untrue or simply did not apply to the matter being discussed.

I also, wanted to reach out and express a concern I learned about after the meeting. I understand Daniel Llanes took the attendance/sign in sheets from the meeting room for the purposes of making copies. He then gave those copied sign in sheets to City Council Candidate Susana Almanza.

I did not consent for the distribution of my personal information to Daniel Llanes or Susana Almanza. And I think Daniel Llanes and Susana Almanza attend enough City of Austin meetings to know this is very inappropriate.

I feel this is an item the City of Austin Legal Department should pursue. If possible, I would like my name and any other personal contact information redacted from any communications that could be subject to an open records request.

Thank you.

Houston McClenny
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September 12, 2014

Maureen Meredith
Plan Amendment Planner
Planning and Review Department
505 Barton Springs Road
Austin, TX 78704

Ms. Meredith:

I was in attendance at the Zoning Review Hearing for Springdale Farms this past Wednesday, September 10. Because of the aggressive nature and combative tone of those in attendance I felt it made more sense to contact you directly with my input on the proposed zoning change so that it may be included in the hearing notes.

I have lived in East Austin for 10 years but have only recently moved into the Govalle/Johnston Terrace neighborhood. I bought my house about a year and a half ago.

This neighborhood is bright, vibrant, and eclectic and that is one of my favorite things about it. But it can also be dirty, loud, and has its share of crime.

Each morning I walk my dog 2-3 miles throughout this neighborhood. I know all of its streets and quirks. Some of them are lovely and some of them are smack dab next to auto parts distributors, millworks, propane tank dealers, and all manner of commercial properties. Others are well maintained, and still others have streets filled with garbage and furniture that people dump outside of their own homes.

Usually the last street I take is Gonzales Street from Tittlerly across Springdale to Allen Elementary. This is both mine and my dogs favorite part of the walk because we get to walk down Mansell between the farm and Allen Elementary. It is quiet and green and lovely. Not once have I seen bottles, cans, or garbage strewn about. Quite the contrary. Because it's a farm the land is well maintained and clean. The greenery attracts birds, butterflies, and is always serene.

I am of the opinion that Springdale Farms is the heart of my neighborhood. It is a community hub where people can stroll about, purchase produce, interact with the chickens and ducks, and get to know its owners Paul and Glenn. I am also of the opinion that allowing them to expand their business to include events and potentially a restaurant in the future would be a boon to this underserved neighborhood where our current culinary options are fast food burgers and a convenience store. I believe that should the City grant the release of the Conditional Overlay that they will work diligently with the city and its permitting departments to make sure they are being the best neighbors they can be. After all, they also live here.

I appreciate that the longtime residents of this neighborhood are hesitant to see change happen, but as a new resident and one who plans to be there for a long time to come, I think it's important to look at the future of what this neighborhood can become. And in a neighborhood penned in by all manner of commercial properties, Springdale Farms is truly an oasis and their success will be our success as a community.

Respectfully Yours,



Jen Grudza
116 Chote Avenue
Austin, TX 78702

CC: Heather Chaffin