

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2014-0100 (12008 Pollyanna Avenue)

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 12008 Pollyanna Avenue from Single Family-Large Lot (SF-1) district zoning to Family Residence (SF-3) district zoning.

The ordinance reflects the conditions imposed by the City Council on 1st reading.

PROPERTY OWNER: Timothy M. Holck

DEPARTMENT COMMENTS:

The property in question is an undeveloped lot located on Pollyanna Avenue, a local residential street, just to the west of the southbound frontage road for Interstate Highway-35. The applicant is requesting SF-3, Family Residence District, zoning to develop a duplex residence on the site.

The staff recommendation is to grant SF-3, Family Residence District, zoning. The site under consideration meets the intent of the SF-3 zoning district. The property is located on a local residential street with moderate sized residential lots. The rezoning of this site will permit the applicant to develop the property with a duplex use adjacent to other existing duplex residential uses to the south and will provide for additional housing opportunities in this area.

The applicant agrees with the City Council's recommendation at 1st reading.

DATE OF FIRST READING/VOTE: October 2, 2014/ Approved SF-3 zoning on consent, 1st reading only (7-0); B. Spelman-1st, M. Martinez-2nd.

CITY COUNCIL DATE: November 6, 2014

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 512-974-3057

sherri.sirwaitis@ austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0100
(12008 Pollyanna Avenue)

ZAP DATE: August 5, 2014
August 19, 2014
September 16, 2014

ADDRESS: 12008 Pollyanna Avenue

OWNER: Timothy M. Holck

ZONING FROM: SF-1 **TO:** SF-3 **AREA:** 0.6 acres (26,137.15 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant SF-3, Family Residence District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

8/05/14: Postponed to August 19, 2014 at the applicant/neighborhood's request (6-0, C. Banks and R. Mc Daniel-absent); G. Rojas-1st, S. Compton-2nd.

8/19/14: Continued to September 16, 2014 by the Zoning and Platting Commission (4-1, R. Mc Daniel-No, C. Banks and G. Rojas-absent); J. Goodman-1st, S. Compton-2nd.

9/16/14: Approved staff's rec. of SF-3 zoning (4-2, G. Rojas and J. Goodman-No, P. Seeger-absent); S. Compton-1st, R. McDaniel-2nd.

DEPARTMENT COMMENTS:

The property in question is an undeveloped lot located on Pollyanna Avenue, a local residential street, just to the west of the southbound frontage road for Interstate Highway-35. The applicant is requesting SF-3, Family Residence District, zoning to develop a duplex residence on the site.

The staff recommendation is to grant SF-3, Family Residence District, zoning. The site under consideration meets the intent of the SF-3 zoning district. The property is located on a local residential street with moderate sized residential lots. The rezoning of this site will permit the applicant to develop the property with a duplex use adjacent to other existing duplex residential uses to the south and will provide for additional housing opportunities in this area.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-1	Undeveloped
<i>North</i>	RR	Undeveloped-Floodplain
<i>South</i>	SF-3	Duplex Residences
<i>East</i>	SF-1	Single-Family Residences
<i>West</i>	SF-1	Single Family Residence

AREA STUDY: N/A

TIA: Not Required

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

SCENIC ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Independent School District
Austin Monorail Project
Austin Neighborhoods Council
Austin Northwest Association
Bike Austin
Homeless Neighborhood Organization
North Growth Corridor Alliance
Pflugerville Independent School District
SELTEXAS
Sierra Club, Austin Regional Group
Super Duper Neighborhood Objectors and Appealers Organization
The Real Estate Council of Austin, Inc.
Walnut Creek Neighborhood Association, Inc.
Yager Planning Area

SCHOOLS: Austin Independent School District

Walnut Creek Elementary
Dobie Middle School
Lanier High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0071 (Arrow A/C: 11606 North IH- 35 Service Road South Bound)	LR to CS	10/20/09: Approved staff's recommendation of CS-CO, making Construction Sales and Services a conditional use, permit all other 'LR' district uses, include a public restrictive covenant that states that the applicant will provide signage on the site to prohibit heavy commercial vehicles with a loaded weight limit of 10 tons from entering the site from the Meadowlark Avenue driveway per the NTA, limit the development intensity on the site to less than 2,000 vehicle trips per day and adding no outdoor storage to the proposed public restrictive covenant (7-0); G. Bourgeois-1 st , P. Seeger-2 nd .	11/05/09: Approved ZAP Commission on 1 st reading, with the following additional permitted uses: auto rentals and auto sales. There was a friendly amendment made by Council Member Riley to prohibit drive through service. Council Member through service. Council Member Spelman's motion, Mayor Leffingwell's second (5-2, Morrison and Shade-Nay).

			12/10/09: Approved CS-CO zoning, with additional conditions prohibiting Automotive Sales and Automotive Rentals, on 2 nd /3 rd readings (6-0, Martinez-absent); Shade-1 st , Cole-2 nd .
C14-2008-0229 (Walnut Forest Motel)	GO to GR-CO	1/06/09: ZAP approved GR-CO. The CO prohibits the following uses: A DRIVE-THROUGH USE AS AN ACCESSORY USE, AUTOMOTIVE RENTALS, AUTOMOTIVE REPAIR SERVICES, AUTOMOTIVE SALES, AUTOMOTIVE WASHING (OF ANY TYPE), BAIL BOND SERVICES, COMMERCIAL BLOOD PLASMA CENTER, COMMERCIAL OFF-STREET PARKING, COMMUNITY RECREATION (PRIVATE), COMMUNITY RECREATION (PRIVATE), CONGREGATE LIVING, CONSUMER CONVENIENCE SERVICES, FOOD SALES, FUNERAL SERVICES, GENERAL RETAIL SALES (GENERAL), GUIDANCE SERVICES, INDOOR ENTERTAINMENT, OUTDOOR SPORTS AND RECREATION, PAWN SHOP SERVICES, RESIDENTIAL TREATMENT AND SERVICE STATION; LIMITING HEIGHT TO 35 FEET, AND LIMITING VEHICLE TRIPS TO 2,000 PER DAY.	2/12/09: Approved ZAP Commission rec. of GR-CO zoning (7-0); on all 3 readings
C14-2008-0214 (Tex-Tar)	LR to LI-CO (Amended to CS-CO)	1/06/09: Approved staff's rec. to deny LI zoning (6-1, T. Rabago-No); D. Tiemann-1 st , B. Baker-2 nd .	2/12/09: Postponed to February 26, 2009 at the neighborhood's request (7-0) 2/26/09: Approved CS-CO zoning, with Construction Sales and Services as the only permitted CS use and permitting all other LR uses, on 1 st reading only

			<p>(5-0); S. Cole'-1st, B. McCracken-2nd.</p> <p>3/26/09: Approved CS-CO zoning on 2nd/3rd readings (7-0); L. Morrison-1st, W. Wynn-2nd.</p>
C14-05-0085 (Powers 20)	GO to CS	<p>11/15/05: ZAP approved LR-CO with conditions of: 2,000 Vehicle trips limit, Prohibit Consumer repair services, Off-site accessory parking, Community recreation (public), Guidance services, Private secondary educational facilities, Printing and publishing, Service station, Financial services, Community recreation (private), Congregate living, Hospital services (limited), Residential treatment, College and university facilities, and Drive-in service use is prohibited as an accessory use to a commercial use.</p>	<p>11/02/06: CC approved LR-CO with conditions of: 2,000 Vehicle trips limit, Prohibit Consumer repair services, Off-site accessory parking, Community recreation (public), Guidance services, Private secondary educational facilities, Printing and publishing, Service station, Financial services, Community recreation (private), Congregate living, Hospital services (limited), Residential treatment, College and university facilities, and Drive-in service use is prohibited as an accessory use to a commercial use.</p>
C14-04-0174 (Hertz Local Addition Braker Lane: 11920 N. IH-35 Southbound Service Road)	LO to GR	<p>12/07/04: Approved staff's rec of GR-CO, with conditions (8-0)</p>	<p>1/13/05: Approved GR-CO zoning, with conditions (7-0); 1st reading</p> <p>2/17/05: Approved GR-CO zoning on 2nd/3rd readings</p>
C14-02-0076 (J. Walden: 12008 Pollyanna Avenue)	SF-1 to SF-3	<p>7/23/02: Approved SF-3-CO zoning with conditions of: one duplex unit on each lot with no more than four living units and no protected trees removed (5-2, DC/JM-No)</p>	<p>10/10/02: Approved SF-3-CO zoning for Lot 5 only (5-2, JG/RA-No); 1st reading, Lot 6 was withdrawn</p> <p>12/12/02: Approved SF-3-CO zoning (5-2, JG/RA-No); 2nd reading only</p>

			1/16/03: Denied SF-3-CO zoning (5-2, JG/RA-No)
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RELATED CASES: C14-02-0076 (Previous Zoning Case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Pollyanna Avenue	50'	40'	Local	No	Yes	No

CITY COUNCIL DATE: August 28, 2014

ACTION: Postponed to September 25, 2014 at the staff's request on consent (7-0); B. Spelman-1st, L. Morrison-2nd.

September 25, 2014

ACTION: Postponed to October 2, 2014 at the applicant's request on consent (7-0)

October 2, 2014

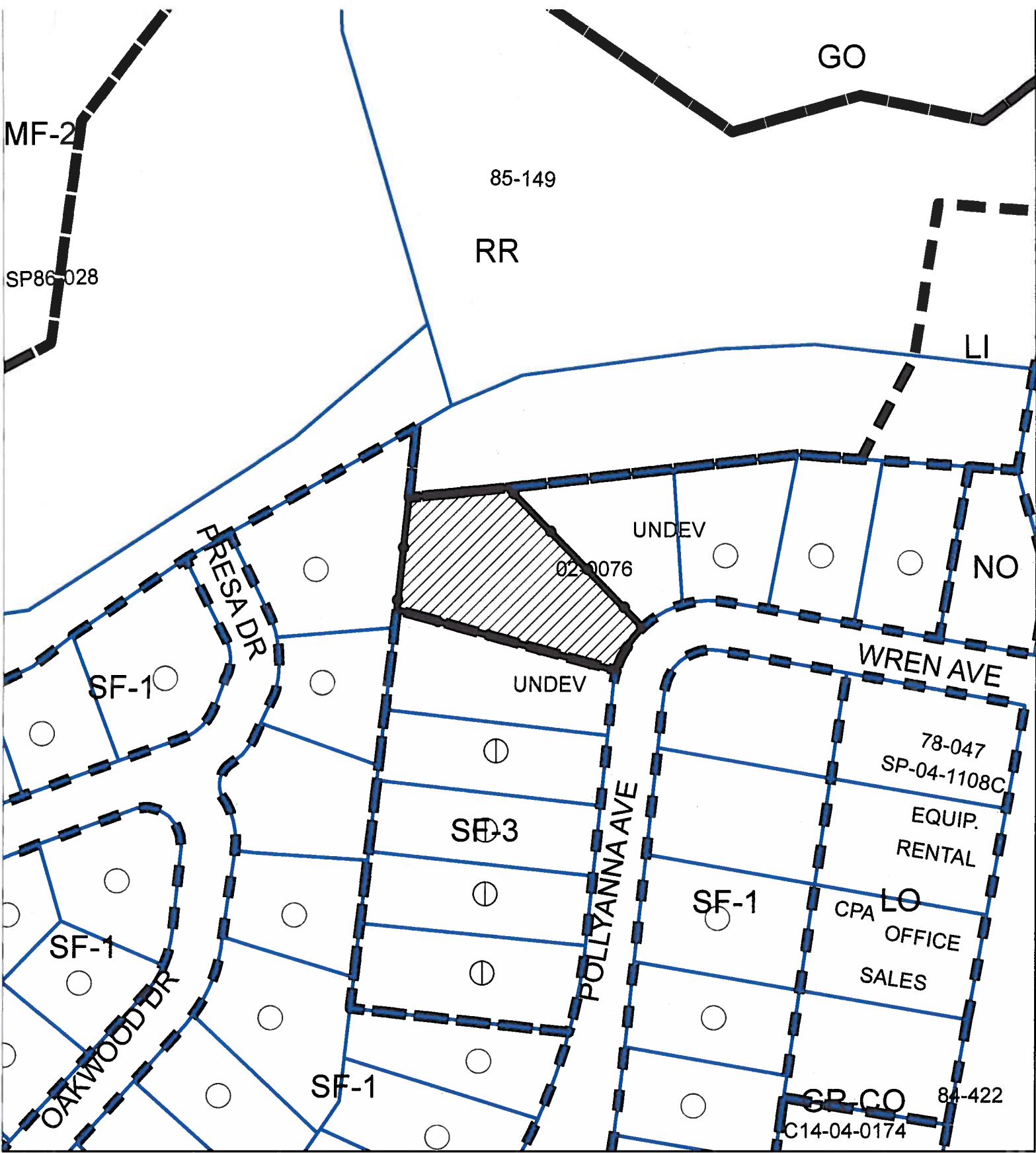
ACTION: Approved SF-3 zoning on consent, 1st reading only (7-0); B. Spelman-1st, M. Martinez-2nd.


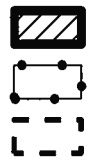
ORDINANCE READINGS: 1st 10/02/14

2nd

3rd

ORDINANCE NUMBER:





 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

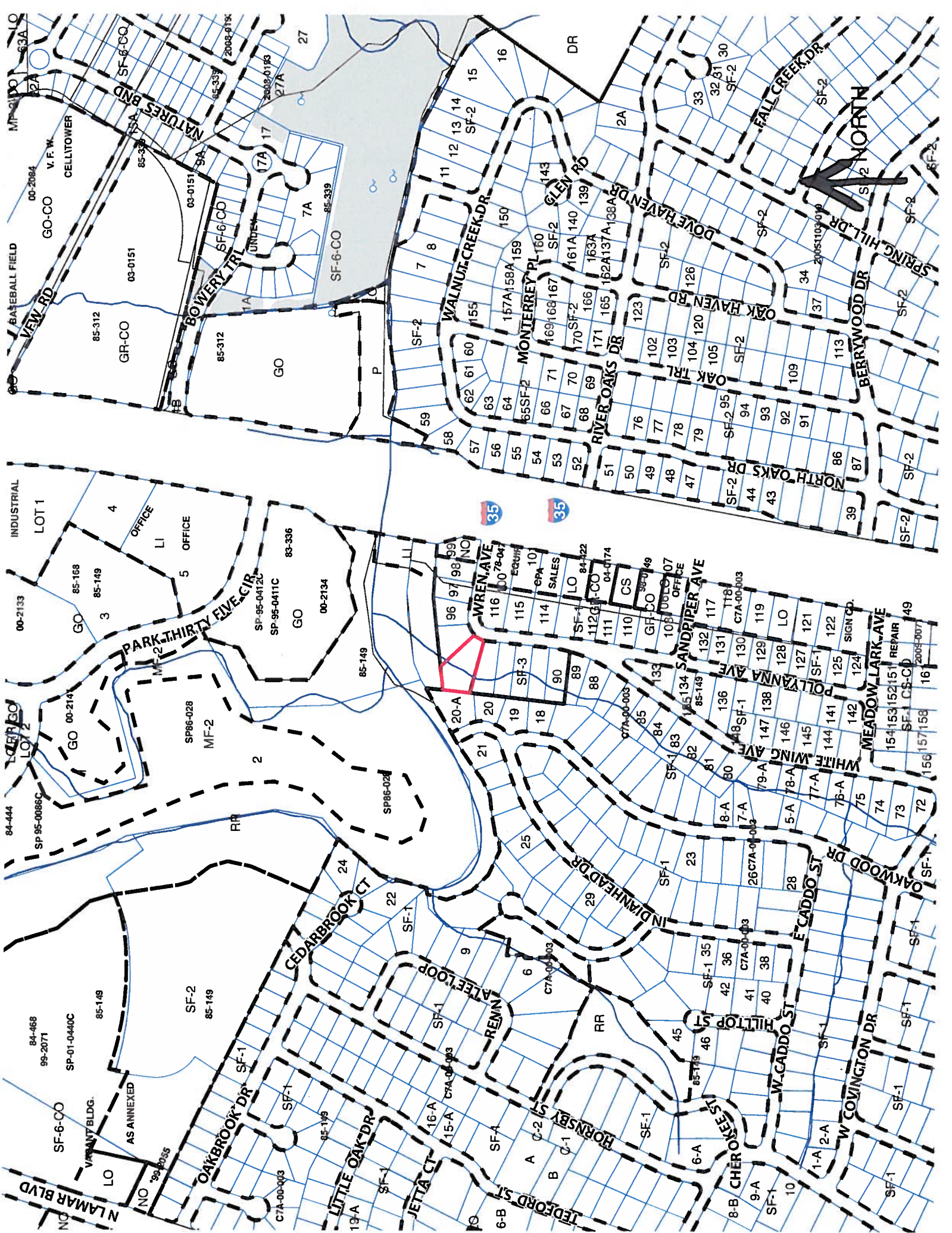
ZONING
 ZONING CASE#: C14-2014-0100

1" = 125'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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





N LAMAR BLVD
VARIANT BLDG.
SF-6-CO
84-468
99-2071
SP-01-0440C
85-149
AS ANNEXED
NO 99-80355
OAKBROOK DR
SF-1
C7A-00-003
19A
JETTA CT
SF-1
15A
C7A-00-003
16A
SF-1
6-B
SF-1
A
C-2
B
C-1
HORNBY ST
SF-1
6-A
CHEROKEE ST
SF-1
9-A
SF-1
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W CADDO ST
SF-1
1-A
2-A
W COVINGTON DR
SF-1
OAKWOOD DR
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156
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2008-0007
MEADOW LARK AVE
SF-1 CS-CO
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SUMMARY STAFF RECOMMENDATION

The staff's recommendation is to grant SF-3, Family Residence District, zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

Family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated as an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

- 2. Granting of the request should result in an equal treatment of similarly situated properties.*

The rezoning of this site to the Family Residence district will permit the applicant to develop the property with a duplex use adjacent to other existing duplex residential uses to the south.

- 3. Zoning should allow for reasonable use of the property.*

The proposed SF-3 zoning will permit the applicant to develop this property with residential uses that will provide for additional housing opportunity in this area.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is an undeveloped lot with moderate vegetation. There are single-family residences to the east and duplex residences to the south along Wren Avenue.

Comprehensive Planning

SF-1 to SF-3

This zoning case is situated on a .6 acre vacant parcel, and is not located within the boundaries of neighborhood planning area. The property is surrounded by vacant land to the north and single family houses to the south, east and west. The proposed use is a duplex.

Imagine Austin

The comparatively small scale of the site relative to the rest of the residential development in the area, in addition to the property not being located along an Activity Corridor or within an Activity Center as per the Imagine Austin Growth Concept Map falls below the scope of Imagine Austin; and consequently the plan is neutral on the proposed rezoning.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

According to floodplain maps there is a floodplain within the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the SF-3 zoning district is 45%. However, because the watershed impervious cover is more restrictive than zoning district's allowable impervious cover, the impervious cover is limited by watershed regulations as shown in the table below.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

Site Plan Review

No site plan comments at this time. Comments will be provided if a site development permit application is submitted.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation

No additional right-of-way is needed at this time.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: Pollyanna Ave.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Existing Street Characteristics:

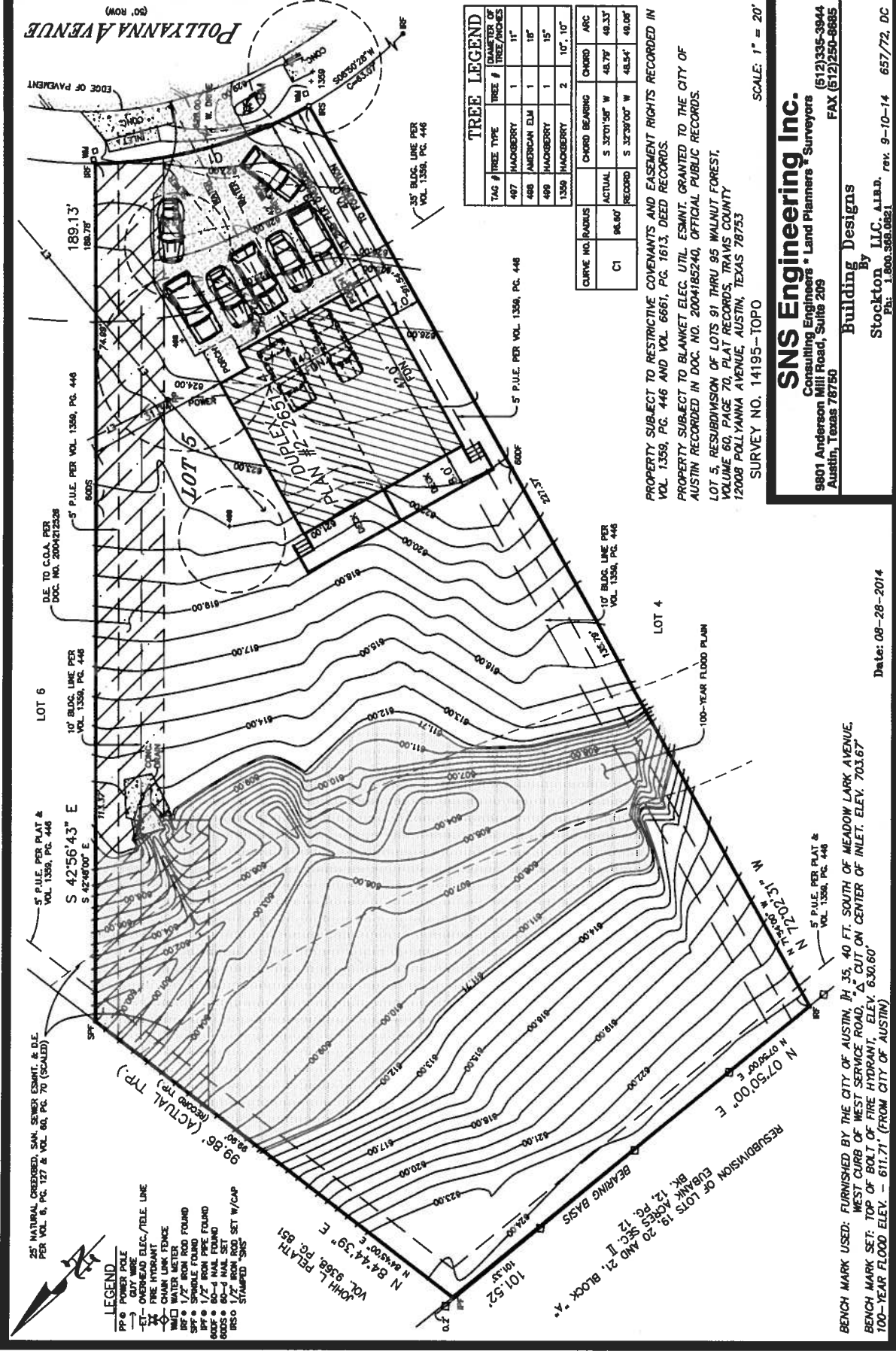
Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Pollyanna Avenue	50'	40'	Local	No	Yes	No

Capital Metro bus service is not available within 1/4 mile of this property.

The plan complies with all applicable transportation requirements.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



SNS Engineering Inc.
 Consulting Engineers • Land Planners • Surveyors
 9801 Anderson Mill Road, Suite 209
 Austin, Texas 78750

Building Designs
 By
Stockton LLC, A.L.B.D.
 rev. 9-10-14 657/72, DC
 Ph: 1.800.368.0821

(512)335-3944
 FAX (512)250-8685

Cambridge Custom Homes - Keith Melton
3720 CR 258
Liberty Hill, Texas 78642

DATE: August 31, 2014
TO: Zoning Commission Board
RE: 12008 Pollyanna Ave

Board Members:

I am the general contractor for Timothy Holck, who is applying for re-zoning at 12008 Pollyanna Ave. I have built over 20 duplexes in Austin of very high quality. Mr. Holck and I met at the property to discuss driveways and parking options for a duplex to be built there.

It is my opinion that:

1. A shared driveway for 12008 with the adjacent property on either side, both of which Mr. Holck owns, would not be beneficial. In fact, it would reduce the available parking at one or both of the properties due to access right-of-way.
2. A driveway entrance at 12008 is manageable and would seem safe enough from a street traffic and visibility standpoint.
3. An alternative to an impervious cover concrete driveway at 12008 is paving stones, which cost about twice as much. Fortunately the lot is sufficiently large that City of Austin impervious cover limits will not apply, and drainage to the creek is immediately beside the driveway area.

If the Board has any questions, I can be reached at 512-845-5515.

A handwritten signature in black ink, appearing to read "Keith Melton", with a stylized flourish at the end.

Keith Melton

Sirwaitis, Sherri

From: mike byrne <mebyrne@prodigy.net>
Sent: Tuesday, July 01, 2014 9:15 AM
To: Sirwaitis, Sherri
Subject: Proposed Rezoning Case Number C14-2014-0100

Ms. Sirwaitis,

I am a property owner within 500 ft of the property located at 12008 Pollyanna Avenue that is being requested for a zoning change from SF-1 to SF-3. I wish to state that at this time I can NOT support the re-zoning request. The property is located on the Pollyanna/Wren intersection which is a very sharp and narrow turn. The street was designed/built many years ago prior to City annexation, and would not meet today's design criteria. The curve is extremely dangerous comprising of a blind curve with a high side embankment limiting any sight. The property located at 12006 Pollyanna recently completed construction of a duplex. Although the owner, Tim Holck did a very good job designing that duplex with on-site parking, the tenants never the less park on the street along the blind curve and create a very dangerous situation. My concern is that another duplex will only add to the congestion and safety of that curve.

I will be supportive of the re-zoning request only if the City of Austin installs "No Parking Tow Away" signs on both sides of the street along the curve. I would welcome you or your staff to perform a site visit to see exactly what the existing situation is, and potential safety issue should another duplex be built and additional cars park on the street.

Please contact me with any questions or if I can provide any additional information.

Quite frankly, I would like to go on record requesting that the City install the "No Parking Two Away" signs regardless of this zoning case. There already exist a dangerous situation.

Thank you,

Mike Byrne (owner)
12000 Pollyanna Avenue

My contact information is:

Mike Byrne
9809 Drip Rock Lane
Austin, Texas 78730
512-922-5212

mebyrne@prodigy.net

I would ask that you acknowledge receipt of this e-mail.

Sirwaitis, Sherri

From: Julie Berg <julie@textarwtp.com>
Sent: Tuesday, July 08, 2014 8:15 AM
To: Sirwaitis, Sherri
Subject: C14-2014-0100

I do have some issue with additional zoning in lot that has not been build on yet.

1. Home on corner that Tim is the owner (three bed rm home) tenets has approximately 6 car's one at gutter that never moves (at curve turn of Pollyanna and Wren ave)
- 2, New's duplex that was built recently Tim also owns (six bed rm -three rm each side) tenets has approximately 4 to 5 car's non in witch even us the garage so when there friends come over also on corner park on turn both side of road. (at curve turn Pollyanna and Wren ave)
3. Original duplex 6 of them, for in witch Tim owners exuding one, also each one has 2 rm's totaling 12 tenets with car's, just before corner turn, that approximately 1 each in drive leaving if they would park there and the other 6 on street way and/or non drive way parking and parking on both side of Pollyanna just coming to curve around to Wren Ave.

I've provided Tim my concern in this mater of parking around such are of a 90 degree turn because he may not be aware of the parking problems that already exist. Adding another sf-3 family also on turn may not be a safe thing to do.. that area should be kept as a run off or access to the back property another person owns.

Julie Berg

Tex Tar Waterproofing, Inc.
11600 N. Interstate Hwy. 35
Austin, TX 78753
Office: 512-491-0608
Cell: 512-318-0202
Fax: 512-835-5090

[Click here to learn more about Tex Tar Waterproofing and our services](#)

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Sirwaitis, Sherri

From: Craig Barnes <cbarnes320@gmail.com>
Sent: Thursday, July 10, 2014 1:31 PM
To: Sirwaitis, Sherri

Ms. Sirwaitis,

I am a property owner within 500 feet of the property located at 12008 Pollyanna Avenue that is being requested for a zoning change from SF-1 to SF-3. I wish to state that at this time I cannot support the re-zoning request. The property is located on the Pollyanna/Wren intersection which is a sharp and narrow turn. The street was designed/built many years ago prior to City annexation, and would not meet today's design criteria. The curve is dangerous comprising of a blind curve with a high side embankment limiting sight. The property located at 12006 Pollyanna recently completed construction of a duplex. Although the owner, Tim Holck did a good job designing that duplex with on-site parking, the tenants still park on either side of the street creating a dangerous situation, especially if emergency services need to get to the area. My concern is that another duplex will add to the congestion and safety of that curve.

I will be supportive of the re-zoning request only if the City of Austin installs "No Parking Tow Away" signs on both sides of the street along the curve. I would welcome you or your staff to perform a site visit during the evening to see exactly what the existing situation is, and potential safety issue should another duplex be built and additional cars park on the street.

Please contact me with any questions or if I can provide any additional information.

Thank you,

Craig Barnes (owner)
11908 Whitewing Ave
512-557-5314

I would ask that you acknowledge receipt of this e-mail.

Sirwaitis, Sherri

From: Maria Alfaro <socorro1331@yahoo.com>
Sent: Monday, July 14, 2014 2:33 PM
To: Sirwaitis, Sherri
Subject: Proposed Zoning change from SF-1 to SF-3/Project location 12008 Pollyanna Ave/Case #C14-2014-0100

Francisco J. Alfaro II
12005 Pollyanna Ave.
Austin, Texas 78753

My son has asked me to respond on his behalf of the rezoning issue.

My son is the owner of the property at 12005 Pollyanna Ave. and will be greatly affected by building of a duplex on 12008 Pollyanna. The owner of that property Timothy Holck bought the property from Mike Byrne when Mike was told by the city council that he could not build a duplex on 12006 Pollyanna because the neighborhood association was opposed to having a duplex being built there because it would cause traffic problems. I don't know how the city allowed him to have it built there. Now he wants to have another duplex built on the property next to it. Building it would cause more problems with parking since the tenants don't like parking in their designated parking. The tenants park out on the street instead of in their drive ways. My son and my granddaughter were almost hit when they were walking their dog because of the cars that are parked on the curve and drivers trying to avoid hitting the parked cars. There is a blind side to it because my son's house sits on an embankment that is about 6 feet tall. The city at one time had signs that said no parking along the whole curve even up to half way up in front of my son's house, but when the city had some rainwater culverts put in, the signs were never replaced. My son says that he objects to a duplex being built if there is no solution to the parking problems that the already new duplex has created. Adding a new duplex will create additional problems. Where is their drive way going to be built if there is a fire hydrant and a rain culvert on the entrance to that property?

Sincerely,
Maria Alfaro

Sirwaitis, Sherri

From: [redacted]
Sent: Monday, July 14, 2014 2:58 PM
To: Sirwaitis, Sherri
Subject: Subject: Rezoning Case Number C14-2014-0100

Ms. Sirwaitis,

I am a property owner closer than 500 feet and am endorsing Mr. Byrne's letter below with his permission. I want to expound on his request of the no parking signs on both sides of the street at the **corner of Pollyanna & Wren**. I have spoken with Mr. Holck, by phone, concerning a tenant leaving his disabled vehicle parked on this corner for quite sometime. His response was for me to report it to the Police. This is a blind corner and is well used morning and afternoon.

Thank you,

U. D. Adams
12001 Pollyanna Ave.
Austin, Texas 78753
Home - 512-836-0457
Cell - 512-217-6125
Email [redacted]

I would ask that you acknowledge receipt of this e-mail.

Ms. Sirwaitis,

I am a property owner within 500 ft of the property located at 12008 Pollyanna Avenue that is being requested for a zoning change from SF-1 to SF-3. I wish to state that at this time I can NOT support the re-zoning request. The property is located on the Pollyanna/Wren intersection which is a very sharp and narrow turn. The street was designed/built many years ago prior to City annexation, and would not meet today's design criteria. The curve is extremely dangerous comprising of a blind curve with a high side embankment limiting any sight. The property located at 12006 Pollyanna recently completed construction of a duplex. Although the owner, Tim Holck did a very good job designing that duplex with on-site parking, the tenants never the less park on the street along the blind curve and create a very dangerous situation. My concern is that another duplex will only add to the congestion and safety of that curve.

I will be supportive of the re-zoning request only if the City of Austin installs "No Parking Tow Away" signs on both sides of the street along the curve. I would welcome you or your staff to perform a site visit to see exactly what the existing situation is, and potential safety issue should another duplex be built and additional cars park on the street.

Please contact me with any questions or if I can provide any additional information.

Quite frankly, I would like to go on record requesting that the City install the "No Parking Two Away" signs regardless of this zoning case. There already exist a dangerous situation.

Thank you,

Mike Byrne (owner)
12000 Pollyanna Avenue

My contact information is:
Mike Byrne
9809 Drip Rock Lane
Austin, Texas 78730
512-922-5212

[redacted]

I would ask that you acknowledge receipt of this e-mail.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
<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 board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2014-0100

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Aug 5, 2014, Zoning and Platting Commission

Aug 28, 2014, City Council

Robert L. Meadows

Your Name (please print)

12005 Pieso Drive, Austin, Tx 78753

Your address(es) affected by this application

Robert L. Meadows

Signature

28 July 2014

Date

Daytime Telephone: 512 339 0229 ; 512 633 1459

Comments: _____

See Appendix A.

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Appendix A

- 1) An extensive rental concentration (four duplexes and a rental house) already exists near this property, and this existing rental concentration is not compatible with our neighborhood of largely single-family, owner-occupied homes. The addition of another duplex only exacerbates the incompatibility. Moreover, because several duplexes already exist here, the additional duplex does not meet the diversity consideration of ImagineAustin.
- 2) The additional street parking associated with another duplex will further impair an already problematic mobility and accessibility due to the curve. There is a lot of street parking associated with the current run of duplexes, to the point that driving around this curve can be quite nerve wracking and risky due to narrow tolerances and poor visibility. Regardless of the site requirements for parking, duplexes ALWAYS bring additional extensive street parking because typically more than one household will be present in each unit of a duplex.
- 3) The additional duplex will provide additional densification BUT WITHOUT ADDITIONAL INFRASTRUCTURE IMPROVEMENTS. Our neighborhood will not receive sidewalks or a wider street in this area in return for accepting densification, nor will we receive a pocket park to offset the rental district density that has developed in this area.
- 4) The City of Austin should at some point stand behind its zoning, since surrounding properties were in some instances purchased based on the protection THOUGHT TO BE provided by the SF-1 for 12008 Pollyanna. I am one such purchaser.
- 5) The map provided with the notification is incorrect in two germane aspects: the "undev" to the south of 12008 Pollyanna is a duplex and the "undev" to the northeast is a single-family dwelling now a rental.
- 6) Regardless of the densification trend these days, large concentrations of rentals should be discouraged. Rentals are typically not well maintained, although this is a general statement that does not apply in all instances. More importantly, renters very, very typically do not participate in the life of the neighborhood. They typically do not show up for the National Night Out party, or to the meetings of the neighborhood association, or to the neighborhood clean ups, etc. Rental concentrations thus destroy the cohesiveness of the neighborhood.

For Case No. C14-2014-0100, 12008 Pollyanna Avenue

Robert Meadows, 12005 Presa Drive, Austin, TX 78753
512 339 0229

signed: R. Meadows, 27 July 2014

PUBLIC HEARING INFORMATION

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However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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Case Number: C14-2014-0100

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Aug 5, 2014, Zoning and Platting Commission

Aug 28, 2014, City Council

Diane Budy

Your Name (please print)

11906 Indianhead Dr.

Your address(es) affected by this application



Signature

Date

Daytime Telephone: 512-565-4663

Comments: I bought in this neighborhood especially because of its large lots and low density. Changing the zoning will change the character of this old neighborhood. Additionally, the streets are narrow + have no sidewalks. Additional traffic + on-street parking will make it more hazardous for pedestrians.

Thank you for your consideration of my comments. - Diane Budy

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City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0100

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Aug 5, 2014, Zoning and Platting Commission

Aug 28, 2014, City Council

Your Name (please print)
 Julie Berg

702 Wren Ave

Your address(es) affected by this application

Julie Berg

Signature

Date

Daytime Telephone: 512 318 0202

7/29/2014

☐ I am in favor
☒ Object

Comments:

My biggest issue is parking, especially the location of property is located.

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Sirwaitis, Sherri

From: Robert Meadows <robert@meadows.com>
Sent: Monday, August 04, 2014 9:58 PM
To: Timothy Holck
Cc: Sirwaitis, Sherri; Walnut Creek Board of Directors Listserve
Subject: About 12008 Pollyanna, Case C14-2014-0100

Dear Tim,

Unfortunately, the Board of Directors of the Walnut Creek Neighborhood Association has voted to oppose the petition for SF-1 to SF-3 zoning at 12008 Pollyanna, and so I will be at the ZAP meeting tomorrow night to speak in opposition.

So, why?

1.

First, some people who live in the area are unhappy with the properties there at Wren and Pollyanna, and they have communicated their unhappiness to me in particular. The number of cars at that corner is a particular problem. When cars are parked on both sides of the street, just getting around the corner can be pretty dicey. I have experienced this myself.

Notwithstanding the City's newer parking requirements, rentals just seem to result in a lot of cars parked in the street, and folks are worried about additional on-street parking, both from a safety standpoint and the standpoint of access by emergency services.

One should remember that that stretch of Pollyanna has duplex, house, duplex, duplex, duplex, duplex, and then 12008 Pollyanna on the west side. Aside from all the cars, the nearby homeowners are also concerned with the large number of less-than-permanent occupants. The occasional mattress is also a sore point. At some point, this rental district is just large enough, and the neighbors and the Association feel that this point has already been reached, particularly since the property requires an upzoning to accommodate another rental.

2.

Another consideration is that even the existing rental district is not compatible with our generally SF-1 neighborhood. Naturally, then, extending the rental district only makes it more incompatible with the surrounding neighborhood, particularly since the folks living further south on Pollyanna and Whitewing are sometimes dismayed when their visitors drive through the duplex district for a visit.

Aside from the lack of compatibility, another duplex at 12008 Pollyanna runs counter to the diversity consideration in ImagineAustin. The idea of diversity argues for something other than a long run of duplexes.

3.

Another consideration is that our neighborhood is trying to resist more rentals in fear of reaching a tipping point. Pat Pitt, our treasurer, using data from the Federal Financial Institutions Examination Council, has come up with the following data: we have 730 physical units in the neighborhood, with 683 household units in owner-occupied housing and 263 household units in leased/rental units. This works out to 27.8% lease/rentals, something more than one-fourth but less than one-third.

I think this level of rentals is already too high. As a general rule, and I wish to emphasize general, renters do not participate in the life of the neighborhood, in my experience for our neighborhood. They do not come to Park Days at the Walnut Bluffs Trailhead, nor to the clean ups on Braker, nor to the Neighborhood Night Out party, nor to the

Still, best regards to you,

Robert Meadows
President, Walnut Creek Neighborhood Association

--

Robert L. Meadows
dba The R. M. Meadows Company
voice: 512 339 0229
fax: 512 836 2510
email: robertl@meadows.com
PO BOX 4779, Austin, Texas 78765 USA

PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0100

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Aug 5, 2014, Zoning and Platting Commission

Aug 28, 2014, City Council

Susan Stegall, Donnie Shumate
 Your Name (please print)

12007 Presa Dr, Austin, TX 78753
 Your address(es) affected by this application

Susan Stegall
 Signature

7/29/14
 Date

Daytime Telephone: *512-297-6573*

Comments:

** See Attached **

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

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

☐ I am in favor
☒ I object

7/29/14

Case Number: C14-2014-0100
Contact: Sherri Sirwaitis
Public Hearing: Aug 5, 2014, Zoning and Platting Commission
Aug 28, 2014, City Council.

We are opposed to the rezoning of 12008 Pollyanna Avenue to SF-3. This property is located directly behind our property. We purchased our home knowing a single-family residence would one day be built behind us. The property next door to 12008 Pollyanna was rezoned and a two-story duplex was constructed. We are afraid that is what Mr. Holck intends to do on this property as well. Having a duplex back up to our house will affect our property value. If someone wants to build a duplex, I feel they should buy property zoned accordingly.

We have seen many young couples starting families move into our neighborhood. A custom homebuilder is building a very nice new home down the street from us. Our neighborhood is moving in a very positive direction. We fear setting a precedent to allow for multi-family property zoning will change that. Pollyanna does not need another duplex increasing street side parking and congestion. The aesthetic quality of our neighborhood will decrease along with our property values. We want our neighborhood to be the best it can be for raising our children and protecting our investment.

Before allowing this zoning, please have an environmental agent with the city determine the effect rezoning would have on the creek behind the property. It is a thriving wildlife habitat and the creek feeds into Walnut Creek.

Thank you for your time and considering our opinion.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Stegall", followed by a stylized flourish or second signature.

Susan Stegall and Donnie Shumate

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Case Number: C14-2014-0100

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Aug 5, 2014, Zoning and Platting Commission

Aug 28, 2014, City Council

MICHAEL BYRNE

Your Name (please print)

12000 POLLYANNA AVENUE

Your address(es) affected by this application

[Signature]

Signature

7/30/14

Date

Daytime Telephone: 512/922-5212

The intersection of Pollyanna Avenue and Wren is a substandard designed curve constructed years ago prior to City annexation. The curve is sharp and considered a "blind" curve due to the high embankment on the interior radius. Currently as there are several existing duplexes along the Pollyanna/Wren curve, and even with on-site parking available tenants will park along the street creating a very dangerous situation to vehicles, bicyclist, and pedestrians (walking/jogging). If the City is willing to re-design and construct the roadway to current City standards, then I would not object to the re-zoning.

However, even if the zoning request is denied, the City needs to install "No Parking - Tow Away" signs on both sides of the street...and enforce the law against parking violators.

Planning & Development Review Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2014-0100

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Aug 5, 2014, Zoning and Platting Commission

Aug 28, 2014, City Council

Francisco J. Alfaro II
Your Name (please print)

12005 Pollyanna Ave.
Your address(es) affected by this application


Signature

8-3-14
Date

Daytime Telephone: _____

Comments: _____

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

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

☐ I am in favor
☒ I object

Item # C-3

Sirwaitis, Sherri

From: Lilian Des-Hernandez <lilian.despujols@gmail.com>
Sent: Tuesday, August 19, 2014 4:26 PM
To: Sirwaitis, Sherri
Subject: Case No. C14-2014-0100

Ms. Sirwaitis,

I am a property owner within 500 ft of the property located at ... that is being requested for a zoning change from SF-1 to SF-3. I wish to state that at this time I can NOT support the re-zoning request. The property is located on the Pollyanna/Wren intersection which is a very sharp and narrow turn. The street was designed/built many years ago prior to City annexation, and would not meet today's design criteria. The curve is extremely dangerous comprising of a blind curve with a high side embankment limiting any sight. The property located at 12006 Pollyanna recently completed construction of a duplex. Although the owner, Tim Holck did a very good job designing that duplex with on-site parking, the tenants never the less park on the street along the blind curve and create a very dangerous situation. My concern is that another duplex will only add to the congestion and safety of that curve.

Even if the City of Austin installs "No Parking Tow Away" signs on both sides of the street along the curve, which is desperately needed, the curve is highly dangerous to all parties living in that area.

I would welcome you or your staff to perform a site visit to see exactly what the existing situation is, and potential safety issue should another duplex be built and additional cars park on the street.

Please contact me with any questions or if I can provide any additional information.

Quite frankly, I would like to go on record requesting that the City install the "No Parking Two Away" signs regardless of this zoning case. There already exist a dangerous situation.

Sincerely,

MarQ Marques
Marketing | Branding | Multidisciplinary Design

[P] [512.373.6251](tel:512.373.6251) [E] gmarg791@gmail.com

Lilian Despujols Hernandez
700 Wren Ave.
P 512-297-1658

Sirwaitis, Sherri

Subject: FW: 12008 Pollyanna Re-zoning

From: Timothy Holck
Sent: Tuesday, September 16, 2014 8:13 PM
To: Sirwaitis, Sherri
Cc: Robert Meadows
Subject: Re: 12008 Pollyanna Re-zoning

Sherri,
As we discussed, please postpone the Austin City Council hearing on 12008 Pollyanna re-zoning to Oct 2nd. I will be out of the country Sept 17 - Oct 1 and would not be able to attend before then.
Thank you.

On Thu, Aug 21, 2014 at 2:13 PM, Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov> wrote:

Hi Mr. Holck,

After the ZAP Commission hearing, just sent me a City Council postponement request for the September 25, 2014. In the request, please state the reason for your postponement (you will be out of the country and unable to attend the CC meeting), the date you want to postpone the case to (the next available CC dates are October 2nd, 16th and 23rd), and sign it. It is the City Council's policy to grant all first postponement requests by either the staff, the applicant or the neighborhood.

Thanks,

Sherri Sirwaitis

*City of Austin
Planning & Development Review Department
sherri.sirwaitis@austintexas.gov
[512-974-3057](tel:512-974-3057)(office)*

From: Timothy Holck
Sent: Thursday, August 21, 2014 2:09 PM
To: Sirwaitis, Sherri
Subject: Re: 12008 Pollyanna Re-zoning

I will be out of the country Sept 17-30. Should I send a proxy or should we postpone to the next Council meeting after Sept 25?