

## SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2014-0036 - Korean United Presbyterian Church Rezoning

DISTRICT AREA: 7

### REQUEST:

Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2000 Justin Lane and 2009 Cullen Avenue (Shoal Creek Watershed) from family residence – neighborhood plan (SF-3-NP) combining district zoning, limited office – neighborhood plan (LO-NP) combining district zoning, and multi-family residence-medium density – neighborhood plan (MF-3-NP) combining district zoning to general office – mixed use -conditional overlay – neighborhood plan (GO-MU-CO-NP) combining district zoning. The Conditional Overlay limits development of the site to limited office (LO) district site development regulations and uses with the exception of building coverage and impervious cover; prohibits medical offices; limits the number of daily vehicle trips to 1,110; establishes a maximum height of 30 feet for Tract 1; a maximum height of two stories for habitable (air-conditioned) buildings for Tract 1, a maximum height of 40 feet for a 10,000 square foot area within Tract 2. The Restrictive Covenant is for the conditions of the Neighborhood Traffic Analysis. The Street Deed is for a 12.93 foot wide right-of-way dedication on Cullen Avenue.

### DEPARTMENT COMMENTS:

The ordinance, Restrictive Covenant and Street Deed are consistent with City Council action taken on First Reading.

A valid petition of 28.74% has been filed by the adjacent property owners in opposition to this rezoning request. Petition information is located at the back of the Staff report.

OWNER & APPLICANT: Korean United Presbyterian Church (Roy M. Kim)

AGENT: Thrower Design (Ron Thrower)

DATE OF FIRST READING: October 16, 2014, Approved GO-MU-CO-NP combining district zoning, on First Reading (4-2, Council Members Martinez and Tovo voted nay; Council Member Morrison was off the dais).

CITY COUNCIL HEARING DATE: May 14, 2015

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Jerry Rusthoven  
e-mail: jerry.rusthoven@austintexas.gov

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0036  
Korean United Presbyterian Church Rezoning

**P.C. DATE:** August 26, 2014  
August 12, 2014

**ADDRESS:** 2000 Justin Lane & 2009 Cullen Avenue

**DISTRICT AREA:** 7

**AREA:** 2.275 acres

**NEIGHBORHOOD PLAN AREA:**

**OWNER:** Korean United Presbyterian Church (Roy M. Kim)

**APPLICANT:** Thrower Design (Ron Thrower)

**ZONING FROM:** SF-3-NP, LO-NP and MF-3-NP; Family Residential-Neighborhood Plan Combining District, Limited Office-Neighborhood Plan Combining District, and Multifamily Residence Medium Density-Neighborhood Plan Combining District

**ZONING TO:** GO-MU-NP; General Office-Mixed Use-Neighborhood Plan Combining District

**SUMMARY STAFF RECOMMENDATION:**

Staff proposes an Alternate Recommendation of LO-MU-NP, limited office-mixed use-neighborhood plan, with a conditional overlay. The conditional overlay would limit development of the site to that which generates less than 2,000 vehicle trips per day.

In addition, if the requested zoning is recommended by the Planning Commission for this site, then Staff recommends a Public Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis Memorandum, dated, August 5, 2014 (see Exhibit T). Additionally, right-of-way dedication (up to 43' from the centerline) for Justin Lane is required prior to third reading of a zoning ordinance.

Lastly, a proposed neighborhood plan amendment (NPA-2014-0017.01) is also on the Agenda. The Staff recommendation to rezone the property is contingent on approval of the associated neighborhood plan future land use change.

**PETITION:**

On September 19, 2014, a petition was submitted to staff. On September 26, 2014 the petition was determined to be valid, with at 24.18%. After additional review, and the addition of excluded properties, the petition was updated to 28.74% as of October 6, 2014 (see Exhibit P).

**UPDATE ON ACTIVITIES:**

On August 13, 2014, after the postponement granted on August 26 (see below), the applicant sent a letter to the Crestview Neighborhood Plan Contact Team (see Exhibit D). This letter reiterates that the desired zoning for a general office (GO) option would be limited through conditional overlays to LO site development standards with the exception of GO building and impervious cover standards.

On August 18, 2014, the Crestview Neighborhood Plan Contact Team (CNPCT) met with neighborhood planning and zoning staff for a questions-and-answer (Q&A) session. Though a list of questions had been provided in advance (see Exhibit E), the Q&A was more of an informal discussion with questions and follow-up questions asked extemporaneously. Staff forwarded responses to additional questions that were not addressed at this meeting to the Contact Team. A response from the CNPCT in light of the applicant's letter and meeting with staff has been received by staff (see Exhibit C – 55).

Prior to the September 25, 2014 City Council meeting, the applicant requested a postponement until November 20 in order to allow the architect to make changes to plans and to continue dialogue with the neighborhood. After discussion at that Council meeting, a postponement was granted until October 16, 2014. A meeting with the CNPCT is scheduled for 10/14. Due to a scheduling conflict, the applicant is unable to attend that meeting but sent correspondence outlining the proposal in advance (see Exhibit D-2). The owner will attend the CNPCT meeting.

#### **PLANNING COMMISSION ACTION:**

August 26, 2014      Recommend to Grant GO-MU-CO with Conditions as proposed by Applicant (Motion: A. Hernandez; Second: B. Roark) 4-4-1 (Ayes: R. Hatfield, A. Hernandez, S. Oliver, B. Roark; Nays: J. Nortey, J. Stevens, L. Varghese, N. Zaragoza; Absent: D. Chimenti)

Recommend to Deny GO-MU-CO with Conditions as proposed by Applicant and LO-MU-CO with Conditions as recommended by Staff (Motion: N. Zaragoza; Second: J. Stevens) 3-5-1 (Ayes: J. Stevens, L. Varghese, N. Zaragoza; Nays: R. Hatfield, A. Hernandez, J. Nortey, S. Oliver, B. Roark; Absent: D. Chimenti)

Recommend to Grant LO-MU-NP with Conditions as recommended by Staff (Motion: J. Nortey; Second: R. Hatfield) 6-2-1 (Nays: J. Stevens, N. Zaragoza; Absent: D. Chimenti)

August 12, 2014      Postponement to September 9, 2014 (Motion: N. Zaragoza; Second J. Stevens) 3-5 (Nays: R. Hatfield, A. Hernandez, J. Nortey, S. Oliver, L. Varghese)

Postponement to August 26, 2014 at the Request of Neighborhood Stakeholders (Motion: J. Nortey; Second: R. Hatfield) 8-0 (Absent: B. Roark)

[Correspondence Regarding the Postponement was distributed on the dais at the time of the Commission meeting, see Exhibit PPR]

#### **DEPARTMENT COMMENTS:**

This approximate 2.3-acre tract is located east of Burnet Road and Burnet Lane, just west of Hardy Drive. The tract has frontage on three roadways, bounded by Cullen Avenue on the north, Justin Lane on the south, and Hardy Drive on the east. The site has been used for religious assembly and associated uses, and contains a church, educational and storage buildings, and an apartment building. The tract currently has 3 different zoning designations, limited office, family-residential, and multifamily residential, all with neighborhood plan combining district zoning.

The property is surrounded by residential uses on several sides; multifamily (condominium) is to the north across Cullen and southwest, on the opposite side of the Justin/Hardy intersection. Single-family and duplex residential is found to the northeast, on the opposite side of the Cullen/Hardy intersection, east of Hardy, and west of the property along Cullen. Office and retail uses are to the south across Justin; another religious assembly use west of the site along Justin separates the property from Burnet Lane and the automotive dealerships beyond.

Justin Lane is the southern boundary of the Crestview Neighborhood, and also marks the southern extent of the Crestview/Wooten Neighborhood Plan (adopted in 2001). Crestview extends northward from Justin to Anderson Lane; Wooten extends from Anderson to US 183/Research Boulevard. South of Justin Lane, the Brentwood Neighborhood, between Burnet Road and Lamar Boulevard, extends southward to 45<sup>th</sup> Street. East of Lamar Boulevard, from Anderson Lane at the north to Koenig Lane at the south, lies the Highland Neighborhood. The neighborhood plan for Brentwood/Highland was adopted in 2004.

The request is driven by the stated desire to redevelop the property with an office-mixed use development. The current owner of the property plans to relocate its religious assembly and associated uses to another campus. The current request for general office (GO) as a base district, in comparison with limited office (LO), is for additional building coverage and impervious cover allowances, per the August 13, 2014 letter sent to the CNPCT. GO allows for 60% and 80%, building and impervious cover, respectively, as compared with 50% and 70%, in LO.

Staff previously wrote GO was sought for the flexibility that a higher floor-area-ratio (FAR) would provide (1:1 under GO versus 0.7:1 under LO). As previously envisioned, the desired 70,000 to 75,000 square feet of office and residential development would have required an FAR allowance of approximately 0.85:1. Again, per the applicant's letter to the CNPCT, the development will meet the FAR requirements of LO.

Correspondence received by staff from CNPCT members and other neighborhood stakeholders has been attached (please see Exhibit C).

#### **ABUTTING STREETS & TRANSIT:**

<b>Street Name</b>	<b>ROW Width</b>	<b>Pavement Width</b>	<b>Classification</b>	<b>Bicycle Route / Plan</b>	<b>Bus Service</b>	<b>Sidewalks</b>
Justin Lane	75 feet	32 feet	Arterial	Yes (22) Bike Lane	Yes	Yes
Cullen Avenue	60 feet	22 feet	Local	No	No	Yes
Hardy Drive	50 feet	27 feet	Local	No	No	Yes

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP; LO-NP; MF-3-NP	Religious Assembly, Educational and Storage Building; Multifamily Building
<i>North</i>	MF-3-NP	Single-family Residential; Multifamily Residential (condominium)
<i>Northeast</i>	SF-3-NP;	Single-family Residential



<i>East</i>	MF-3-NP; SF-3-NP; LO-MU-NP	Duplex and single-family Residential; Private Educational, Office & Medical Office Uses
<i>Southeast</i>	MF-3-NP	Duplex Residential
<i>South</i>	LO-MU-NP; LR-NP	Office and Retail Uses
<i>West</i>	LO-NP; MF-3-NP	Religious Assembly; Duplex, multifamily and single-family Residential

**TIA:** Waived; Applicant Requested 2000 vehicle trip per day Conditional Overlay

**WATERSHED:** Shoal Creek Watershed (urban)

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ASSOCIATIONS & COMMUNITY ORGANIZATIONS:**

COMMUNITY REGISTRY NAME	COMMUNITY REGISTRY ID
Crestview Neighborhood Assn.	93
Brentwood Neighborhood Assn.	120
North Austin Neighborhood Alliance	283
Austin Neighborhoods Council	511
Austin Independent School District	742
Brentwood Neighborhood Plan Contact Team	787
Greater Austin Northcross Area	793
Homeless Neighborhood Organization	1037
Highland/Skyview Neighborhood Plan Contact Team	1057
Bike Austin	1075
Super Duper Neighborhood Objectors and Appealers Organization	1200
Austin Monorail Project	1224
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Crestview NPCT	1263
Austin Heritage Tree Foundation	1340
SEL Texas	1363
Sustainable Neighborhoods	1396
Friends of the Emma Barrientos MACC	1447

**ZONING CASE HISTORIES FOR THIS TRACT:**

The southern half of this tract, currently zoned LO-NP, was rezoned as part of the Crestview/Wooten Neighborhood Plan process. Specifically, (C14-04-0004) rezoned the southern half of this tract from SF-3 to LO-NP; no other conditions were placed on the property at that time.

### **ZONING CASE HISTORIES IN THE AREA:**

There has been relatively little rezoning in the area surrounding the subject tract. Commercial and multifamily properties to the northwest and west have some zoning history, but districts were primarily established in the 1970s and 1980s. The multifamily-zoned properties immediately to the west, for example, were rezoned "B" in 1970 (C14-70-158) and 1977 (C14-77-179); multifamily property east of Hardy and north of Cullen were zoned "B" in 1980 (C14-80-117) and 1983 (C14-83-051), respectively. Similarly, the family residence zoning that lies east of Hardy Drive was likely established subsequent to annexation and has changed little, with the exception of conversion from "A" residence to SF-3, along with the "B" districts converting to MF-3.

Adoption of the Crestview Neighborhood Plan in 2001 changed the base zoning on some nearby tracts, but did not fundamentally change the underlying zoning or allowances. Tracts include:

7101 Burnet Rd	GR	to GR-CO-NP
7001-7015 Burnet Rd	GR	to GR-CO-NP
2106-2200 Cullen	LO-CO	to GR-MU-CO-NP
6901-6921 Burnet Rd	CS	to CS-CO-NP
2000 Cullen Ave	MF-3; SF-3	to MF-3-NP
1908-1916 Justin Ln	LO	to LO-MU-NP

Of these, only the 2106-2200 Cullen Ave had site specific conditions. This tract was designated as potential for a neighborhood mixed use building special use (as was 1908-1916 Justin), but with limitations on height, impervious cover, certain prohibited uses, and access requirements, depending on whether it was developed in conjunction with abutting tracts.

After adoption of the Crestview Neighborhood Plan in 2001 and the Brentwood Neighborhood Plan in 2004, there has been no subsequent rezonings south of Justin Lane or east of Hardy Drive. Likewise, to the west and north there have only been two rezoning cases, one at Pasadena and Burnet (C14-04-0163) to change a condition of the conditional overlay, and the other to add Vertical Mixed Use Overlay (VMU) district and Vertical Mixed Use Building (V) combining district to select properties along Burnet Road.

Properties included in the VMU and V (C14-2009-006) zoning include:

7305, 4321, 7325, 7327, & 7329 Burnet (south of Pasadena);  
2008 Cullen Ave; 7001, 7007, 7021, 7101, and 7015 Burnet Road (north of Cullen); and  
6901, 6909, and 2921 Burnet (triangle between Burnet Road and Burnet Lane)

A similar pattern of relatively little zoning change is found in the Brentwood Neighborhood south of Justin Lane. Properties front Burnet Road and Burnet Lane were rezoned (C14-04-0012) from CS and CS-1 to CS-MU-CO-NP and CS-1-MU-CO-NP. Closer to the subject tract, 2001 Justin Lane was rezoned from LO to LO-MU-NP while 2005 Justin Lane, along with 2103, 2015, 2107, 2109, and 2201 Muroc Street were rezoned from LR and CS to LO-MU-CO-NP. 6804 and 6808 Hardy were rezoned from LO to SF-3-NP. As with the Crestview Plan, the Brentwood Neighborhood Plan Combining District identified additional conditions only for the tract along Burnet Road, a potential neighborhood urban center, and for the tract just east of Burnet Lane. No conditions were specified for the rezoned properties along Justin Ln. Adopted around the same time in 2009 as the vertical mixed use options were in Crestview, the Brentwood area also adopted vertical mixed use and vertical mixed use building for select properties along Burnet Road as well as Lamar Boulevard (C14-2009-0055).

## May 14, 2015

Close the Public Hearing and Approved GO-MU-CO on First Reading with Conditions (Motion: Council Member Spelman; Second: Mayor Pro Tem Cole) 4-2-0 (Ayes: Mayor Leffingwell, Mayor Pro Tem Cole, and Council Members Riley and Spelman; Council Member Morrison was off the dais).

Council Member Spelman's first motion was for the staff recommendation. However, he then questioned if the most recent applicant proposal was consistent with the staff recommendation. Jerry Rusthoven reviewed the current proposal in terms of mixed use-office and a zoning request based on GO-MU-CO with conditions offered by the applicant as listed below. The motion was then changed to the proposal from the applicant. Revisiting the public RC for compliance with NTA terms and right-of-way dedication, as recommended by staff was not explicitly part of Jerry's recap nor CM Spelman's motion. However, it was part of the staff recommendation and is consistent with the applicant's request because the applicant did not request any modification or relief from these requirements.

The conditions offered by the applicant and approved by the Council are as follows:

- 1) LO site development regulations and uses with the exception of building coverage and impervious coverage, which would remain the GO standard;
- 2) Limit vehicle trips per day to 1,110 trips;
- 3) Maximum height of 30 feet with the exception of an area of approximately 10,000 square feet which would be limited to 40 feet in height;
- 4) Maximum height for habitable buildings limited to 2 stories with the exception of the 10,000 square feet area limited to 40 feet in height;
- 5) Medical offices would be a prohibited use; and
- 6) Allow residential uses facing Cullen and half of Hardy Lane.

Postponed to October 16, 2014 in response to a Request for Postponement by the Applicant until November 20, 2014 and a Request from Neighborhood Stakeholders to Postpone for no more than Two Weeks.

Motion to Postpone until November 20, 2014 (Council Member Spelman; Second by Mayor Leffingwell).

Substitute Motion to Postpone until October 16, 2014 (Member Tovo; Second by Council Member Morrison) 7-0.

**ORDINANCE READINGS:** 1<sup>st</sup> October 16, 2014 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Jerry Rusthoven  
e-mail address: jerry.rusthoven@austintexas.gov

**PHONE:** 512-974-3207

## **SUMMARY STAFF RECOMMENDATION**

### **BACKGROUND**

The site is currently zoned Family Residence–Neighborhood Plan (SF-3-NP), Multifamily Residence Medium Density–Neighborhood Plan (MF-3-NP), and Limited Office–Neighborhood Plan (LO-NP). The request is to rezone all tracts to; General Office–Mixed Use–Neighborhood Plan (GO-MU-NP) combining district zoning.

City data indicates a religious assembly uses have occupied the site since (at least) the mid-1950s, when a utility permit was issued to a religious organization (albeit a different denomination). As a religious entity, it is entitled to use the site for religious assembly purposes under the current base zoning districts. Rezoning, as part of the Crestview Neighborhood Plan area, appended the zoning with the NP combining district, but also rezoned the southern one-half of the tract from SF-3 to LO-NP.

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.

Multifamily residence medium density (MF-3) district is the designation for multifamily use with a maximum density of up to 36 units per acre, depending on unit size. An MF-3 district designation may be applied to a use in a multifamily residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multifamily use is desired.

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The request is for general office-mixed use-neighborhood plan (GO-MU-NP).

General office (GO) district is the designation for an office or select commercial use that serves community or city-wide needs, such as medical or professional offices. A building in a GO district may contain one or more different uses. The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

When combined with an office base district, the mixed use option would allow for vertical mixed use buildings, as well as townhouse, multifamily, single-family, duplex, condominium, and other forms of residential development, separate from any office development. Granting MU to a site means mixed use is an option; a mix of uses either within a building or across a site, not a requirement.

The recommendation from staff is an alternative to grant limited office-mixed-use-conditional overlay-neighborhood plan zoning (LO-MU-CO-NP) instead of the requested general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning.



## BASIS FOR RECOMMENDATION

- 1) Zoning should promote compatibility with adjacent and nearby uses and promote a transition between adjacent and nearby zoning districts, land uses, and development intensities; and**
- 2) Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.**

Staff can support office-mixed use zoning at this intersection, with certain conditions or restrictions; however, staff recommends limited office rather than the applicant's request for general office as the base zoning district at this time.

This property is uniquely located; it abuts right-of-way on three sides. Justin Lane along the south is an arterial; Cullen to the north and Hardy to the east are local streets. With one or two exceptions, everything east of Hardy Lane is residential and predominantly single-family with some duplex residential. West of Hardy Lane is a mix of office and commercial uses, with some residential, predominantly multifamily. As one moves further north of Cullen or south of Justin, this commercial and office use transitions to more single-family and duplex residential.

As noted in the purpose statement above, limited office (LO) district is appropriately located in or adjacent to residential neighborhoods. Associated site development standards and uses are designed to ensure that the development is compatible and complementary in scale and appearance with the residential environment. General office (GO) is typically located along arterials or the intersections of arterials and collectors. Staff is of the opinion LO is more appropriate than GO given the current street network. The recommendation might be different if the subject tract was on the west end of the block, along Burnet Lane.

Office use is widely viewed to be a transition between commercial or more intense land uses and residential and as being equally capable of serving as a compatible and transitional use. While staff can support office uses at this site, staff cannot recommend the more intense GO zoning requested at this time. Site development and compatibility standards aside, staff is concerned about the potential incompatibility of unlimited GO uses on this site and the area residents be they in detached homes, duplex, or multifamily residences.

Additionally, staff thinks the mixed-use standards applicable under LO are more aligned with the existing character of the multifamily residential surrounding the site. Mixed use (MU) combined with an LO or LR base district is roughly equivalent to MF-2 in terms of development standards; GO and GR base districts when developed with residential are roughly equivalent with MF-4. To understand the difference in density, one need only look at the square feet of site area for each dwelling unit:

	Efficiency	1 Bedroom	2 or more Bedrooms
Limited Office	1600	2000	2400
General Office	800	1000	1200

In short, GO would allow for twice as many residential units as LO, if developed as such under a mixed-use scenario. While staff had no knowledge of developing the site with solely a residential project, staff is concerned about (hypothetically) 100 or more residential units on this property.



- 3) Zoning should allow for a reasonable use of the property;**
- 4) The rezoning should be consistent with the policies adopted by the City Council or Planning Commission/Zoning and Platting Commission; and**
- 5) Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan.**

Office-mixed use at this location is a reasonable reuse of the property. The congregation that is relocating to another location has enjoyed use of this site under a mix of existing zoning: SF-3, MF-3, and LO. Places of worship are allowed to use properties with any zoning, and since a religious assembly use has been on this property for at least 50 years, the question of redevelopment, reuse, and rezoning has likely never been considered. Staff thinks an office-mixed use project is appropriate here, but thinks the recommended LO base, rather than GO, still affords a reasonable use of the property.

Staff also thinks office mixed-use of this variety is consistent with the goals of Imagine Austin Comprehensive Plan (IACP), recommended by the Planning Commission and adopted by the City Council, which speak to communities characterized by a variety of uses, employment opportunities, and housing options. Bus service is available along Justin Lane, and Burnet Road to the west is identified as an Activity Corridor characterized by High Capacity Transit; development of employment and housing centers along and near transit ways is also encouraged by the IACP.

At the same time, the IACP encourages development that reduces negative impacts on existing neighborhoods, while protecting and even enhancing neighborhoods. Redevelopment of this site as office-mixed use, and specifically with a limited office base rather than general office, seems to be consistent with these goals of the IACP. The recommended zoning, which comes with a limitation of 2000 vehicle trips per day and other requirements derived from a neighborhood traffic analysis, although with compatibility requirements triggered by less intense residential land uses near the property, ensures that redevelopment and reuse would be at a scale appropriate and reasonable for the setting, and in line with policies adopted by the Commission and Council.

Lastly, the request for rezoning comes with an associated Neighborhood Plan Amendment in which the current Civic designation on the future land use map (FLUM) would be changed to Office Mixed Use. Although the southern half of this tract was rezoned from SF-3 to LO-NP as part of the Crestview Neighborhood planning effort, the FLUM was designated as civic for the majority of the project; the MF-3-NP portion which is part of this rezoning application was designated Multifamily. The zoning recommendation of LO-MU-CO-NP, with a public restrictive covenant to cover the NTA recommendations, is contingent on the recommendation and adoption of a FLUM change for the property from Civic to Office-Mixed Use.

## **EXISTING SITE CHARACTERISTICS AND REVIEW COMMENTS**

### **Site Characteristics**

This is a developed site containing a house of worship, ancillary buildings for educational and fellowship activities, storage, surface parking, and a 12-unit apartment building. There are some trees along the periphery of the site, and near the main sanctuary, but the property is largely covered with impervious materials. Nevertheless, the site is not encumbered by floodplain or environmental features of note, and is essentially flat. As such, there are no known physical constraints to redevelopment.

### **NPZ Environmental Review (MM)**

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March 17, 2014

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. 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.

### **NPZ Site Plan Review (CBH)**

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March 5, 2014

#### **SITE PLAN REVIEW OF ZONING CASES**

1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

2. The site is subject to compatibility standards. Along the east and north property line, the following standards apply:
- No structure may be built within 25 feet of the property line.
  - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
  - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
  - No parking or driveways are allowed within 25 feet of the property line.
  - A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

*NOTE: Property to the west is zoned MF-3 but presently contains a duplex use. Compatibility requirements, if any, will be determined at the time of site planning.*

3. Additional design regulations will be enforced at the time a site plan is submitted.
4. FYI - This site is located in the Crestview/Wooten Combined Neighborhood Plan. Please see the City's website <http://www.austintexas.gov/departments/neighborhood-planning> for a copy of the recommended design guidelines.

### **NPZ Transportation Review (AC)**




March 25, 2014

- If the requested zoning is recommended for this site, 43 feet of right-of-way should be dedicated from the centerline of Justin Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.
- A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]
- A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. [Update – see Exhibit T].
- Provide traffic counts for Cullen Ave. and Hardy Dr. so the NTA may be conducted.
- Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Cullen Ave.	60'	22'	Local	No	No	Yes
Hardy Dr.	50'	27'	Local	No	No	Yes
Justin Ln.	75'	32'	Arterial	Yes	Yes	Yes





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING CASE**  
C14-2014-0036

1" = 200'

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.

**Exhibit A**





# C14-2014-0036 / Korean United Presbyterian Church Rezoning



Aerial: 2012-01

**Exhibit A-1**  
**Aerial**

0 200 400 800 Feet  
1 inch = 400 feet





CS

BURNET RD

GR-V-CO-NP

GR-MU-CO-NP

CS-CO-NP

LO-CO-NP

SF-3-NP

SF-3-NP

PIEDMONT AVE

CS-V-CO-NP

GO-CO-NP

CULLEN AVE

MF-3-NP

MF-3-NP

MF-3-NP

W. ST. JOHNS AVE

SF-3-NP

LO-NP

SF-3-NP

JUSTIN LN

CS-NP

LR-NP

LO-NP

SUBJECT TRACT (approx 2.275 acres)

LO-NP

CS-CO-MU-NP

MUROC ST

LO-MU-NP

HARDY DR

LO-MU-NP

SF-3-NP

CS-MU-CO-NP

CS-MU-CO-NP

SF-3-NP

MF-3-NP

LO-MU-NP

SF-3-NP

SANTA CLARA ST

SF-3-NP

VALLEJO ST

SF-3-NP

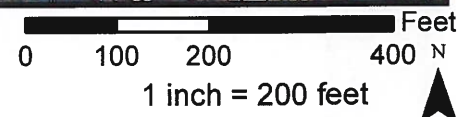
REDLANDS ST

SF-3-NP

MODESTO ST

SF-3-NP

## Exhibit A-2 Aerial & Zoning





**From:** Sarah Patterson

**Sent:** Tuesday, August 05, 2014 10:09 PM

**To:** Ron Thrower

**Cc:** Meredith, Maureen; Heckman, Lee; Joseph Harbolovic; Lealon Martin; [redacted]; Larry Ouellette; Chip Harris

**Subject:** Re: NPA-2014-0017.01 and C14-2014-0036 - 2000 Justin Ln & 2009 Cullen Ave - CNPCT Recommendation

Ron,

Attached are the approved minutes from our April CNPCT meeting. The minutes reflect the voting breakdown of the 6 zoning categories we voted on at the time, the first of them being GO. Specifically, the minutes reflect 48 votes Against GO zoning, and 1 vote For GO zoning.

At our June meeting, members of the community heard from the developer's representatives that the developer was not interested in pursuing his development plans under the previously recommended LO-MU-CO zoning option. At the end of our June meeting, a motion was passed to form a special committee to come up with additional conditional overlays to be added to our previous recommendation. This required a special meeting for July.

At the July special meeting, the special committee proposed an alternate vision for the site, multi-family, which was a different land use and zoning. After much discussion, a motion was passed to rescind our April vote, call another special meeting, and revote on a new recommendation.

On August 4th, the next special meeting occurred, and over 70 people attended and voted. The team wanted to be clear that they did not support the GO zoning and office/mixed use land use requests. As far as compromises go, the sentiment was that attendees didn't feel like the developer was interested in compromising, and in the meantime, they feel like a low-density multi-family use would be a better fit.

As far as recommendations presented to PC go, we will not be supporting GO zoning and an office land use.

Thank you,  
Sarah Patterson

Facilitator, CNPCT

CNPCT April 2014 meeting

Date: 4/21/14

49 in attendance

8:10 meeting convened

8:20 PM

Open discussion for proposals to be recommended to developers on Justin Lane.

Options being presented by Facilitator Sarah Patterson:

1. Option 1: GO-MU zoning – (allows for 60ft building – but would only allow a 2-3 story building due to Compatibility Standards)
2. Option 2: GO-MU-CO with conditions 1. Limit ingress/egress auto traffic to Justin Lane; 2. Height limit to 2 stories or 35 ft; 3. Address lighting on garage rooftop so that it does not shine beyond the rooftop.
3. Option 3: LO-MU zoning for whole site
4. Option 4: LO-MU-CO with conditions 1. Limit ingress/egress auto traffic to Justin Lane; 2. Height limit to 2 stories or 35 ft; 3. Address lighting on garage rooftop so that it does not shine beyond the rooftop.
5. Option 5: No change at all to current zoning.
6. Option 6: Recommend lot for MF-3 – a Multifamily zoning and land use.

8:30 vote taken

Option 1 All in Favor: 1 Opposed 48

Option 2 All in Favor 3

Option 3 All in Favor 0

Option 4 All in Favor 22

Option 5 All in Favor 14

Option 6 All in Favor 10

8:40 candidates nominated for outgoing Vice President and Secretary

	CoFacilitator	Secretary
• Jonathan Weinstein	7	Withdrew
• Joe Harbolovic	8	20
• Lealon Martin	12	
• Holly Ahern	1	
• Derrick Kotrola	4	

8:45 PM Meeting adjourned

**From:** Sarah Patterson

**Sent:** Tuesday, July 15, 2014 10:41 PM

**To:** Meredith, Maureen; Heckman, Lee

**Cc:** Joseph Harbolovic; Lealon Martin

**Subject:** NPA-2014-0017.01 and C14-2014-0036 - 2000 Justin Ln & 2009 Cullen Ave.

Maureen and Lee,

At the Crestview Neighborhood Planning Contact Team special meeting this evening, a motion was passed (34 to 4) to rescind our April meeting's recommendation for LO-MU-CO zoning and FLUM change to Office/Mixed-Use. The motion also included that we will have another special meeting prior to these cases going to PC in order to revisit all possible zoning options for our new recommendation, and that I must convey this motion to staff as quickly as possible.

Please confirm the date these cases are going to PC so that I can plan for our next meeting accordingly. It sounded like Lee told a citizen it may not be until August 12th.

Lee, your presence at our special meeting was requested. I will be sharing some City documents with summaries of zoning categories with neighbors soon, but if you have something more email-friendly than this 100 page zoning guide ([https://www.austintexas.gov/sites/default/files/files/Planning/zoning\\_guide.pdf](https://www.austintexas.gov/sites/default/files/files/Planning/zoning_guide.pdf)), let me know.

Thanks,

Sarah Patterson

Facilitator, CNPCT

**From:** Sarah Patterson  
**Sent:** Monday, April 21, 2014 10:25 PM  
**To:** Meredith, Maureen; Ron Thrower  
**Cc:** Kelly Chappell; Matthew Armstrong; Joseph Harbolovic  
**Subject:** Crestview NPCT outcome

Hi Maureen and Ron,

I just wanted to let you know the outcome of our meeting this evening. We had a total of 6 suggested zoning recommendations (GO-MU, GO-MU-CO, LO-MU, LO-MU-CO, no zoning change, and MF-3-NP). Our majority recommendation was LO-MU-CO, and our minority recommendation was no zoning change.

The majority recommendation, FLUM change to Office use and LO-MU-CO zoning, includes the following Conditional Overlays: 1. Limit ingress/egress auto traffic to Justin Lane; 2. Height limit to 2 stories or 35 ft; 3. Address lighting on garage rooftop so that it does not shine beyond the rooftop; 4. (nothing at this time - someone mentioned use restrictions, but I've just looked over the LO zoning uses, and anything questionable is either a Conditional Use, is taken care of in other portions of the LDC, or is infeasible for the site).

The minority recommendation, no zoning change, wants to leave the zoning and FLUM as is.

The 3rd most popular recommendation was a FLUM change to Residential/Multifamily and a zoning change to MF-3.

Maureen, thanks for an excellent job of moderating. This email is a good draft for what I will present to Planning Commission, but I will double check the LO uses to ensure no restrictions are necessary.

Ron, thank you again for coming to our meeting this evening. Please let me know what the developer thinks of our majority recommendation. I hope we can continue to work together.

Have a good evening all.

Sarah Patterson  
512-705-1238

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

LEON WHITNEY

Your Name (please print)

2105 JUSTIN LANE #101

AUSTIN, TX 78757

Your address(es) affected by this application

Leon Whitney

Signature

08-04-2014

Date

Daytime Telephone: 512-345-0574

Comments: THE PROPOSED OFFICE BUILDING WILL HELP  
UPGRADE THE CRESTVIEW NEIGHBORHOOD AND  
COMPLEMENT THE NEW PROJECTS ALONG  
BORNET ROAD. AN OFFICE BUILDING IS  
PREFERABLE TO A LARGE APARTMENT  
COMPLEX ON THIS SITE.

R 08/05/14

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

Louis A. Sander  
Your Name (please print)

☐ I am in favor  
☒ object

2006 Valley St Austin, 78757  
Your address(es) affected by this application

Louis A. Sander  
Signature

8-4-14  
Date

Daytime Telephone: 512-453-5320

Comments: This will bring more unwanted  
traffic into an already congested  
area.

R 08/05/14

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20860514

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

MICHAEL GRANTHAM  
Your Name (please print)

☐ I am in favor  
☒ I object

2000 CULLEN AVE APT 2

Your address(es) affected by this application

Michael Grantam 08/03/2014

Date

Signature

Daytime Telephone: 512-627-9949

Comments: GO does not fit in with the  
immediate residential areas  
on the north and east sides of  
the parcel of land.  
MU with required residential  
on the Cullen side is better fit.  
LD WOULD BE BEST ALONG  
JUSTIN.

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

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Lee Heckman  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

DAVID GIBBLETS

Your Name (please print)

2000 CULLEN AVE Apt 2

Your address(es) affected by this application

David Gibblets

Signature

8/3/2014

Date

Daytime Telephone: 512-788-8712

Comments:

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

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

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R 08/05/14

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Case Number: C14-2014-0036  
 Contact: Lee Heckman, 512-974-7604  
 Public Hearing: Aug 12, 2014, Planning Commission  
 Aug 28, 2014, City Council

☐ I am in favor  
☒ I object

JEANNE K. Cobb  
 Your Name (please print)

2900 Cullen Ave. #24  
 Your address(es) affected by this application

Leeanne Cobb  
 Signature

8/2/2014  
 Date

Daytime Telephone: 512-458-0148

Comments: Our neighborhood plan states that we should keep the existing single family and multi family nature of our primarily residential neighborhood intact. We have enough commercial sites surrounding the neighborhood on Lamar, Burnet and Anderson have.

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



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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

Lucille A. Santillo  
Your Name (please print)

☐ I am in favor  
☒ I object

2000 Cullen Av #16 Austin  
Your address(es) affected by this application

Lucille A. Santillo  
Signature

8-4-14  
Date

Daytime Telephone: 512 459-1478

Comments: I Don't Feel This Property  
Should Be Zoned For Commercial  
OR MIXED USE.

This is a contradiction to  
our neighborhood plan for  
more "affordable" housing.  
A change to MP3- would  
be more appropriate.

R 8/6/14

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

City of Austin

Planning & Development Review Department

Lee Heckman

P.O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

Alex Smallwood

Your Name (please print)

1912 Cullen Ave.

Your address(es) affected by this application

[Signature]

Signature

Date

8/4/14

Daytime Telephone: (512) 983-0038

Comments: I live within 500ft and  
do not want to re-zone to any-  
thing other than residential puts  
too much stress on our neighbor-  
hood - too much traffic and  
noise !!!

R 8/6/14

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City of Austin

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P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0036  
Contact: Lee Heckman, 512-974-7604  
Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

Clare Seagraves  
Your Name (please print)

☐ I am in favor  
☒ I object

2104 Cullen Ave, #212, Austin, TX

Your address(es) affected by this application 78757

8/4/14

Date

Signature

Daytime Telephone: 512-426-8571

Comments:

R 8/6/14

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

City of Austin  
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Lee Heckman  
P. O. Box 1088  
Austin, TX 78767-8810



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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

Michel Breger

Your Name (please print)

2000 Cullen Ave, #15

Your address(es) affected by this application

8-4-2014

Date

mbreger

Signature

Daytime Telephone:

Comments: Keep the neighborhood residential

8/08/04/14

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

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

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

Mustafa Sari Budak

Your Name (please print)

2000 Cullen Ave. #7, Austin, TX 78757

Your address(es) affected by this application

*Mustafa Sari Budak*

Signature

8/11/14

Date

Daytime Telephone: (832) 368-4004

Comments: We moved the above address 5 yrs. ago, because it was quiet laid back neighborhood. Please, keep the area for residential use.

R Sari Budak

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

Songhye Saribudak

Your Name (please print)

2000 Cullen Ave, #7, Austin, TX 78757

Your address(es) affected by this application

Songhye Saribudak

Signature

8/11/2014

Date

Daytime Telephone: (347) 542 6113

Comments: The area is for residential, not commercial, please

R 8/16/14

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

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P. O. Box 1088  
Austin, TX 78767-8810



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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

James R. McElroy

Your Name (please print)

owner/agent at 2106 Cullen Ave # 212

Your address(es) affected by this application

James R. McElroy

Signature

Date

8-5-14

Daytime Telephone: 512-870-7172

Comments: I attended all four of the Creative Contract Team meeting that pertain specifically to this case, and Applicant "Thriller Design" attended the first two of these team meetings. Unfortunately, it became very obvious in the second meeting that Applicant "Thriller Design" does not understand the nature of the Creative Contract Neighborhoods and even though the proposed plans that "Thriller Design" prepared in the second meeting indicate that they didn't remember a thing that the City of Austin Planning & Development Review Department Lee Heckman P. O. Box 1088 Austin, TX 78767-8810

signed on hand said in the first meeting.

## 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: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

Stephen Hawick / Larissa Hawick

Your Name (please print)

1111 Glen Ave, Austin 78757

Your address(es) affected by this application

Stephen C. Hawick / Larissa Hawick 8/5/2014

Signature

Date

Daytime Telephone: 512 410 9513

Comments: Proposed plan is not consistent with the neighborhood plan, would have ingress + egress on two residential streets and would bring 1000 additional vehicles to a residential/family pedestrian area. I (Steve Hawick) attended all contact meetings and found the developer admitted to be very unprofessional to the desires of the Crestview community, even, when the community sought compromise.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

R 8/6/14



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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

Patricia Page Carr  
Your Name (please print)

☐ I am in favor  
☒ I object

2104 Cullen Ave. #107

Your address(es) affected by this application

Patricia Page Carr  
Signature

8-5-14

Date

Daytime Telephone: 512-371-3421

Comments: This project violates our Neighborhood Plan by allowing zoning in the worst way, creating an office building and parking garage (!) in a 70-year-old residential neighborhood. The project is a prime example of the creeping commercialism that threatens our community & will set a harmful precedent. It belongs on Sunset Rk., not in our family-centric neighborhood.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

R 8/6/14



-----Original Message-----

From: Teresa Shu

Sent: Wednesday, August 06, 2014 3:13 PM

To: Heckman, Lee

Subject: Case Number: C14-2014-0036

Dear Lee Heckman,

Thanks for speaking with my husband today on the telephone to provide your email address. A Public Hearing Information Form was sent to me under your name, giving me the opportunity to comment on the proposed amendment for C14-2014-0036:

1. I check the "I object" check box.

2. I make this comment:

I object to the proposed zoning/re-zoning request. It clearly contradicts the letter and spirit of the "Crestview/Wooten Combined Neighborhood Plan," which is officially registered with the City of Austin. I support that neighborhood plan as it is currently written. The current plan represents a good roadmap for our community to have safe, residential growth and prosperity (including for our great neighborhood businesses). Threats to safety -- especially increases in car traffic -- is one of my big concerns, because I already feel unsafe as a wheelchair user in our neighborhood; we have no sidewalks on side streets like mine, West St. Johns Ave.

My husband said that you could acknowledge receipt of this email message. If so, I'd appreciate it. And let us know if you require further information from us, so that you can add our information to the official report that you are preparing.

Thanks.

Teresa Shu

August 7, 2014

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

Re: Case Number C14-2014-0036  
Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014 City Council

Dear Mr. Heckman:

The purpose of this letter is to provide comment on the above-referenced request for rezoning. I own and have resided in a house one block south of the property in question for almost 10 years. During that time I have seen the neighborhood change dramatically, and I would like to see development continue in a responsible manner.

While I understand preliminary plans are to construct a 2-3 story office building on the property, I also know those representations are not binding. The plans may change to take advantage of whatever use is allowed under the new zoning classifications. With this in mind, I have two comments on the rezoning proposal:

1. A conditional overlay should be strongly considered that would limit structure height to 40 ft rather than the 60 ft allowed under "GO" zoning.

Single family residences directly face the property across Hardy Drive, and even the surrounding condominiums and apartments are no higher than two stories. A 60 ft tall building would dwarf the surrounding structures, decrease quality of life for the neighbors, and be out of character for the neighborhood. Please see the attached photos for illustration.

2. A traffic impact analysis should be conducted. I am particularly concerned about the impact on residential streets and the potentially-hazardous intersections at Cullen Ave. & Burnet Rd. and at Hardy Dr. & Justin Ln.

The publicly-available case file notes that a traffic impact analysis was waived because the applicant would "limit trips to less than 2000". No units of measure or supporting documentation were provided, but I understand this refers to 2000 trips per day. This is a potentially significant increase in traffic for the area in question, especially considering that 2 of the 3 access points are small residential-use streets.

Available data indicate that current traffic counts for nearby locations are as follows:

Location	2012 Traffic Count (Average Daily Traffic Estimate)*	% Increase Represented by Additional 2,000 trips per day
Justin Ln. just east of Hardy Dr.	5,230	38%
Hardy Dr. just north of Cullen Ave.	905	321%

\* From Google Earth Pro®, Source: KSS Fuels

The city has recently re-worked the intersection at Cullen Ave. & Burnet Rd. to try and funnel traffic in a more orderly manner. This intersection is a highly-traveled "crows-foot" where three streets converge. Despite some improvement, the intersection is still problematic and I am very concerned that additional traffic from this development will lead to more accidents. Office workers leaving the development to head north will almost always converge on this intersection, either by traveling West on Cullen or exiting Justin Ln. and taking the Burnet Ln. "cut-through" north to reach Burnet Rd.

Justin Ln. provides the widest thoroughfare of the 3 access points, but it is a limited sight-distance intersection where traffic travels relatively quickly. I anticipate office workers leaving the development are likely to travel east on Cullen down to Yates Ave. where they can turn onto Justin at a 4-way stop. This would lead them right through a strictly residential neighborhood.

I believe the traffic impact analysis will be a prudent and useful step as the property transitions from a church with Sunday morning-only traffic to a fully-utilized commercial property. The neighborhood has a large amount of pedestrian and bicycle traffic, and the city can help ensure safety for all users. Perhaps the study will recommend a four-way stop at Justin and Hardy and/or further restrictions on use of Burnet Ln. as a "cut-through" street via a protected left turn arrow from Burnet Rd. or some other measures.

I appreciate your assistance and the public notice provided by the city. I also spoke with the applicant, Mr. Thrower, and appreciate the time he took to discuss the project with me. I am unable to attend the Planning Commission meeting because of a work commitment, but respectfully request consideration of these comments for both that meeting and the City Council meeting. If these concerns are adequately addressed, then I support the proposed re-zoning.

Sincerely,



Miranda L. Cheatham  
2001 Vallejo St.  
Austin, TX 78757



Attachment - Photos

Photo 1 of 4: Residences to the East of the Property

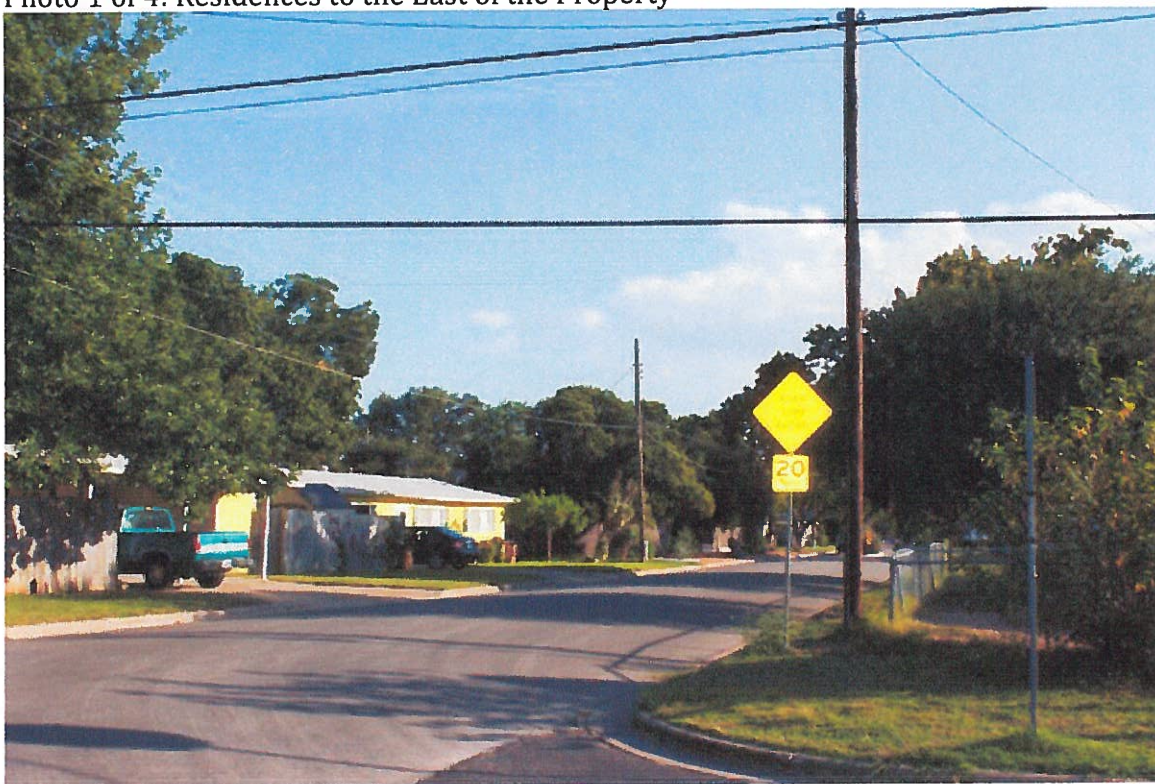


Photo 2 of 4: Apartments to the West of the Property

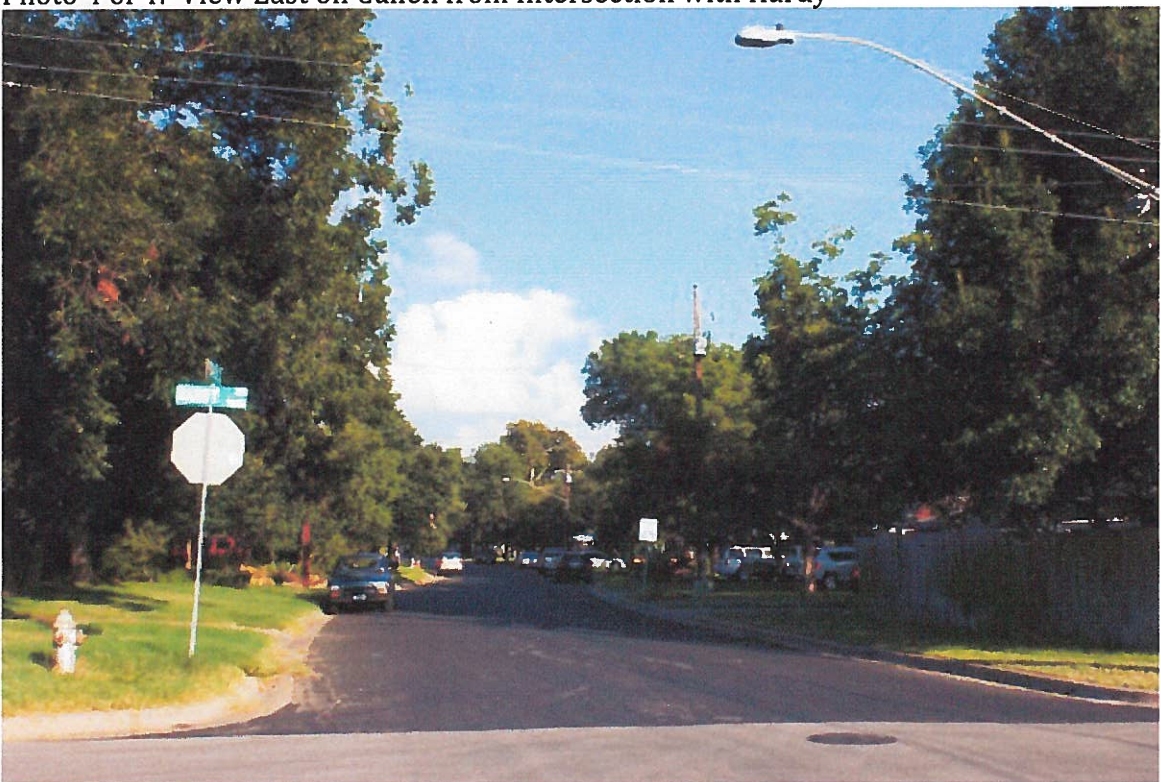




Photo 3 of 4: Condos to the North of the Property



Photo 4 of 4: View East on Cullen from Intersection with Hardy



08/07/2014

to: Lee Heckman  
from: Larry Ouellette

re: Contact Team Minutes

Hi Lee,

Please find attached the minutes of the April 4 CNPCT meeting reflecting the 48-1 vote in opposition that reflects neighborhood sentiment relating to this project.

I am requesting that these minutes be attached to the file to be reviewed by the Planning Commission because this vote was not conveyed to the planning staff for several months. The minutes are needed to convey the magnitude of the discrepancy between the actual outcome of the meeting and the report that was delivered to the staff and remained uncorrected until it was uncovered by CNPCT members only very recently.

Thank you,

Larry Ouellette



CNPCT April 2014 meeting – FINAL

Date: 4/21/14

49 in attendance

8:10 meeting convened

8:20 PM

Open discussion for proposals to be recommended to developers on Justin Lane.

Options being presented by Facilitator Sarah Patterson:

1. Option 1: GO-MU zoning – (allows for 60ft building – but would only allow a 2-3 story building due to Compatibility Standards)
2. Option 2: GO-MU-CO with conditions 1. Limit ingress/egress auto traffic to Justin Lane; 2. Height limit to 2 stories or 35 ft; 3. Address lighting on garage rooftop so that it does not shine beyond the rooftop.
3. Option 3: LO-MU zoning for whole site
4. Option 4: LO-MU-CO with conditions 1. Limit ingress/egress auto traffic to Justin Lane; 2. Height limit to 2 stories or 35 ft; 3. Address lighting on garage rooftop so that it does not shine beyond the rooftop.
5. Option 5: No change at all to current zoning.
6. Option 6: Recommend lot for MF-3 – a Multifamily zoning and land use.

8:30 vote taken

Option 1 All in Favor: 1 Opposed 48

Option 2 All in Favor 3

Option 3 All in Favor 0

Option 4 All in Favor 22

Option 5 All in Favor 14

Option 6 All in Favor 10

8:40 candidates nominated for outgoing Vice President and Secretary

	CoFacilitator	Secretary
• Jonathan Weinstein	7	Withdrew
• Joe Harbolovic	8	20
• Lealon Martin	12	
• Holly Ahern	1	
• Derrick Kotrola	4	

8:45 PM Meeting adjourned

To:

Planning Commission  
From Larry Ouellette  
2014 Cullen Avenue #215  
Austin, TX 78757

Re: Case # C14-2014-0036

An office complex of any magnitude for this site represents an egregious and unwarranted violation of all that is of value to a residential neighborhood. To allow this project at any scale to go forward is an offense to the residents of Crestview and a threat to the residents of every neighborhood in Austin.

Cullen Avenue is a quiet, residential street shared as much by dog walkers, pedestrians, elderly wheelchair users as cars and trucks. To add 1,000 or more cars in the service of an unregulated, unsupervised and unmonitored parking garage is to welcome into the quiet of our neighborhood the gridlocking congestion that already clogs most of our main streets. There's no need of it spilling into our neighborhoods.

There's no need for this complex here. There are plenty of far more appropriate, properly zoned sites available for such uses. Most of them are, appropriately, to be found along our major highways and frontage roads because that's where they belong. Not in our neighborhood.

The Planning Staff's conceptualization of this as a "transitional use" is nonsense. The neighborhood at Hardy Drive has already completed its transition to residential, and done so very well. To plant an office complex and parking facility on that site is to reverse what is in fact a very graceful and successful transition to residential and reintroduce a massive and sterile office facade smack in the face of a street lined with small, well maintained and increasingly charming single family homes. It is an offense to those homeowners, who have the right to feel secure in the knowledge that our zoning laws both present and future will protect not only the look but also the feel of their neighborhood.

Current zoning on this site is consistent with the neighborhood both present and future. This proposal violates the principals of both current zoning and the vision contained in CodeNext's revisioning of the city. If the Korean Church hadn't been there this site would look like its surroundings and nobody in their right mind would suggest knocking down residences and apartments to shoehorn a massive office complex onto this small lot. Nobody in their right mind should do so now.

I have much more to say on this, but will close for now by directing your attention to the Top Action Items contained in the Crestview Neighborhood Plan, and specifically #8

8. To discourage commercial uses from "creeping" away from the commercial corridors."

That is exactly what this is. It is shameful and it should be stopped.

Thank you,

Larry Ouellette

**To:** City of Austin Planning Commission

**From:** Karen Kephart  
1917A West St. John's Avenue  
Austin, TX 78757

**Date:** 7 August 2014

**Subj:** Case #C14-2014-0036 (Korean Presbyterian Church in Crestview)

I object to the rezoning of the Korean Presbyterian Church property to LO-MU on the following grounds:

- According to the developer's estimate, the building will add 991 car trips per day on Cullen and surrounding streets like Hardy Avenue, West St. John's Avenue, and Justin Lane. We are a residential neighborhood with few sidewalks and high pedestrian traffic, including runners, children walking to school, and people walking their dogs before and after work.
- The developer's plans are not compatible with the surrounding area, fail to provide a transition from Burnet Road, will increase on-street parking demand, and will increase the risk for our children and others walking or cycling to and from the school and park.
- The Crestview Neighborhood Plan, adopted in 2004, calls for redevelopment to residential. It states: "Any new development or redevelopment should respect and complement the single-family character of the neighborhood."
- LO-MU on that property violates City of Austin zoning principles: redevelopment should provide for transitional use; redevelopment should not set an undesirable precedent; redevelopment should be compatible with adjacent uses, which are currently SF and MF; and it should not create a detrimental impact on the character of the neighborhood.
- At the four Contact Team meetings I've attended since last April, there has been no strong sentiment in favor of office development of any type on the property. The vote conducted at the April meeting was in violation of the Contact Team bylaws and inaccurately reported to the City of Austin by our facilitator Sarah Patterson. She did not correct the inaccuracy until August 5 in an email sent to Maureen Meredith. More than 70 people in attendance at the August 4 Contact Team meeting unanimously opposed the developer's proposal.
- The proposed redevelopment is not consistent with the vision presented in CodeNEXT and Imagining Austin. **An office building in a residential neighborhood is not the Austin many of us imagine.**

**From:** Patty Johns  
**Sent:** Thursday, August 07, 2014 8:02 PM  
**To:** Heckman, Lee  
**Subject:** Case #C14-2014-0036

To the Planning Commission c/o Lee Heckman,

I live in Crestview - I purchased my home here a bit over eight years ago and I absolutely love it. I purchased here for the neighborhood atmosphere - for the closeness of neighbors and the care we take for each other and our homes. I bought knowing it is fairly quiet and the feeling of safety as I ride my bike or walk my dog. I know that I can pull my trash can out early in the morning or late at night and not see a ton of cars zipping down my street. We have a great little elementary with school children walking all over and a 'walk-to' grocery store and deli. I bought here for the 'feeling'.

I do not know the proper way to address what is going on with the vote on changing the zoning in our area with regard to the purchase of and request to change the zoning to the land currently occupying the Presbyterian Korean Church however I do want my voice heard and I vehemently oppose any type of buildings and parking lots going into my neighborhood. I say NO, absolutely NO to a 70,000 sf building so close by when I live on a through street and will realize additional traffic, more opportunities for burglary, invasion of my privacy and just a loss of the neighborhood feeling I moved here for and enjoy so much. I object to the rezoning of the Korean Presbyterian Church property to LO-MU.

Please don't let this happen, I feel it would only set a precedence for future development and I want my neighborhood to stay the way it is. I am not opposed to change or development - I sell real estate and understand growth however there is plenty of space and property on Burnet Road and Lamar that these businesses can go to and make an offer to purchase in order to put up large buildings and parking lots. I doubt seriously you would allow something like this in Tarrytown or Pemberton - I do not want us to become another Hyde Park or Houston, Texas.

I am writing from my heart, I hope you hear me.

Patty Johns 512.426.9899

1306 Cullen Ave

Austin, TX 78757

Mr. Heckman, I ask you forward and share my email with the Planning Commission. thank you, Patty

**Exhibit C - 28**

## PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

**IFFAT OSMANI**

Your Name (please print)

2106 CULLEN AVE 103 Austin 78757

Your address(es) affected by this application

~~Lee Heckman~~ Heckman

Signature

8/4/2014

Date

Daytime Telephone: \_\_\_\_\_

Comments:

The developer's plan are not compatible with the surrounding area.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

R 8/7/14



**From:** Jillian Keith

**Sent:** Tuesday, August 12, 2014 10:59 AM

**To:** Heckman, Lee

**Subject:** Comment For Planning Commission Meeting 8/12/14, 6p

Hello Lee,

As I am unable to attend the Planning Commission Meeting this evening, I'd like to send my comment here via email:

-----

Committee,

Please take into consideration that this large office structure would be IN a residential neighborhood, which would add a very significant amount of traffic to residential streets, where tax-paying homeowners walk their dogs and take their children for strolls around the block. As a Realtor, I'm a huge proponent for urban growth; however, it should be done in a way that respects and maintains the integrity of the established neighborhoods that make Austin what we all love.

Thank you for your understanding and consideration,

Jillian Keith

Crestview Homeowner

--

**Jillian Keith**

**REALTOR®**

Central Metro Realty

direct: 512-627-0710

*The highest compliment I can receive is a recommendation to friends and family. Your referrals mean the world to me!*

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R 8/8/14

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

☐ I am in favor  
☒ I object

Your Name (please print)

SARA BALLOP

2104 CULLEN AVE #111

Your address(es) affected by this application

8/6/14

Date

Signature

Daytime Telephone: 512-998-6100

Comments:

I object to this proposed zoning change. This neighborhood simply can not sustain this change, which is inconsistent with the growth plan of this neighborhood.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

## PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before 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 amendment. You may also contact a registered neighborhood or environmental organization that that has expressed an interest in an application affecting your neighborhood.

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During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

R 8/18/14

If you have any questions concerning this notice, please contact the City of Austin Planning and Development Review Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website:

<http://www.austintexas.gov/department/neighborhood-planning>.

## PUBLIC HEARING COMMENT FORM

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

City of Austin  
Planning and Development Review Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2014-0017.01  
Contact: Maureen Meredith, 512-974-2695  
Public Hearing: Aug 12, 2014, Planning Commission  
Sep 25, 2014, City Council

☐ I am in favor  
☒ object

KRISTINA MIKULENKA  
Your Name (please print)

2106 CULLEN AVE #201, 78757

Your address(es) affected by this application

Kristina Mikulenkova 8/16/14  
Signature Date

Comments:



## PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

**KRISTINA MIKULENCAK**

Your Name (please print)

**2106 CULLEN AVE #201, 78757**

Your address(es) affected by this application

*Kristina Mikulencak*

Signature

**8/16/14**

Date

Daytime Telephone: **512.413.1322**

Comments:

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

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

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R 8/8/14

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: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearings: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

*Karen Kephart*

Your Name (please print)

Unit A

1917 West St. John's Ave. 78753

Your address(es) affected by this application

*Kelliphan*

☐ I am in favor  
☒ I object

8.6.14

Date

Signature

Daytime Telephone: 512 494 4023

Comments: I've attended 4 contact team meetings since April. At the 1st meeting the vote against changing zoning to GO-LU was 4-1. That vote was not conveyed to the city until Sarah Patterson's Aug 5 email to Hawren Gherdith. On Aug. 4 we held another contact team meeting and vote. 70 people were in attendance and voted unanimously against rezoning to GO-LU. At the 1st meeting we were willing to compromise w/ the developer. In

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

June he come

City of Austin

Planning & Development Review Department

Lee Heckman

P O Box 1088

Austin, TX 78767-8810

back w/ a plan for more intense development, demonstrating he was unwilling to negotiate. Please no neighbor bid in our neighborhood.



## PUBLIC HEARING INFORMATION

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R 8/11/14

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

*Elena Remedios*

Your Name (please print)

2000 Cullen Ave #3

Your address(es) affected by this application

8/6/2014

Date

Signature

Daytime Telephone: (512) 372-8000

Comments: Want like to request a limit to building height to 2 stories or less, to protect property values as my condo unit is directly facing this property.

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

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



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R 811114

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Case Number: C14-2014-0036  
Contact: Lee Heckman, 512-974-7604  
Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

Dena Jones

Your Name (please print)

2104 Cullen Ave. #204 78757

Your address(es) affected by this application

Dena Jones

Signature

8/7/14

Date

Daytime Telephone: (512) 923-7880

Comments:

☐ I am in favor  
☒ I object

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

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

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R 8/11/14

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission

Aug 28, 2014, City Council

Julia Dinsite  
Your Name (please print)

2000 Cullen Ave. Austin, TX

Your address(es) affected by this application 78757

Julia Dinsite  
Signature

8/8/14  
Date

Daytime Telephone: 512-417-7291

Comments: I have a baby and I think changing the zoning as requested will increase the day time traffic + make it less safe to be out in my neighbourhood. The zoning should be residential. With all the new commercial construction on Burnet, there is no need for anything but residential zoning in the Crestview neighborhood. Thank you.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

**From:** Jillian Keith

**Sent:** Tuesday, August 12, 2014 10:59 AM

**To:** Heckman, Lee

**Subject:** Comment For Planning Commission Meeting 8/12/14, 6p

Hello Lee,

As I am unable to attend the Planning Commission Meeting this evening, I'd like to send my comment here via email:

-----

Committee,

Please take into consideration that this large office structure would be IN a residential neighborhood, which would add a very significant amount of traffic to residential streets, where tax-paying homeowners walk their dogs and take their children for strolls around the block. As a Realtor, I'm a huge proponent for urban growth; however, it should be done in a way that respects and maintains the integrity of the established neighborhoods that make Austin what we all love.

Thank you for your understanding and consideration,

Jillian Keith

Crestview Homeowner

--

**Jillian Keith**

**REALTOR®**

Central Metro Realty

direct: 512-627-0710

*The highest compliment I can receive is a recommendation to friends and family. Your referrals mean the world to me!*



## PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0036  
Contact: Lee Heckman, 512-974-7604  
Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

Andrew Sherman  
Your Name (please print)

2100 Cullen Ave #108 Austin TX 78757  
Your address(es) affected by this application

Andrew Sherman 8/12/14  
Signature Date

Daytime Telephone: 512-947-7355

Comments: I AM OPPOSED TO THE CURRENT  
PROPOSAL OF A 3 STORY, COMMERCIAL USE  
BUILDING WITH ONLY ONE ENTRANCE ON  
CULLEN AVE.

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

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

## PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0036

Contact: Lee Heckman, 512-974-7604

Public Hearing: Aug 12, 2014, Planning Commission  
Aug 28, 2014, City Council

ALEXANDRA BEGNAUD

Your Name (please print)

1009 HARDY DR

Your address(es) affected by this application

Alexandra Begnaud 8/4/2014

Signature

Date

Daytime Telephone: 512-965-2191

Comments: I live across the street from the property. I am woi. against the proposed development due to traffic noise and privacy concerns. Also, this development would greatly hinder the neighborhood's character and well being. Please don't approve this zoning request!

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

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

**From:** Patricia Page  
**Sent:** Saturday, August 16, 2014 8:25 AM  
**To:** Heckman, Lee  
**Subject:** C14-2014-0036

Attn. Lee Heckman--

The increased traffic impact of this project remains a sticking point with me. Volume is not the only issue. Safety is equally impacted in these ways:

1. The left-hand turn from Burnet onto Cullen for cars coming from the north is a dangerous one. This three-way intersection at Cullen, Burnet Ln., and Burnet Rd. is a problem the city has tried to solve without success. A no-left-turn sign on Burnet didn't work, and an expensive re-construction of the intersection subsequently had to be ripped out and re-built. Unfortunately the re-build doesn't work either. The problem is complicated by the street parking on the south side of Cullen, which prevents two cars coming from opposite directions from passing one another. Cullen is also blocked regularly by trucks of all sizes delivering supplies to the nursing home, and also EMS and Fire Department vehicles responding to calls (more frequent than you might think). This is the situation now. I hate to think what it will be if the traffic doubles as staff has predicted.
2. The residents who live on Hardy must back out of their driveways into traffic. Additionally, cars park on both sides of Hardy. Meanwhile, traffic increased as drivers began using Hardy as a connector street. The situation became so hazardous that the city built a traffic-calming island. Will that remain if the project is approved? If so, it might be more hazard than help for people turning into the project. It's removal, on the other hand, does away with its traffic-calming effect. Access from Hardy poses a real congestion issue (and thus safety). On Sundays you can see this for yourself during church hours.
3. Most people using the services of the businesses on Justin (businesses that include a school and a pre-school) must also back out of the parking areas into the traffic. This is true for the residences that line Justin to the east, as well. Cars parked on the street add additional hazard. This problem has intensified as Justin has become increasingly a connector street between N. Lamar and Burnet. Cars sometimes stack up at the light at Justin & Burnet Rd. More traffic on Justin can only make the existing threats to safety worse.

These are issues that you have to live in the neighborhood to see. Counting cars does not tell the whole story. Our neighborhood was never meant to accommodate the traffic and parking problems we already tolerate. All three streets intended to provide access to the project are used not only by cars but also by cyclists and pedestrians, including children going to and from school (many use Yates, two blocks east of the project) and parents with children in strollers, often with a leashed dog in tow. To add even more traffic will further compromise the safety of these people, a step I really don't think the city should take.

Sincerely,

**Exhibit C - 41**



Patricia Page Carr

**From:** James Mikulak

**Sent:** Tuesday, August 19, 2014 4:31 PM

**To:** Heckman, Lee

**Subject:** C14-2014-0036 - Korean United Presbyterian Church Rezoning

Dear Mr. Heckman

First I want to thank you for taking the time to address our community contact group last night. Your being there was very helpful and I want to commend you for your effort and professionalism.

I am writing in opposition to the proposed zoning change at 2000 Justin Lane. I am a 30 year resident of Crestview and own my home at 1909 Cullen Ave, which is a few doors down from the property in question.

I oppose both GO zoning being requested by the applicant and also the staff recommendation of LO MU. Let me briefly detail the basis for my opposition to this request.

The first concern is the height that can be built with either LO or GO zoning. There are currently no three story buildings in the general area, and certainly no three story buildings adjacent to SF zoning in this area. While I understand the setback compatibility requirements that are separate from the zoning, it is my opinion, that three stories even on the far side of the property, away from the SF zoning is inappropriate for the character of the neighborhood. With LO or GO zoning this property will be zoned at a higher level than the property that lies between it and Burnet.

Additionally as I understand the rezoning of part of the property facing Justin Lane to LO zoning was part of a compromise with the church, that is the property owner, during the development of the 2004/ 2005 neighborhood plan drafting. According to the information presented last night, if the neighborhood plan is not amended, even the existing LO zoning would be inconsistent with the current land use designations. I don't support changing the neighborhood plan, nor do I believe that by simply buying adjacent properties, should necessarily allow all the zoning of the properties to be unified. The church was aware of the existing zoning when they acquired the properties.

I also have several objections regarding the increasing of zoning to LO or GO on the Cullen Avenue facing lots. First Cullen avenue has some unique characteristics that are worth considering. While it is a neighborhood street, it does connect directly to Burnet Road. The intersection at Cullen and Burnet also has a third street that enters at a angle. This intersection has been a safety problem for some time and has been redesigned at least twice in the last year or so. Additional traffic at this intersection will greatly aggravate this problem. There is also a nursing home between the subject property and Burnet. This road is often partially blocked by either service trucks or ambulances. Also Cullen is used by Fire engine 16 as a route to Burnet Road. The basic objection is that Cullen is not suitable for speed calming solutions because of the fire truck route, and additional traffic can not be easily accommodated as configured.

A important but perhaps minor point is the what I consider the inadequacy of the traffic study that was conducted by the applicant. It was held over spring break week and Easter weekend, and I would argue is not representative of the true traffic situation on the Cullen, Hardy and Justin Lane.

So if it counts, count me as no on this rezoning request.

Thank you and Best Regards

James Mikulak, Ph.D.

**From:** darrold smith  
**Sent:** Tuesday, August 19, 2014 10:05 PM  
**To:** Heckman, Lee; darrold smith  
**Subject:** C14-2014-0036

Mr. Heckman: I want to go on record saying that I am against the developer changing the zoning of the Korean Church at 2000 Justin Ln to GO-MU-NP.

I do not think an office building is appropriate at this location surrounded by mostly residential uses.

Thank you

Darrold Smith  
1809 Cullen Ave  
Crestview



**From:** Isantillo

**Sent:** Tuesday, August 19, 2014 6:50 PM

**To:** 'lee.leffingwell@ci.austin.tx.us'; 'sheryl.cole@ci.austin.tx.us'; 'chris.riley@ci.austin.tx.us'; 'mike.martinez@ci.austin.tx.us'; 'kathie.tovo@ci.austin.tx.us'; 'Laura.morrison@ci.austin.tx.us'; 'bill.spelman@ci.austin.tx.us'

**Cc:** 'Michel'; Cobb, Jeanne; 'Lee.heckman@akustintexas.org'; ':maureen.meredith@austintexas.gov'; Joseph Harbolovic

**Subject:** C14-2014-0036 Korean United Presbyterian Church Rezoning 2000 Justin Lane & 2009 Cullen Av

We are attaching a scan of the document below signed by us to acquaint you with our opposition to this rezoning request.

After attending the meetings held by our Crestview Neighborhood Planning Team for many months now, we really don't feel that our neighborhood's desires are being taken into consideration. Each time we took a vote, it was unanimous that no one wanted this developer or this project to be built on this property.

Below you will find the actual text of the document to allow you to read it easier. This document was given to Case Manager, Lee Heckman and Case Manager, Maureen Meredith of the planning commission staff.

When this is presented to you on September 25, 2014, we would appreciate your reviewing this carefully and voting accordingly.

We have another meeting planned with the Planning Commission but don't feel they will allow us to properly submit our opposition.

It seems the current climate in Austin is BUSINESS needs come FIRST and residents second. We find that amazing since businesses do not pay their fair share of taxes. Nor are they the ones who vote for the City Council.

Thank you for your time and attention, sincerely

Lucille A. Santillo

President of The Park at Crestview HOA

Jeanne Cobb

Vice-President of The Park at Crestview HOA

Dr. Michel Breger

Treasure of the Park of Crestview HOA

Statement of Position.  
To the City Planning Commission

- ***Dissatisfaction with Options given by the City Planning Commission and the Report from the Crestview Neighborhood Planning Team sent to the Planning Commission staff.***

We have tried, at the meetings with the Crestview Neighborhood Planning Team and the developer, to explain our position. Our actual feelings and results of our voting were not forwarded to the Planning Commission Staff correctly.

You might want to ask yourselves why the neighborhood feels that the City Planning Commission and the City of Austin are not truly representing our neighborhood's best interest. They seem to be working to make every neighborhood business oriented. One wonders why since businesses do not pay a fair share of the property taxes.

I will attempt to list the reasons why we are opposed to GO zoning for this developer.

- ***Will improve the neighborhood.***

We were told by those whom we met with (the developer, architect and owner) that they want to "improve" our neighborhood. That stunned most of us because we think we have a great "residential neighborhood" with great schools and neighbors.

As with any neighborhood, there are some issues needing work. But there is nothing that is damaging to our reputation.

Offices in our area will probably not improve our neighborhood because most of us don't work in offices but rather in industries that have their own locations. There are many places outside our neighborhood plan where offices can be built.

As it is now the cost of owning, leasing or renting in our area has become out of the range for most middle income families. Our single family homes are being bought, demolished and rebuilt to cost in the range of over \$300,000.00 to \$400,000.00.

Which makes one wonder what will they charge for office space in our neighborhood? Is it going to out of range for normal small business owners?

- ***Neighborhood plan***

We created a neighborhood plan with the City of Austin years ago that has worked for us. We want industry and offices on or outside our edges which include Anderson Lane, portion of Justin Lane, Burnet and Lamar. This plan works for us.

- ***Traffic***

The large number of cars wishing to enter Burnet Road from Burnet Lane need to use a part of Cullen Ave. The reason is that Burnet Lane dead-ends into Cullen Ave. This leads to a massive traffic increase at the Burnet end of Cullen Ave. The severity of this problem is documented by the fact that the City redesigned the intersection twice during the last two years (with questionable results). We believe that this problem was not considered in your traffic count on Cullen, which is, therefore, incomplete.

The fire department uses Cullen Av to get to the Nursing Home on the corner and must make what seems to be a dangerous U-turn to Burnet Ln to get to Justin when returning to the fire station. And as it is now, many times the fire department is blocking Cullen Av during a call to the Nursing Home which forces more traffic on the other residential streets.

Between Hardy and Burnet, there is no parking on the Cullen AV's north side to avoid making the street a one lane street. There is no extra parking on this street for many cars. The upper part of Cullen to Reese Av is already mostly a one-lane street because of parking on both sides.

Statement of Position.  
To the City Planning Commission

- **Zoning of LO-MU-Co vs GO**

We are concerned with the future of this property if it is changed to GO to accommodate this project. What will happen if these offices are not a success and the next owner wants to do something different like open a Bar/Restaurant?

Those of us at The Park at Crestview at 2000 Cullen Av who have attended all these meetings concerning this issue, would **reluctantly** accept LO-MU-CO-- **if they stop the traffic from entering and exiting on Cullen Av.**

We do feel, however, that the City needs to allow the neighborhood to populate their environment with what matches the rest of the area. Offices do not match anything with have in our community.

- **Ron Thrower's version of LO-MU-CO option.**

In Ron Thrower's letter dated 8/13/14, He states this is Option number one:

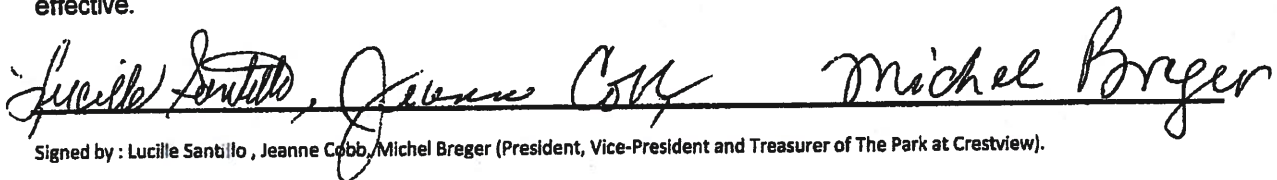
"LO" Zoning Option - for an "LO" compliant plan with the site holding 68,224 s.f. of office which equates to the 0.7:1 FAR (Floor Area Ratio -- multiply the site area x 0.7 = 68,224 s.f. of allowable building area). The parking is accommodated in a 3-level garage for 198 parking spaces which is the minimum parking required for this size of office. Access to the garage is to Hardy Drive and Cullen Avenue with anticipated traffic volumes of 991 vehicle trips per day. A vehicle trip is counted once when a car arrives and counted again when that same car leaves. The layout is a bland rectangular building that does not invite the public to the building in a manner that is consistent with the landowners wishes and architects desires."

This was news to us because whoever he told of this option did not relay this to us. Was this relayed to the staff and they didn't forward it because they had other ideas? The option we saw was only GO with only one exit on Cullen Av.

What we asked the developer was to turn the building so the courtyard faced Cullen Av (with no entrance or exit on the Cullen Av but rather on Justin Av and Hardy. They refused to discuss this as their "drawing" was already done.

We understood the developer was trying to keep the offices from looking into the houses on Hardy and this would also do it. This change in location would not affect the Park at Crestview's privacy. Hardy and Cullen Av's traffic will increase as cars turn left on Hardy and right on Cullen but less than a direct exit on Cullen. Justin needs to remain the "public" access road to workers and visitors in our neighborhood.

The city should also remove that speed bump on Hardy which is too close to Justin and interferes with the cars parking in front of the houses, garbage collection day, and through traffic. If they want to slow the traffic on Hardy then they should put a stop sign on all corners of Hardy and Cullen which would be more effective.



Signed by : Lucille Santillo , Jeanne Cobb, Michel Breger (President, Vice-President and Treasurer of The Park at Crestview).



**From:** Mike Lavigne

**Sent:** Wednesday, August 20, 2014 3:15 PM

**To:** Heckman, Lee; Meredith, Maureen

**Subject:** Re: Korean Church Zoning and Neighborhood Plan Change in Crestview

Mr. Heckman and Ms. Meredith:

Thank you for taking the time to attend our contact team meeting to explain your rationale for a zoning change at the property on Cullen/Justin. I, and the vast majority of my neighborhood, remain staunchly opposed to an alteration from the neighborhood plan for no reason other than a developer has an idea to make a buck.

Given the Austin real estate market and the massive increases in density our neighborhood has already slated to shoulder, this land is in no risk of becoming urban blight anytime soon. The asking price is low enough that even a low density residential project would be profitable for all involved, much less a medium density residential project that the neighborhood would likely positively consider if asked.

An office tower, even just a few stories tall will push too much traffic to streets that aren't designed to handle it, not to mention the already low water pressure sited by the fire department.

I know you are just doing your job, but you have to appreciate how insulting it is to us that we have to undergo this process in the first place because a commercial developer initiated it despite us having a satisfactory and still relevant neighborhood plan in place.

**Mr. Heckman, Please mark my household at 1514 Richcreek Road as firmly against the zoning change.**

**Ms. Meredith, for the record we also vehemently against unnecessary changes to our neighborhood plan that we worked hard so hard to create in 2004.**

We are among the top two or three neighborhoods in terms of new and planned density in the city. We've done our part, the least the city could do is uphold its end of the bargain. If we aren't getting sidewalks and a park as the plan outlined, at least let us keep the zoning land use as it is.

Thank you.

Sincerely,

Mike Lavigne  
1514 Richcreek Road  
Austin, TX 78757

**From:** Elaine Stegant

**Sent:** Wednesday, August 20, 2014 2:28 PM

**To:** Heckman, Lee

**Subject:** Land use and zoning for property Justin at Cullen

Hi Lee! I wanted to drop you a quick note to express my concern with the recoding of the property located at the intersection of Justin at Cullen in Crestview. As a resident of Crestview since 1999, I have seen a number of changes and most of them are for the best. I do have an issue with the rezoning of the property located at the intersection of Justin at Cullen. That location is currently a Korean church and my understanding is that the property is currently coded as civic. I do not support either as a GO or a LO-MU-CO rezoning due to the reasons below.

- 1) The amount of traffic it would cause on an already stressed area. Justin is already very busy both in the afternoons and mornings especially.
- 2) I have almost been hit by a vehicle twice in the past 6 months while walking through the crosswalk located at Justin at Yates (1 block from the proposed property recoding). No traffic lights and no sidewalks in 98% of the neighborhood already makes pedestrian and bicycle traffic a challenge and it will only get more dangerous with additional vehicles on the road. Most of the area is really only made for 2 cars on each side of the road for parking and room for 1 car at a time to navigate down the street
- 3) A school zone is located 1 block away from that building and that zone does not contain a traffic light. It is a four way stop with a crosswalk but no crossing guard. How would an increase in traffic down that road during the morning and afternoon hours from that business help children that are headed to and from school on foot?
- 4) Has the city and the city planners/zoning commission taken into account the increase in traffic in the neighborhood from that 300 unit condo that is being built on Burnet in between Justin Lane and Payne Avenue? The neighborhood is already seeing an increase in traffic due to additional condos and homes being built on Burnet and Lamar.
- 5) Rezoning the property as either GO or LO-MU-CO would not benefit the neighborhood and will only cause additional problems with increased traffic. The proposed rezoning would not conform to the layout of the neighborhood and the flow of the area.

Based on the points I have listed, I respectfully ask that you reconsider the request to change the zoning to GO or LO-MU-CO and to allow the change the zoning to MF-3 or let it stay as civic. I am not trying to be inflexible – this building will raise the traffic to an unacceptable level once the condos under construction on burnet are taken into consideration for the amount of traffic. I really feel that this could be a safety issue for people in the neighborhood and won't fit with the neighborhood. There aren't really any sidewalks in the hood.

Feel free to forward this to the department that analyzes traffic because they will confirm that these streets are not designed to handle that kind of traffic. Please reconsider this rezoning.

**Thanks!**

Elaine Stegant  
1509 Aggie Lane  
Austin, TX 78757

Proud Crestview resident since 1999. Please don't make me live this neighborhood because of increased traffic and safety issues!

**Elaine Stegant**

Retail Product Advisor

**Dell** | LE Americas

office +1 512 723 0154, fax +1 512 283 0366 (attn: Elaine Stegant)



**From:** Cindy A. Vasquez  
**Sent:** Wednesday, August 20, 2014 3:02 PM  
**To:** Heckman, Lee  
**Subject:** Land use and zoning for property Justin at Cullen

Hi Lee! My name is Cindy Vasquez and I live on Aggie lane in Crestview where the new rezoning is happening for the property located on Justin at Cullen. I am against any rezoning and feel that it should be either left as civic or be changed to MF-3. Rezoning is only going to cause additional traffic problems in the neighborhood and our streets are not designed for that kind of flow. We DON'T have any sidewalks in the majority of our neighborhood and increased traffic could cause a greater safety issue. Have you also taken into account the additional flow from the 300 unit condo that is being built on Burnet? Somehow I don't think that was taken into consideration.

Please please please reconsider your decision and either leave it as civic or make it MF-3.

Sincerely,

Cindy Vasquez

1509 Aggie Lane

Austin, TX 78757

**From:** Bradely Shaver  
**Sent:** Wednesday, August 20, 2014 4:44 PM  
**To:** Heckman, Lee; Meredith, Maureen  
**Subject:** Regarding the Korean Church on Justin Lane

Mr. Heckman and Ms. Meredith,

Thank you for giving our neighborhood the opportunity to understand the City's process for zoning and land use, along with your recommendation regarding the Korean Church property at Justin and Cullen. As you saw in the meeting, many in our neighborhood oppose the changes to both the zoning and the land use of the site.

As a resident of Cullen Avenue and across the street from the site, I feel the changes will have a very negative impact to both the immediate vicinity and the neighborhood overall. Cullen is a small street between Hardy and Burnet and the additional commercial traffic envisioned (limited or not) will do nothing but create problems for the residents of the street. Please keep in mind that there is also a rest home on Cullen where employees park along the curb, further limiting the space available for vehicles to travel.

Additionally, any competent investigation of the intersection of Burnet and Cullen will show that there are existing issues with its layout and how residents access Burnet from Cullen. While the current layout is the best solution so far to the odd intersection, it is still not perfect. Introducing even more traffic here will create further complications for drivers and residents. Not an ideal situation for people who use this street daily to go to work and get home.

**Please make sure that my household at 2000 Cullen, Unit 28 shows as absolutely against any changes to zoning, land use or our existing neighborhood plan.** I believe that the neighborhood is very willing to work with developers to find a compromise that allows them to further their business interests while maintaining the neighborhood plan developed in 2004. The decision to make any changes should not be made arbitrarily by individuals that do not reside in the area and are simply relying on clinical data versus pathological data provided by the locals. We live there and we know – please keep our neighborhood plan intact.

Thank you.

Sincerely,

Brad Shaver

2000 Cullen #28

512 917 4858

From: MINERVA GALARZA  
Sent: Wednesday, August 20, 2014 6:39 PM  
To: Heckman, Lee  
Subject: Zoning change request at Korean Church

Mr. Heckman,

I was at the meeting the other night. I live on Cullen Ave. about half a block from the site in question.

Traffic is horrible as it is already and I can only imagine what it will be like if an office complex is built there.

There is residential all around that site and I strongly feel that it be zoned residential only and if that can't be done then it should remain zoned as it is.

Please take in to consideration the wishes of the people that actually live here.

I certainly don't want an office complex half a block from where I live.

Thanks,  
Minerva Galarza



From: Debra Adams  
Sent: Wednesday, August 20, 2014 7:00 PM  
To: Heckman, Lee  
Subject: Re-Zoning for church

Thank you for coming and speaking at the Crestview meeting on Monday.

I have lived in this neighborhood for 24 years and have seen a lot of changes. But changing the zoning of the church to commercial or office is something I'm totally against for this neighborhood. There are other choices for that property. I know the city would love to get taxes off this property but if they could step back and look at this old homey neighborhood then they couldn't let this buyer come in here and put that commercial structure at Justin and Cullen lane.

Thank you.

Deborah Adams

Sent from my iPhone

To: Planning Commission and City Council members  
Re: NPA-2014-0017.01 & C14-2014-0036  
Date: August 20, 2014

On August 18, 2014, the Crestview Neighborhood Planning Contact Team (CNPCT) held a meeting in accordance with our bylaws to discuss, with city staff, their recommendation of a land use amendment from Civic & Multi-Family to Mixed Use/Office and a zoning change from SF-3-NP, MF-3-NP, & LO-NP to LO-MU-CO-NP for the property located at 2000 Justin Lane & 2009 Cullen Avenue.

The contact team voted **unanimously in opposition to BOTH the city staff recommendation of a Mixed Use/Office land use designation AND LO-MU-CO-NP zoning**. This vote was made with the following considerations in accordance with the adopted Crestview/Wooten Combined Neighborhood Plan:

- "Any new development or redevelopment should respect and complement the single-family character of the neighborhood."
- "Discourage commercial uses from "creeping" away from the commercial corridors."
- "Minimize Noise and Light Pollution from Residential Areas."

The August 18, 2014 meeting was the culmination of contact team meetings in April, June, July, and August 2014.

On August 4, 2014, the CNPCT voted **unanimously in opposition to the applicant's request for a Mixed Use/Office land use designation AND GO-MU-NP zoning**.

On April 21, 2014, the CNPCT held an initial meeting where the developer's representatives presented the proposed GO-MU-NP project. The contact team voted in **strong opposition to the applicant's request** for a Mixed Use/Office land use designation AND GO-MU-NP zoning. As a **middle-ground the contact team proposed alternative** LO-MU-CO and MF-3-NP zoning options to the developer.

On June 16, 2014, the CNPCT held a second meeting to meet with the developer's representatives who presented three site designs. **None of the presented designs conformed to the contact team's alternatives** proposed during the April meeting.

The CNPCT position is that the applicant requested and city recommendation for commercial land use and zoning at this property are inappropriate.

**The Crestview Neighborhood Planning Contact Team requests that Planning Commission and City Council deny the requested FLUM and zoning change.**

Joe Harbolovic, Crestview Neighborhood Planning Contact Team Secretary

Sarah S. Lewis  
2104 Cullen Ave.  
Unit 215  
Austin, TX 78757

August 21, 2014

Danette Chimenti, Chair  
Austin Planning Commission  
Austin, TX

Re: NPA-2014-0017.01 - Korean United Presbyterian Church FLUM Amendment  
C14-2014-0036 - Korean United Presbyterian Church Rezoning

Dear Ms Chimenti,

The zoning change requested by Ron Thrower for this property does not fit in our neighborhood. Crestview has a carefully thought-out and articulated Neighborhood Plan that needs to be considered respectfully. This property IS in the neighborhood and the Korean Presbyterian Church "bought into" the Plan when written and communicated with neighborhood members.

Members of the Crestview neighborhood are not "digging in our heels". We're not saying, "No change!" We're not blind to our growing Austin or the value of this location. But as our Neighborhood Plan states, something can be built on this property that 'preserve(s) the character of the neighborhood' . 'Any new development or redevelopment should respect and complement the single-family character of the neighborhood.'

The Crestview Neighborhood Plan does 'promote small neighborhood friendly businesses and encourage(s) neighborhood friendly ones in appropriate locations.' This location might be 'appropriate' but NOT for a 60,000 – 70,000 sq. ft. office building with a multi-story parking garage.

Believe me, as a community member that has spent years riding my bike or walking to work, I am all in favor of work locations nearby but whoever lives in this or an adjacent neighborhood can go another two blocks to get to an office out on Burnet which is a corridor where business offices belong.

The LO plan proposed by "the Staff" is ridiculous, offensive and poorly thought-out. Their primary thinking when this proposal was presented to us on Monday, August 18<sup>th</sup> at the Contact Committee Meeting (Thank you Lee Heckman and Maureen Meredith for taking the time to meet with us!) is that an LO office building would make a "good transition" between the



corridor of Burnet and our quiet neighborhood. It absolutely would not – especially the way Ron Thrower has presented tentative plans to max-out any zoning option to allow for maximum square footage, creating density where open space would be optimal.

There is already an IDEAL transition between Burnet (business) to the east (residential). North of Justin it goes: car dealer, church, church, single family homes. South of Cullen it goes: nursing home (residences even though it's not zoned that way), duplexes, church property, single family homes. What could be a better transition from noise and traffic to tranquil living space?

Across the streets from this property to the south and north are multi-family homes. I live in one of those homes and I am just as much a part of the Crestview neighborhood as any of my neighbors. I moved here for the quality of life described in our Neighborhood Plan. A developer with a different plan does not have the right to come into our neighborhood and impose it on us or future residents.

Kind regards,

A handwritten signature in cursive script, reading "Sarah S. Lewis". The signature is written in dark ink and is positioned above the printed name.

Sarah S. Lewis

Boris and Gayane Grot  
2104 Cullen Ave, Unit 223  
Austin, TX 78757

August 21, 2014

Danette Chimenti, Chair  
Austin Planning Commission  
Austin, TX

Re: NPA-2014-0017.01 - Korean United Presbyterian Church FLUM Amendment

C14-2014-0036 - Korean United Presbyterian Church Rezoning

Dear Ms Chimenti,

I would like to express my strong opposition to the zoning change requested by Ron Thrower. Crestview has a carefully thought-out and articulated Neighborhood Plan that needs to be considered respectfully. The Crestview Neighborhood Plan does 'promote small neighborhood friendly businesses and encourage(s) neighborhood friendly ones in appropriate locations.' A 60,000 – 70,000 sq. ft. office building with a multi-story parking garage is NOT the intent of the plan nor does such an office building with a multi-story parking garage represent a "small neighborhood business".

The charm of the Crestview community lies in the small residential buildings, peaceful streets, and small green spaces, that **in concert** allow for a high quality of life. This means that adults and children can walk or ride a bike along the side of the street with an **infrequent** car passing by, thus limiting both risk and noise levels.

Believe me, as a community member that has spent years riding my bike or walking to work, I am all in favor of work locations nearby, but whoever lives in this or an adjacent neighborhood can go another two blocks to get to an office out on Burnet which is a corridor where business offices belong.

The LO plan proposed by "the Staff" does not take into considerations issues such as the quality of life, preserving Crestview's look and feel, and property values into account. The primary thinking when this proposal was presented to us on Monday, August 18<sup>th</sup> at the Contact Committee Meeting (Thank you Lee Heckman and Maureen Meredith for taking the time to meet with us!) is that an LO office building would make a "good transition" between the corridor of Burnet and our quiet neighborhood. I strongly disagree with this position, as the presented plan clearly favors density in a location where open space would be optimal.

There is already an IDEAL transition between Burnet (business) to the east (residential). North of Justin it goes: car dealer, church, church, single family homes. South of Cullen it goes: nursing home (residences even though it's not zoned that way), duplexes, church property, single-family homes. What could be a better transition from noise and traffic to tranquil living space?

Across the streets from this property to the south and north are multi-family homes. I live in one of those homes and I am just as much a part of the Crestview neighborhood as any of my neighbors. I moved here for the quality of life described in our Neighborhood Plan. A developer with a different plan does not have the right to come into our neighborhood and impose it on us or future residents.

Kind regards,

Boris and Gayane Grot

Maria Brunetti  
2104 Cullen Ave.  
Unit 102  
Austin, TX 78757

August 21, 2014

Danette Chimenti, Chair  
Austin Planning Commission  
Austin, TX

Re: NPA-2014-0017.01 - Korean United Presbyterian Church FLUM Amendment

C14-2014-0036 - Korean United Presbyterian Church Rezoning

Dear Ms Chimenti,

The zoning change requested by Ron Thrower for this property does not fit in our neighborhood. Crestview has a carefully thought-out and articulated Neighborhood Plan that needs to be considered respectfully. This property is in the neighborhood and the Korean Presbyterian Church "bought into" the Plan when written and communicated with neighborhood members.

Members of the Crestview neighborhood are not "digging in our heels". We're not saying, "No change!" We're not blind to our growing Austin or the value of this location. But as our Neighborhood Plan states, something can be built on this property that 'preserves the character of the neighborhood' . 'Any new development or redevelopment should respect and complement the single-family character of the neighborhood.'

The Crestview Neighborhood Plan does 'promote small neighborhood friendly businesses and encourage(s) neighborhood friendly ones in appropriate locations.' This location might be 'appropriate' but not for a 60,000 – 70,000 sq. ft. office building with a multi-story parking garage.

One of the letters from the Mr. Thrower state the streets are for the public not Crestview. How interesting, I didn't realize that we are not part of the public. There are zoning rules for a reason if anyone could do what they want without regard for the neighborhoods, no one would ask what was wanted they would just build haphazardly where ever whatever they wish. Individuals are go through major permits and approval I do not understand why Mr. Thrower would get is way just because he may have deeper pockets. When he is done building he goes home without a care or concern for what is left behind. Well we care because we are what is left behind.



The LO plan proposed by "the Staff" is ridiculous, offensive and poorly thought-out. Their primary thinking when this proposal was presented to us on Monday, August 18<sup>th</sup> at the Contact Committee Meeting (Thank you Lee Heckman and Maureen Meredith for taking the time to meet with us!) is that an LO office building would make a "good transition" between the corridor of Burnet and our quiet neighborhood. It absolutely would not – especially the way Ron Thrower has presented tentative plans to max-out any zoning option to allow for maximum square footage, creating density where open space would be optimal.

The cost to the road changes that will have to be maintained will continue to fall on taxpayers long after Mr. Thrower has taken his profit and gone home. Please do not destroy our neighborhood.

There is already a transition between Burnet (business) to the east (residential). North of Justin it goes: car dealer, church, church, single family homes. South of Cullen it goes: nursing home (residences even though it's not zoned that way), duplexes, church property, single family homes. What could be a better transition from noise and traffic to tranquil living space?

Across the streets from this property to the south and north are multi-family homes. I live in one of those homes and I am just as much a part of the Crestview neighborhood as any of my neighbors. I moved here for the quality of life described in our Neighborhood Plan. A developer with a different plan does not have the right to come into our neighborhood and impose it on us or future residents.

Sincerely,

Maria Brunetti

**From:** Sara Ballon  
**Sent:** Thursday, August 21, 2014 10:11 AM  
**To:** Meredith, Maureen; Heckman, Lee  
**Subject:** Cullen Avenue/Hardy Lane Development (against)

Dear Ms. Meredith and Mr. Heckman,

I am writing this in protest of the proposed zoning change on the corner of Cullen Avenue and Hardy Lane.

The zoning change requested by Ron Thrower for this property does not fit in our neighborhood. Crestview has a carefully thought-out and articulated Neighborhood Plan that needs to be considered respectfully. This property IS in the neighborhood and the Korean Presbyterian Church "bought into" the Plan when written and communicated with neighborhood members.

Members of the Crestview neighborhood are not "digging in our heels". We're not saying, "No change!" We're not blind to our growing Austin or the value of this location. But as our Neighborhood Plan states, something can be built on this property that 'preserve(s) the character of the neighborhood'. 'Any new development or redevelopment should respect and complement the single-family character of the neighborhood.'

The Crestview Neighborhood Plan does 'promote small neighborhood friendly businesses and encourage(s) neighborhood friendly ones in appropriate locations.' This location might be 'appropriate' but NOT for a 60,000 – 70,000 sq. ft. office building with a multi-story parking garage.

I am all in favor of work locations nearby, but whoever lives in this or an adjacent neighborhood can go another two blocks to get to an office out on Burnet which is a corridor where business offices belong.

The LO plan proposed by "the Staff" is ridiculous, offensive and poorly thought-out. Their primary thinking when this proposal was presented to us on Monday, August 18th Contact Committee Meeting is that an LO office building would make a "good transition" between the corridor of Burnet and our quiet neighborhood. It absolutely would not – especially the way

Ron Thrower has presented tentative plans to max-out any zoning option to allow for maximum square footage, creating density where open space would be optimal. There is already an IDEAL transition between Burnet (business) to the east (residential). North of Justin it goes: car dealer, church, church, single family homes. South of Cullen it goes: nursing home (residences even though it's not zoned that way), duplexes, church property, single family homes. What could be a better transition from noise and traffic to tranquil living space?

Across the streets from this property to the south and north are multi-family homes. I live in one of those homes and I am just as much a part of the Crestview neighborhood as any of my neighbors. I moved here for the quality of life described in our Neighborhood Plan. A developer with a different plan does not have the right to come into our neighborhood and impose it on us or future residents.

Kind regards,

Sara Ballon  
2104 Cullen Avenue #111  
Austin, Texas 78757

From: Ted Hatfield  
Sent: Thursday, August 21, 2014 3:30 PM  
To: Heckman, Lee; Meredith, Maureen  
Subject: Justin Lane, Cullen Ave Redevelopment.

Contrary to popular belief not everyone in the Crestview Neighborhood is opposed to the redevelopment of the Church on Justin Lane.

I live on Cullen Ave across from the Church and I am all for redevelopment of the area as long as the city can provide for proper traffic flow on the area between Justin Lane, Hardy Dr, Cullen Ave and Burnet Lane.

Truthfully I think redevelopment of the entire block is warranted.

Moving the traffic calming devices on Hardy Lane down a block and denying street parking would certainly help with traffic flow.

Ted Hatfield  
ted@io-tx.com  
Allendale Condominiums.  
2104 Cullen Ave #219  
Austin, TX 78757



**From:** Nancy Harris  
**Sent:** Thursday, August 21, 2014 5:06 PM  
**To:** Meredith, Maureen; Heckman, Lee  
**Subject:** RE: Cases NPA-2014-0017.01 and C14-2014-0036 Korean United Presbyterian Church at 2000 Justin Lane and 2009 Cullen

Dear Mr. Heckman and Ms. Meredith,

#### **History of the proposed zoning case at Contact Team Meetings**

I have attended all 6 meetings the Crestview Neighborhood Planning Contact Team (CNPCT) has held regarding this case. These meetings each had 40 to 70 attendees. At no time did I ever feel that the majority of the residents had a strong desire to see an office building of the magnitude that would be allowed under GO or LO.

In October 2013, Mr. Thrower, the applicants representative, came to the meeting with no concrete plans of what the developer planned to build, but wanted the CNPCT to vote to waive the city's requirement that he wait until February to request a zoning change. It was not on the agenda to vote on this issue, and the contact team members wanted Mr. Thrower to provide more information regarding the developer's plans at the next CNPCT meeting.

He was unable to attend the next two CNPCT meetings, but appeared at the April 2014 meeting along with Mr. Kahn, the prospective owner, with very sketchy plans for an office building with a few token living units and a parking garage. After hearing staff's overview and from Mr. Thrower and Mr. Kahn, the general tone of the meeting was that residents were not in favor of his project or of changing the zoning to GO (as indicated by a vote of 48 to 1 against it). The hour was late and most people were tired and did not truly comprehend the alternative proposals that were laid out by the contact team officers. In addition, it later became apparent that the vote that was taken was not conducted according to the bylaws of the CNPCT that required all votes to have a simple majority.

At the third meeting in June, Mr. Thrower returned with a new plan and two alternatives of what "could be built" if the property were zoned LO or MF (both were worst case scenarios) – not that the developer planned to build either. His new plan included a taller garage (3 levels instead of 2) and no residential units. In addition, he had not changed the design to reflect the neighborhood feelings that ingress and egress should be limited to Justin, but instead had added a driveway on Hardy to the original one on Cullen, both local streets.

At that meeting, the contact team members felt their concerns were not being addressed. It also had become apparent that many people had not understood alternatives that had been laid out at the April meeting. A committee was formed to look at other conditional overlays besides those of lighting, location of ingress and egress, and height of the building that had previously been discussed. This committee reported back at a specially called meeting in July. The committee had met with and talked to numerous individuals living in the vicinity of the proposed office complex to gather feedback. The vast majority of them were not in favor of zoning the 3 tracts for office use. The April vote was rescinded (34 to 4), and the committee was asked to bring back more information regarding the city code as it might affect development on this property.

This second special meeting in August resulted in a vote of 71 to 0 to oppose the developer's request for GO.

At the regularly scheduled meeting on August 18, city staff had an opportunity to respond to questions from persons in the neighborhood. Following this there was a discussion of the potential impact and appropriateness an office structure of this immensity on the surrounding neighborhood. The CNPCT then voted 57 to 0 to oppose city staff's recommendation of LO and to leave the neighborhood plan in place as it had been approved by the city council and the neighborhood that worked so hard on it in 2004.

Some correspondence has implied that there was a "change of heart" in the neighborhood regarding this project from April to June. However, as I have observed the progression of events on this project, it seems to have been more of a "change in understanding" of what options were available to the neighborhood combined with an evergrowing feeling that the developer was not sensitive to the vision and desires of the neighborhood.

Personally, I ask that the Planning Commission respect the wishes of the CNPCT as expressed in its votes, the neighbor's directly affected by this project, and the approved neighborhood plan that reflects the neighborhood vision for development of this property and deny any change to the FLUM and any zoning change to the property.

Sincerely,  
Nancy Harris

**From:** Karen Kephart

**Sent:** Friday, August 22, 2014 10:41 AM

**To:** Chimenti, Danette - BC; Stevens, Jean - BC; Zaragoza, Nuria - BC; Hernandez, Alfonso - BC; Oliver, Stephen - BC; Hatfield, Richard - BC; Jack, Jeff - BC; Nortey, James - BC; Roark, Brian - BC; Varghese, Lesley - BC

**Cc:** Heckman, Lee; Meredith, Maureen

**Subject:** Re: Case #C14-2014-0036 (Korean Presbyterian Church Property)

Dear Commissioners Chimenti, Hernandez, Stevens, Oliver, Hatfield, Jack, Nortey, Roark, Varghese, and Zaragoza:

If you haven't already, I hope you will stop by our neighborhood and view the Korean Presbyterian Church property and the surrounding uses before the hearing next Tuesday, August 26. The zoning map is quite different from the actual property use.

Our Contact Team is unified against the proposed neighborhood plan amendment, rezoning, and resultant development, which would bring a 70,000-square-foot office building, a 2- to 3-story parking garage, and an estimated 1,000 to 2,000 additional car trips a day to our highly pedestrian neighborhood.

On August 4, our Contact Team voted 71-0 against the GO-MU rezoning proposal.

On August 18, we voted 57-0 against the amendment of our neighborhood plan and the staff's alternate recommendation of LO-MU-CO-NP.

The Planning Commission has the difficult job of balancing the rights of the property owner and interests of the surrounding neighbors and community. Although the Crestview community is opposed to the proposed office building, we are ready and willing to move forward with the redevelopment of the Korean Church property in a way that honors, respects, and upholds our neighborhood plan.

I've also attached my letter as a PDF for your convenience.

Thank you for your consideration.

Kind regards,

Karen

**Karen Kephart**

1917A West St. John's Avenue, Austin TX 78757



P.O Box 9505, AUSTIN, TX, 78766

TO: Austin City Council

September 11, 2014

To The City Council:

The proposed neighborhood plan amendment (NPA-2014-0017.01) and rezoning (C14-2014-0036), either requested by the applicant or proposed by staff, are inconsistent with the Crestview Neighborhood Plan.

The Crestview Neighborhood Association is in complete agreement and supports the Crestview Neighborhood Planning Contact Team's opposition to the proposed neighborhood plan amendment for 2000 Justin Lane and 2009 Cullen Avenue (Korean United Presbyterian Church) and the rezoning. The Crestview Neighborhood Association urges the City Council to disapprove the requested plan amendment and rezoning.

Sincerely,

  
Matthew Armstrong

CNA President

CC: Planning Case Managers – Maureen Meredith and Lee Heckman



**From:** Lealon Martin  
**Sent:** Tuesday, September 30, 2014 10:59 PM  
**To:** Heckman, Lee  
**Cc:** Sarah Patterson; Joseph Harbolovic  
**Subject:** Re: Crestview Neighborhood Planning Contact Team

Dear Lee,

My name is Lealon Martin, and I am the recently-elected (since April 2014) Co-Facilitator of the Crestview Neighborhood Planning Contact Team (CNPCT). In the wake of some recent events, it has come to my attention that there may be some confusion as to who is, and who is not, authorized to speak for and represent the CNPCT on official matters. I, along with the other CNPCT officers, Sarah Patterson (Facilitator) and Joseph Harbolovic (Secretary), thought it necessary to clarify this issue for past, present, and future reference.

From our understanding, over the past several months, you have been in communication with several concerned residents in the community regarding ongoing discussions about the possible modification of the Crestview Neighborhood Plan and the possible rezoning of 2000 Justin Lane & 2009 Cullen Ave. While they are just and right in doing so as concerned citizens, their views and opinions do not represent those of the CNPCT. To this point, according to our CNPCT bylaws, only the CNPCT officers are authorized to represent the CNPCT in official matters. Furthermore and to be clear, any communication from anyone other than Sarah Patterson, Joseph Harbolovic, and/or myself, is not--in any official capacity--representative of the CNPCT. Any other person communicating with you about these matters is acting on their own accord, and is doing so as a concerned resident of the Crestview neighborhood.

Indeed, we have encouraged the community to reach out and engage city officials, and make their individual and collective voices heard. To this end, we have been successful. Those voices have been heard through the countless emails you and other city officials have received in recent months about rezoning the Korean church and changing the neighborhood plan. Those voices were heard at the last two Planning Commission meetings, first advocating a postponement so that the community

could better understand the City Staff's rezoning recommendation and then opposing the rezoning Applicant's request and the City Staff's recommendation. And while all of these voices are critical to promote open, transparent, and good governance, none of them (other than the officers') can claim to represent the CNPCT in an official capacity.

At the last City Council meeting, one of our residents addressed the council against postponement of the public hearing on rezoning 2000 Justin Lane & 2009 Cullen Ave. Originally, I was supposed to make the argument against postponement. However, the evening before the council meeting, I received a phone call from said resident. Without elaborating in detail, I essentially assigned said resident the duty of addressing the council -- out of frustration. While this may have been an unwise lapse of judgment, solely on my part (the other officers were not aware of this beforehand nor did they consent), this in no way gives said resident, or any other Crestview resident, any permanent authority to represent the CNPCT in an official capacity.

To be clear, official authority and capacity to represent the CNPCT rests with Sarah Patterson, Joseph Harbolovic, and Lealon L. Martin. Unless approved by at least two of us, no assumption or assignment of official capacity to any resident to represent the CNPCT is valid.

I also understand that we (the officers) should have addressed this concern much earlier. But unfortunately, complete evidence of the issue was not available until fairly recently. So, we are taking the necessary steps to address it now. I apologize for any confusion that may have persisted, but I hope this email serves as official notice and clarification.

Thank you for your consideration.

Best regards,

Lealon L. Martin

CNPCT, Co-facilitator

## *Thrower Design*

510 S. Congress Avenue, Ste. 207  
Mail: P. O. Box 41957  
Austin, Texas 78704  
(512) 476-4456

August 13, 2014

Corrected August 15, 2014 – correction in **bold** and **underlined**

Crestview Neighborhood Plan Contact Team

RE: Korean United Presbyterian Church FLUM & Rezoning  
NPA-2014-0017.01 & C14-2014-0036

Dear Crestview Neighborhood Contact Team Members,

Thank you for the opportunity to clarify some matters associated with our request for rezoning of the above referenced property. It was clear after talking to a few members after the Planning Commission granting of the postponement that some matters from our end were not as clear as they should be moving the case forward. While we all recognize that the postponement was granted based on the neighborhood desire for more time to meet with staff to discuss their recommendation, we want to make sure that our request is presented in a format that is cohesive and understandable.

We originally came to the CNPCT meetings in October to present the idea that we were filing for office zoning and a Future Land Use Map (FLUM) amendment for the property with the discussion involving a request to "GO-MU", General Office-Mixed Use, which could entail a project with Office uses and possibly residential uses.

In February, we exercised the right of the landowner in filing for the FLUM Amendment as that is the only month of the year that a FLUM Amendment could be filed on the property unless the CNPCT granted a request for a filing "out-of-cycle". My understanding is that CNPCT would not grant a request out-of-cycle which is why we filed the case in February.

We presented the project to the CNPCT in April, which was the next agenda for this item to be discussed and commented on by the CNPCT. This meeting was set up and notified by the City of Austin with Maureen Meredith attending to present the case for FLUM Amendment as part of her requirements prior to setting the case for a Public Hearing. At this meeting, we presented the case for rezoning to "GO-MU" with the graphics including 2-3 story office building and a 2-level parking structure along with some office/multi-family space for a few offices/units at the Hardy/Cullen intersection. This plan entailed vehicular access to Cullen Avenue only.

L A N D P L A N N E R S

At this meeting we heard the following as major concerns:

- 1) A 3-story office building is too high.
- 2) Access should not be limited to one street, strongly consider access to Justin Lane only.
- 3) Traffic is horrible in the area and this project will add too much traffic to the already over-burdened street system.
- 4) Parking on the street is not an option.

We were forwarded the tallies for the options that went to vote at that meeting by the CNPCT which indicated to us that office was still a potentially palatable option for the property. While the straight "GO" option was specifically voted against by the CNPCT, the highest vote totals were for the motion of "LO-MU-CO", Limited Office-Mixed Use-Conditional Overlay, with the conditions of 1) Limit ingress/egress for auto traffic to Justin Lane; 2) Height limit to 2 stories or 35ft.; Address lighting on garage rooftops so that it does not shine beyond the rooftop.

With the feedback heard at the meeting as well as the "supportive nature" for office zoning with conditions, we came back to the CNPCT in June and presented 3 options with one option being a desired outcome by the developer. These scenarios were:

1) "LO" Zoning Option - for an "LO" compliant plan with the site holding 68,224 s.f. of office which equates to the 0.7:1 FAR (Floor Area Ratio – multiply the site area x 0.7 = 68,224 s.f. of allowable building area). The parking is accommodated in a 3-level garage for 198 parking spaces which is the minimum parking required for this size of office. Access to the garage is to Hardy Drive and Cullen Avenue with anticipated traffic volumes of 991 vehicle trips per day. A vehicle trip is counted once when a car arrives and counted again when that same car leaves. The layout is a bland rectangular building that does not invite the public to the building in a manner that is consistent with the landowners wishes and architects desires.

2) "GO" Zoning Option – for a primarily "LO" development plan with only two site development regulations from the "GO" zoning which is for the "GO" Building Coverage (the amount of land that can be covered by buildings) and "GO" Impervious Cover (the amount of land that can be covered by all impermeable surfaces such as buildings, parking, concrete). Other than those two "GO" items, the "LO" site development regulations would apply. "GO" allows for 60% Building Coverage while "LO" allows for 50% Building Coverage. "GO" allows for 80% Impervious Cover while "LO" allows for 70% impervious cover. For reference, the site is currently at 90% impervious cover. This plan entailed a building at 66,000 s.f. with a 2-story element at the Hardy / Justin intersection and a 3-story element as far to the west as possible and away from the neighborhood. This plan had 192 parking spaces in a 2-story parking garage with access to Cullen and Hardy and anticipated a total of 957 vehicle trips per day. A courtyard opening up to the Hardy frontage was envisioned with the layout which fits with the walkable environment and the typical buildings owned by the developer. This option created a frontage along Hardy that was 2-stories in height and provided for a broken up building façade so the office building is not one continuous building.



3) The "MF-6" Zoning Option – for an apartment only development. This plan was presented because some of the CNPCT asked for a MF option. This plan is for 150 units with 2 and 3 levels of apartments over a parking area that covers the entire site. Access is to Justin and Cullen with a total of 1,112 vehicle trips per day. This layout was informational only and is not intended to be considered for development.

The #2 Option above, being the "GO" Zoning Option is the desired plan that we are moving forward with at this time. It does entail Conditional Overlays in that "LO" Site Development Regulations apply except for the two items in "GO" being Building Coverage and Impervious Cover.

Why did we choose these development scenarios to present versus a complete CNPCT wish list plan?

First – access – we believe that public streets should serve the public and not just the neighborhood. Access to Justin would have made traffic worse rather than better in that the higher travelled street would have more points of access with no traffic controls and this does considerably slow down traffic on the street. The idea is for the more major roads to have through traffic that flows consistently and continuously.

Second – A three-story building pushed further back from the Hardy frontage meets the desired effect of the neighborhood to not have structures too tall in proximity to the neighborhood. However, important to note is that the existing zoning for the half property with frontage on Justin & Hardy currently allows for 3-stories in height across the entire property. Transitional development patterns are needed in this area with eventual more dense development occurring at Burnet Road and transitioning downward to the neighborhood. The CNPCT members that have spoken on this have stated that there are not any 3-story buildings in the area. That is true. However, there is existing zoning in place that would allow for many 3-story buildings in the area.

Third – Traffic around Austin is as horrible as any of us has ever seen. Austin needs more compact style development patterns to help with the endeavor of not having patrons drive all over town to get what they need. This one project will not solve the traffic problem, but it is an incremental start. The traffic counts were, as it has been pointed out, performed during a week when school was out. That was not intentional in any way. Adjustments can be made that can account for any changes and we have asked City staff for assistance in that regard.

We did not ignore the concerns of the neighborhood. We may, from time to time, respectfully and mutually disagree on some of the matters. What was first presented to the neighborhood has been pared down to a potentially more palatable version based on what we had heard. We understand that you may not like the access, or the traffic, or the height. Those are things we can agree to disagree on as this moves forward.

At the June meeting, we heard discussion about what types of tenants and office users would be in the building. The idea is for flexible office space that can accommodate office users of all types. At the end of the meeting, there was discussion about the formation of a special committee within the CNPCT to come up with a list of conditions to be styled for the Conditional Overlay with the zoning of

the property for office. That was the last we had heard until very recently. The latest now, from our understanding, is that the CNPCT voted to rescind their April vote and at the next meeting then voted for Multifamily zoning for the property.

Multifamily zoning is not an option for the current developer of the land. I'm not sure that MF zoning would be a better option for this site versus office zoning. As was mentioned before, the office users are typically not there at night or weekends, whereas, MF use is 24-hour occupancy. When most everyone in the neighborhood may be gone to work, the office is used and when the neighborhood returns in the evening, the office is empty. To us, this is a more compatible land use to have office up closer to the neighborhood with limited occupancy times versus 24-hour occupancy of residential tenant spaces.

To restate our current position – The request is for "GO-MU-CO-NP", General Office-Mixed Use-Conditional Overlay-Neighborhood Plan. The Conditions are for "GO" site development regulations for Building Coverage and Impervious Coverage only, otherwise "LO" Site Development Regulations apply.

The City staff report entails a recommendation for "LO-MU-NP" with conditions. Those conditions are:

- 1) Limit the traffic to 2,000 trips per day. As our proposal would be less than 1,000 trips per day, we can agree to a number of trips per day at 1,000 which is ½ of the City staff proposal.
- 2) Conditions of the Neighborhood Traffic Analysis and dedication of right-of-way along Justin. We agree with both of these items.

We believe that the request is a reasonable request and meets some of the desires of the neighborhood. Height in closest proximity to Hardy is reduced to the desired 2-stories. Access is to Cullen and Hardy and we know that you are not in agreement with that. Traffic, we believe, is an incremental step in the right direction for Austin. Again, we may agree on some issues and disagree on others. We heard office as possibly being acceptable by the CNCPT at one point in time. Staff believes office is an acceptable land use. We believe that office is an acceptable land use.

I hope that this letter clarifies our request and you find it relatively consistent with the presentation at the June CNPCT meeting.

Thanks you for the time in reading this. If you have any questions or need clarifications about the current proposal, please let us know. My email address is [ront@throwerdesign.com](mailto:ront@throwerdesign.com) . We will be prompt in providing answers back to you as the Planning Commission date approaches.

Sincerely,



A. Ron Thrower

How exactly does staff's recommendations differ from the neighborhood plan and what does that look like on the ground. i.e. 1 story vs. 2 stories etc. etc. etc.

What is the legal definition of the term "transition" as the word is used by the Planning commission staff in such references as "transition zone?" If there is no legal definition, what is meant by the use of the term by the Planning Commission staff and Planning Commissioners.

The traffic study suggests that it may be necessary to expand one or more streets (Hardy, Justin, Cullen) adjoining the site of the Koran Church site to accommodate the addition of 2,000 vehicles trips per day. From which side of each road is this land to be taken, as understood in law and regulations governing such taking, ie, from the developer/applicant's property or from adjoining neighbors?

How wide is Cullen Avenue and how wide does the Planning Commission Staff anticipate it will need to be in order to accommodate a more than 100 percent increase in traffic?

How did the Planning Commission staff determine the ratio of traffic increase on each of the three streets adjoining this site (Justin, Hardy and Cullen)?

Given that the developer has maintained that the primary ingress/egress serving this project is to be from Cullen Avenue, how is it that the traffic study does not reflect this in its allocation of traffic to the three streets related to this project. If all the traffic to and from the parking facility is to be from Cullen, why isn't 100 percent of the traffic increase reflected in the traffic calculation for Cullen Avenue?

Are you aware that the current use between Hardy and Burnet is quite different from the zoning and that the statement in the Planning Commission's staff report presents inaccurate info about current usage? The staff wrote that "West of Hardy Lane is a mix of office and commercial uses, with some residential, predominantly multifamily." Later they wrote: "... if Hardy is the edge between residential to the east and commercial to the west, then office-mixed use is an appropriate transition at this location." In fact, Cullen is all residential (single-family, duplex, and multifamily) adjoining and to the west of the properties on both sides of Cullen between Hardy and Burnet, until you reach the nursing home (GO) and the Texas Healing Arts Institute (GR).

What rationale does the City of Austin have for supporting a 70,000-square-foot office building adjacent to single-family, duplex, and multi-family use -- and located on the interior of a heavily pedestrian neighborhood?

How will the proposed development help achieve the City's goal of housing affordability?

How does the City think that rezoning and office development will improve the quality of life in Crestview?

Would the City be willing to support a development of higher-density single-family homes or multifamily similar to the condos at 2000 Cullen? At the April Contact Team meeting, Ron Thrower told us that David Kahn does not build residential housing. I had the opportunity to talk with David after last Tuesday's Planning Commission meeting; he told me that he built the duplex at 2015 Cullen (one of the residences

between Hardy and Burnet) and also showed me photos of some attractive duplexes he built in South Austin.

How does this proposed development align with CodeNEXT?

If the proposal passes the Planning Commission and City Council, what measures would the City take to stop off-street parking and control traffic flow in our heavily pedestrian neighborhood?

What is the maximum density for LO-MU-NP limited to 2000 trips a day?

What is the range of uses which can happen with MU?

We suggested to the developer at the last meeting his representative attended that we would be more amenable to his plan if it remained LO and if the parking garage were on the Justin side of the property with entrance and egress on Justin. This would put the front of the office building with courtyard facing Cullen. These conditions would solve the issue of the third story windows facing Hardy, looking into resident's yards and windows, and the traffic issues on Cullen. We at 2000 Cullen would rather look at a building with a courtyard rather than a parking structure.

Why this is not a good compromise since it is obvious the city favors large developers and will override neighborhood plans that they had us formulate in the first place and then force us to have multistory office buildings on residential streets.

Are you personally familiar with the traffic on Cullen and the current way the city has the exit from Cullen to Burnet? How can you feel that this small street can carry that much more traffic in addition to giving access to emergency vehicles as well as supply trucks for the nursing home? Why can't you insist on the exits for the 2000 Justin Lane and 2009 Cullen Ave be redesigned to make the traffic flow on Justin and not Cullen?

Why not a -CO? How would we work out a -CO?

Once/if the LO-MU-NP is applied, what role does CNPCT have?

How much consideration does the Planning Commission give to the original Crestview Neighborhood Plan when making a decision about zoning change requests? Are they aware of our neighborhood plan details and the direction with which the plan desired to maintain and direct our neighborhood? Does this carry very much weight in the decision making process?





## **MEMORANDUM**

**TO:** Planning Commissioners

**FROM:** Lee Heckman, AICP  
Planning and Development Review Department

**DATE:** August 12, 2014

**SUBJECT:** Postponement Request – Items C-2 & C-3  
NPA-2014-0017-01 and C14-2014-0070  
Korean United Presbyterian Church

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**Dear Commissioners:**

Staff has received a number of requests for postponement of these cases from neighborhood stakeholders (see attached). This is the first request for postponement.

The length of the requested postponement is currently unknown. As such, this will be offered as a discussion-postponement.

Lee Heckman  
Planning and Development Review Department

**Exhibit PPR - 1**

**From:** Chip Harris

**Sent:** Saturday, August 09, 2014 10:57 PM

**To:** Sarah Patterson (McKown); Lealon Martin (Cullen Ofc); Joe Harbolovic (Cullen Ofc)

**Cc:** Chip Harris; Larry Ouellette (Cullen Ofc); Karen Kephart (Cullen Ofc); Darrold Smith; Meredith, Maureen; Heckman, Lee

**Subject:** Postponement request at the PC 8/12/14 meeting

Sarah, Lealon & Joe,

We would like to ask that the leadership of the Crestview Neighborhood Plan Contact Team (CNPCT) officially ask for a postponement of our zoning (C14-2014-0036) and plan amendment (NPA-2014-0017.01) cases scheduled for a hearing at the Planning Commission on Tuesday, August 12, 2014, first in an email to Lee Heckman and Maureen Meredith sent by Monday morning, 8/11/14 and second, in person at the scheduled Planning Commission hearing on 8/12/14 at 6:00 pm.

This request is made because city staff has recommended an alternate zoning (LO-MU-CO-NP) for the property than the applicant's request of GO-MU-NP and it is important that the CNPCT have an opportunity to review, discuss and vote on a response to staff's recommendation.

Requesting that the case be postponed will allow the CNPCT to review, discuss and vote on staff's alternate recommendation at their regularly scheduled meeting on Monday, 8/18/14. (Thank you for posting the meeting by Monday, 8/11/14.)

In addition, the 8/18/14 meeting of the CNPCT would allow a presentation of the committee's alternate recommendation.

We would appreciate it if you could draft a postponement request and send us a copy by Sunday evening.

Thank you,

Chip Harris, Contact Team Member

Larry Ouellette, Contact Team Member

Karen Kephart, Contact Team Member

Darrold Smith, Contact Team Member

**From:** Larry Ouellette  
**Sent:** Sunday, August 10, 2014 9:08 PM  
**To:** Heckman, Lee; Chimenti, Danette - BC  
**Subject:** sign up info, postponement request

to: Lee Heckman  
from: Larry Ouellette  
2104 Cullen Ave #215  
Austin, TX 78757

Hi Lee,

Could you please let me know where and when people may sign up to speak at Tuesday's hearing on the Korean Church redevelopment proposal.

I am concerned, and have also received communication from a number of residents concerned, that they have not had an opportunity to address the new and unexamined proposal from the planning commission staff that became public on August 8, after the comment period closed.

These residents desire an opportunity to comment, and more importantly, to review and consider, this significant and late arriving alternative. I do as well.

Please consider this a formal request that any action on this developer's proposal regarding the Korean Church be postponed until I and other residents have had an opportunity to fully examine and provide informed input on the Planning Commission staff's proposed alternative..

Please convey this request to the Planning Commission.

**From:** Sarah Patterson

**Sent:** Sunday, August 10, 2014 9:27 PM

**To:** Chip Harris

**Cc:** Lealon Martin (Cullen Ofc); Joe Harbolovic (Cullen Ofc); Larry Ouellette (Cullen Ofc); Karen Kephart (Cullen Ofc); Darrold Smith; Meredith, Maureen; Heckman, Lee

**Subject:** Re: Postponement request at the PC 8/12/14 meeting

Chip,

Since a need for a postponement has not been recommended by the Team in our meetings, we the officers don't feel comfortable representing the group with such a request. However, Lee and Maureen are included on this email, and we can give them a heads up that there may be such a request from some community members at the Planning Commission hearing.

Thanks,

Sarah

On Sat, Aug 9, 2014 at 10:56 PM, Chip Harris wrote:

Sarah, Lealon & Joe,

We would like to ask that the leadership of the Crestview Neighborhood Plan Contact Team (CNPCT) officially ask for a postponement of our zoning (C14-2014-0036) and plan amendment (NPA-2014-0017.01) cases scheduled for a hearing at the Planning Commission on Tuesday, August 12, 2014, first in an email to Lee Heckman and Maureen Meredith sent by Monday morning, 8/11/14 and second, in person at the scheduled Planning Commission hearing on 8/12/14 at 6:00 pm.

This request is made because city staff has recommended an alternate zoning (LO-MU-CO-NP) for the property than the applicant's request of GO-MU-NP and it is important that the CNPCT have an opportunity to review, discuss and vote on a response to staff's recommendation.

Requesting that the case be postponed will allow the CNPCT to review, discuss and vote on staff's alternate recommendation at their regularly scheduled meeting on Monday, 8/18/14. (Thank you for posting the meeting by Monday, 8/11/14.)

In addition, the 8/18/14 meeting of the CNPCT would allow a presentation of the committee's alternate recommendation.

We would appreciate it if you could draft a postponement request and send us a copy by Sunday evening.

Thank you,

Chip Harris, Contact Team Member

Larry Ouellette, Contact Team Member

Karen Kephart, Contact Team Member

Darrold Smith, Contact Team Member



**From:** sarah lewis  
**Sent:** Sunday, August 10, 2014 9:30 PM  
**To:** Heckman, Lee; Danette Chimenti  
**Subject:** Tues. 8.12 Planning Commission Agenda

Good evening,

I respectfully request that the agenda item relating to the Crestview Neighborhood,/Korean Presbyterian Church property be postponed from the Tues., 8.12 agenda on the basis that the most recent developments just came to light Friday, 8.8 and therefore neighborhood residents have not had time to review and digest its contents and implications.

Regards,  
Sarah Lewis  
3104 Cullen Ave. #215  
Austin, TX 78757

**From:** darrold smith  
**Sent:** Sunday, August 10, 2014 9:32 PM  
**To:** Heckman, Lee; darrold smith  
**Subject:** C14-2014-0036

Mr. Heckman: I would like to request a postponement on the April 12 hearing of this case.

The reason is that the neighbors have not had time to study the Planning Commission's recommendation of LO-MU-NP with conditions.

We need time to discuss this with the members of the Planning Commission and with each other as neighbors.

Also, I wanted to state some corrections to the backup materials.

The members of the Korean United Presbyterian Church have not moved out.

There was no residential component to the developer's plan the last we heard at a neighborhood meeting.

There was not a plan for a one-story garage, but for a 3-story garage the last we heard at a neighborhood meeting.

Density in keeping with the surroundings would never be 100 residential units on this lot; more like 35. Although there is some MU zoning to the south and east, there is also mostly residential use.

To the east on Hardy Dr., there is only residential use immediately across the street from the subject property. To the south there are apartments on Justin Ln. which continue along Muroc St. These last are immediately behind the one-story business center on Justin Ln. south of the subject property.

Hardy Dr. does in no way act as a line between residential and commercial. What non-residential uses that are nearby are all one-story. There are residential uses all the way to Burnet Ln. on Muroc St., and most of the way to Burnet Ln. on Cullen Ave. Hardy Circle to the north is west of Hardy Dr. and is all residential. Other streets west of Hardy such as Pasadena are overwhelmingly residential almost up to Burnet Rd.

Although Justin Ln. may still be listed as arterial, The CAMPO has removed it from their list. This street is 1.2 miles long, .9 miles of which includes 113 houses and 3 apartment complexes, and .3 miles of which includes commercial uses.

Thank you very much for your time.

Darrold Smith  
1809 Cullen Ave.  
Austin, TX 78757  
August 10, 2014

**From:** Karen Kephart  
**Sent:** Sunday, August 10, 2014 9:41 PM  
**To:** Heckman, Lee  
**Cc:** Chimenti, Danette - BC  
**Subject:** Request to Postpone Case #C14-2014-0036 (Korean Presbyterian Church Property)

Dear Mr. Heckman... I'm writing to request a postponement of the August 12 public hearing on the rezoning of the Korean Presbyterian Church property. A postponement will give our contact team time to review and discuss the Planning Commission staff's alternate zoning recommendation of LO-MU-CO-NP, which was posted late in the day on Friday, August 8.

I live adjacent to the proposed development and would appreciate having the opportunity to share my concerns about the increase in traffic and detrimental effect on the character of our neighborhood with other members of the contact team, and respond as a group to the staff's recommendation.

Kind regards,

Karen  
**Karen Kephart 512 494 4023**  
**1917A West St. John's Avenue**  
**Austin, TX 78757**

**From:** Chip Harris

**Sent:** Monday, August 11, 2014 12:02 AM

**To:** Sarah Patterson (McKown)

**Cc:** Lealon Martin (Cullen Ofc); Joe Harbolovic (Cullen Ofc); Larry Ouellette (Cullen Ofc); Karen Kephart (Cullen Ofc); Darrold Smith; Meredith, Maureen; Heckman, Lee

**Subject:** RE: Postponement request at the PC 8/12/14 meeting

Sarah, Lealon & Joe,

Thank you for responding to our request that you act on behalf of the CNCPT.

May I offer the following for your consideration?

The bylaws of the CNCPT, Section 2 - Roles and Responsibilities, Paragraph A, states the following:

"The role of the CNCPT shall be to review and make recommendations on all proposed amendments to the adopted Crestview Wooten Neighborhood Plan."

On August 8, 2014, the staff of the planning division of the City of Austin, in their official capacity, proposed amendments to the adopted Crestview Wooten Neighborhood Plan in their Zoning Change Review Sheet. In order for the CNCPT to fulfill its function as stated in its bylaws to "make recommendations on all proposed amendments to the adopted Crestview Wooten Neighborhood Plan", it is reasonable and necessary to request a postponement of the hearing scheduled for the Planning Commission at their meeting on August 12, 2014 so that the CNCPT, as required by their bylaws, can review, discuss and make a recommendation on the proposed amendment included in the city staff's report posted on August 8, 2014.

I'm confident that after reviewing the bylaws of the CNCPT, you will come to the same conclusion and follow up by submitting a request Monday morning to the appropriate personnel at the City of Austin as requested in our prior email.

Thank you for your consideration,

Chip

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**From:** Sarah Patterson

**Date:** Sun, 10 Aug 2014 21:27:20 -0500

**Subject:** Re: Postponement request at the PC 8/12/14 meeting

**To:**

**CC:** [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov); [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov)

Chip,

Since a need for a postponement has not been recommended by the Team in our meetings, we the officers don't feel comfortable representing the group with such a request. However, Lee and Maureen are included on this email, and we can give them a heads up that there may be such a request from some community members at the Planning Commission hearing.

Thanks,

Sarah

**Exhibit PPR - 8**



On Sat, Aug 9, 2014 at 10:56 PM, Chip Harris wrote:  
Sarah, Lealon & Joe,

We would like to ask that the leadership of the Crestview Neighborhood Plan Contact Team (CNPCT) officially ask for a postponement of our zoning (C14-2014-0036) and plan amendment (NPA-2014-0017.01) cases scheduled for a hearing at the Planning Commission on Tuesday, August 12, 2014, first in an email to Lee Heckman and Maureen Meredith sent by Monday morning, 8/11/14 and second, in person at the scheduled Planning Commission hearing on 8/12/14 at 6:00 pm.

This request is made because city staff has recommended an alternate zoning (LO-MU-CO-NP) for the property than the applicant's request of GO-MU-NP and it is important that the CNPCT have an opportunity to review, discuss and vote on a response to staff's recommendation.

Requesting that the case be postponed will allow the CNPCT to review, discuss and vote on staff's alternate recommendation at their regularly scheduled meeting on Monday, 8/18/14. (Thank you for posting the meeting by Monday, 8/11/14.)

In addition, the 8/18/14 meeting of the CNPCT would allow a presentation of the committee's alternate recommendation.

We would appreciate it if you could draft a postponement request and send us a copy by Sunday evening.

Thank you,

Chip Harris, Contact Team Member  
Larry Ouellette, Contact Team Member  
Karen Kephart, Contact Team Member  
Darrold Smith, Contact Team Member

**From:** Patricia Page  
**Sent:** Monday, August 11, 2014 6:54 AM  
**To:** Heckman, Lee  
**Subject:** C14-2014-0036

Attn: Lee Heckman

I have just learned that the planning staff has changed its recommendation for rezoning the Korean United Presbyterian Church tract to LO-MU-CO-NP. I would like to ask the Planning Commission to postpone the hearing scheduled for Aug. 12 so that interested parties have a chance to consider this alternative.

Sincerely,  
Patricia Page Carr  
2104 Cullen Ave. #107

Case Number:

**C14-2014-0036**

## PETITION

Date:

**10/6/2014**

Total Square Footage of Buffer:

**366340.40**

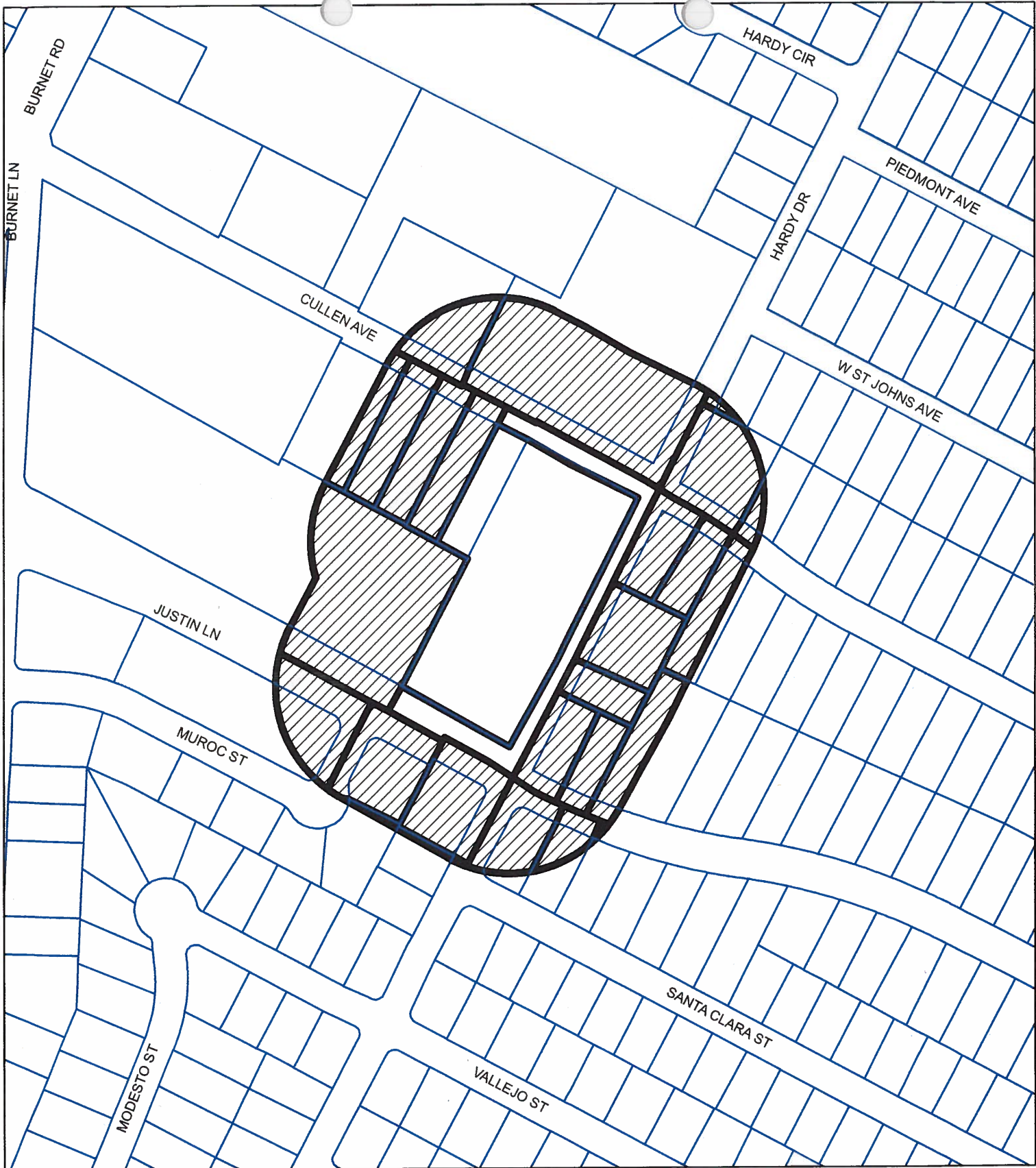
Percentage of Square Footage Owned by Petitioners Within Buffer:

**28.74%**

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0234060936	1914 JUSTIN LN 78757	BAKER DONALD R	yes	8453.49	2.14%
0233050166	2001 JUSTIN LN 78757	BEALL JONATHAN M	no	19645.54	0.00%
0234060634	1914 CULLEN AVE 78757	BRIDGES CHARLES H & SUSAN	no	19883.11	0.00%
0235040708	6901 BURNET LN 78757	EPISCOPAL CHURCH COUNCIL OF THE DIOCESE OF TEXAS	no	59524.86	0.00%
0234060934	1916 JUSTIN LN 78757	GLAD TIDINGS ASSEMBLY OF GOD OF GOD INC	no	11903.09	0.00%
0234060940	6907 HARDY DR 78757	GLAD TIDINGS ASSEMBLY OF GOD OF GOD INC	no	7593.77	0.00%
0233050167	6808 HARDY DR 78757	GLASGOW KEN & DAVID BELL	yes	662.61	0.17%
0234060809	2103 CULLEN AVE 78757	GRAVES CLARK C	yes	7128.55	1.80%
0234060810	2013 CULLEN AVE 78757	GRITZKA BORIS	yes	13532.70	3.42%
0234060816	2011 CULLEN AVE 78757	GRITZKA BORIS	yes	13343.97	3.38%
0234060903	1913 CULLEN AVE 78757	MEEKER GARRETT L & COURTNEY K MATA	yes	10178.31	2.58%
0234060938	1915 CULLEN AVE 78757	MORIN ROGER J	yes	8931.17	2.26%
0234060941	1917 CULLEN AVE 78757	YOUNG LESLIE W JR APT 102	no	12165.21	0.00%
0234060138	2000 1-1 CULLEN AVE 78757	MULTIPLE OWNERS	no	59503.14	0.00%
0234060932	1910 JUSTIN LN 78757	PAVER FAMILY ENTERPRISES LP	no	11583.13	0.00%
0233050501	6807 HARDY DR 78757	SAMUELSON DANIEL R	yes	13097.63	3.31%
0233050502	1912 SANTA CLARA ST 78757	SAMUELSON DANIEL R	yes	5396.38	1.37%
0233050503	1910 SANTA CLARA ST 78757	SAMUELSON DANIEL R	yes	299.94	0.08%
0234060632	1912 CULLEN AVE 78757	SMALLWOOD ALEXANDER & LESLIE	yes	2311.68	0.58%
0234060106	2012 CULLEN AVE 78757	SMITH JAMES ARTHUR	yes	12215.34	3.09%
0233051003	2105 JUSTIN LN 78757	WHITNEY PARTNERSHIP	no	17978.59	0.00%
0233050177	2005 JUSTIN LN 78757	W-SUN TRUST % CASEY CARBONEL	no	19329.55	0.00%
0233050176	2103 MUROC ST 78757	W-SUN TRUST % CASEY CARBONEL	no	562.35	0.00%
0234061702	1917 A W ST JOHNS AVE 78752	KEPHART KAREN	yes	424.68	0.11%
0234061703	1917 B W ST JOHNS AVE 78752	KENNARD LORI M & TERRY C	yes	424.68	0.11%
0234061602	6909 HARDY DR A 78757	POLLEI MICHAEL R	yes	8588.84	2.17%
0234061603	6909 HARDY DR B 78757	BEGNAUD ALEXANDER	yes	8588.84	2.17%
0234061402	2015 CULLEN AVE A 78757	LEVENSTEIN KARIN K & BRUCE H	no	6544.61	0.00%
0234061403	2015 CULLEN AVE B 78757	BENDEGUZ ATTILA JESUS	no	6544.61	0.00%
Total				<b>366340.40</b>	<b>28.74%</b>

### Exhibit P - 1 Petition Results



BUFFER

PROPERTY\_OWNER

SUBJECT\_TRACT

## PETITION

CASE#: C14-2014-0036

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.

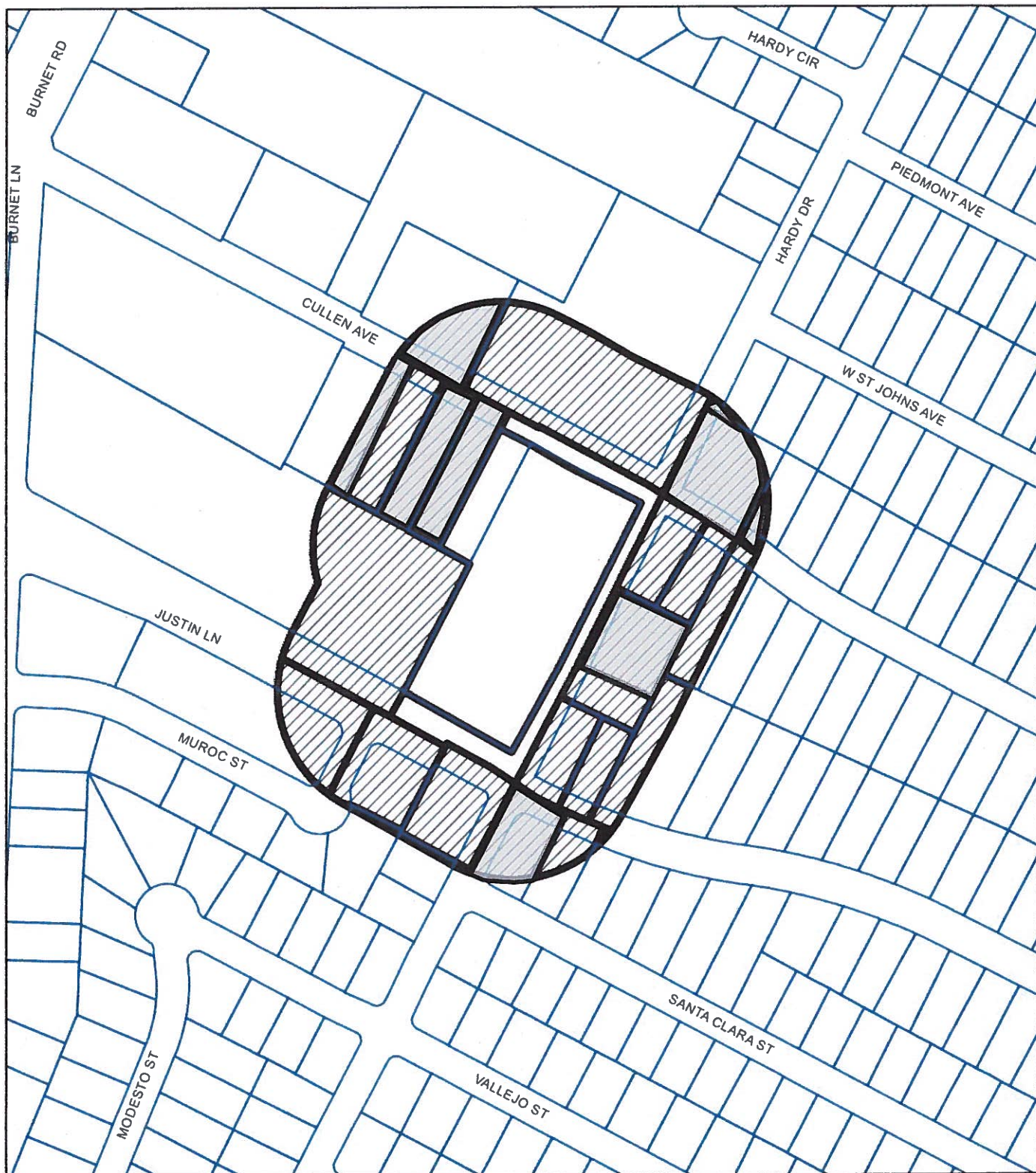
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.




### Exhibit P - 2 Eligible Petition Area



1" = 200'





-  BUFFER
-  PROPERTY\_OWNER
-  SUBJECT\_TRACT

## PETITION

CASE#: C14-2014-0036

1" = 200'

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## Exhibit P - 3 Petitioning Properties

## **PETITION**

Date: 9-18-14

File Number: C14-2014-0036

Address of Rezoning Request: 2000 Justin Lane & 2009 Cullen Avenue

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than the existing zoning.

We are opposed to the proposed GO-MU-NP (General Office -Mixed Use) zoning for the following reasons:

- **A Multi-story Office Complex and Parking Garage.** The requested zoning change would permit a developer to build a four-story, 60 foot tall office complex and parking garage that is out of scale and not compatible with the surrounding one and two-story single-family homes and multi-family residences.
- **Incompatibility with the Crestview Neighborhood Plan.** The proposed GO zoning is not compatible with our neighborhood plan, written and adopted in 2004, which states that any new development or redevelopment should respect and complement the single-family character of the neighborhood.
- **Incompatibility with City Zoning Principles.** It does not conform with city zoning principles because it does not provide a transition from commercial use to residential areas.
- **Interior Neighborhood Location.** Because the proposed office building would be located on residential streets in the interior of our neighborhood and not on Burnet Road, it fails to promote the City of Austin's stated policy of locating more intensive zoning near the intersections of arterial roadways.
- **A 100% Increase in Traffic.** This zoning will generate traffic of 1,000 to 2,000 trips per day, a 100% minimum increase on adjacent neighborhood streets which are primarily residential. Increased traffic will create safety issues for neighborhood pedestrians, including those going to and from the nearby elementary school and city park.
- **Potential for Interruption of Emergency Services.** Increased traffic and on-street parking demand will hamper the access of emergency services to the nursing home less than 300 feet away.
- **Accessory Parking for Businesses on Burnet.** The proposed zoning would allow offsite and accessory parking for bars on Burnet Road that lack adequate onsite parking, and be detrimental to the quality of life in our neighborhood.
- **Commercialization of Our Neighborhood.** The zoning change would allow for restaurants in the interior of the neighborhood, with hours and traffic generation that is not compatible with its residential character.

Date: 9-9-14

Contact Name: Chip Harris

Phone Number: 512-458-2488

Signature

Printed Name

Address

Zoning Case #C14-2014-0036  
Korean United Presbyterian Church  
2000 Justin Ln / 2009 Cullen Ave

Petition signatures submitted 9/19/14

1915 W St Johns	Jonathan H Weinstein
1917A W St Johns	Karen Kephart
1917B W St Johns	Lori Kennard & Terry Kennard
1908 Cullen	Julian Lawrence Camp
1910 Cullen	Gabriel R Gervey and Rebecca L Neubauer
1911 Cullen	Stephen C Hauck & Larissa L Hauck
1912 Cullen	Alexander Smallwood & Leslie Smallwood
1913 Cullen	Garrett L Meeker & Courtney K Mata
1915 Cullen	Roger J Morin
2000 Cullen	Lucille Santillo
2012 Cullen	James Arthur Smith
2011 Cullen	Boris Gritzka
2013 Cullen	Boris Gritzka
2103 Cullen	Clark C Graves
6807 Hardy	Daniel R Samuelson
6808 Hardy	Ken Glasgow & David Bell
6809A Hardy	Michael R Pollei
6909B Hardy	Alexandra Begnaud
6911A Hardy	Jamie N Walker
6911B Hardy	Jeffery Daniel Best
1908/10/12 Santa Clara	Daniel R Samuelson
1914 Justin	Donald R Baker





## MEMORANDUM

**TO:** Lee Heckman, Case Manager  
**CC:** Ron Thrower  
**FROM:** Amanda Couch, Senior Planner  
**DATE:** August 05<sup>th</sup>, 2014  
**SUBJECT:** Neighborhood Traffic Analysis for Korean United Presbyterian Church  
Zoning Case # C14-2014-0036  
(Revised)

The transportation section has performed a Neighborhood Traffic Impact Analysis (NTA) for the above referenced case and offers the following comments.

The 2.275-acre tract is located in North Austin at 2000 Justin Lane. The site is surrounded by Justin Lane, an Arterial roadway, Hardy Drive, and Cullen Avenue. It is primarily surrounded by Single Family and Multi-family to the north and east and by Commercial and Office to the south and west. In order to get a more accurate analysis of the impact of the site on the adjacent roadways, the neighborhood traffic analysis incorporates the entire site that will consist of the proposed religious assembly space.

### Roadways

The tract proposes access to Cullen Avenue, Justin Lane, and Hardy Drive.

Current conditions of roadways are as follows:

Name	ROW	Pavement	Classification
Cullen Ave.	60'	22'	Local
Hardy Dr.	50'	27'	Local
Justin Ln.	75'	32'	Arterial

### Trip Generation and Traffic Analysis

Based on the Institute of Transportation Engineer's publication Trip Generation, the proposed GO-MU-NP zoning for a 99,099 square foot lot may generate 3,837 vehicle trips per day. This number assumes that the site develops to the maximum intensity allowed under the zoning



classification without consideration of setbacks, environmental constraints, or other site characteristics. However, the applicant has agreed to limit the vehicle trips per day to 2,000 as a condition of this zoning. Therefore, the NTA is based on a development that will not generate more than 2,000 trips per day.

Table 1 represents the expected distribution of the 2,000 trips:

<b>Table 1.</b>	
<b>Street</b>	<b>Traffic Distribution by Percent</b>
Justin Lane	50%
Cullen Avenue	30%
Hardy Drive	20%
<b>TOTAL</b>	<b>100%</b>

Table 2 represents a breakdown of existing traffic on Justin Lane, Cullen Avenue, and Hardy Drive, proposed site traffic, total traffic after development and percentage increase in traffic. Existing traffic is the average of traffic counts taken from May 2<sup>nd</sup> – May 8<sup>th</sup>, 2014.

<b>Table 2.</b>				
<b>Street</b>	<b>Existing Traffic (average vpd)</b>	<b>Proposed New Site Traffic to Roadway</b>	<b>Overall Traffic</b>	<b>Percentage Increase in Traffic</b>
Justin Lane	5,441	1,000	6,441	15%
Cullen Avenue	1,159	600	1,759	34%
Hardy Drive	1,045	400	1,445	27%

According to Section 25-6-116 of the Land Development Code, traffic on a residential local or collector street is operating at a desirable level if a pavement width of 30 -40 feet is carrying 1,200 vpd or more. Cullen Avenue and Hardy Drive are carrying more than 1,200 vpd and have a substandard pavement width of less than 30'. Traffic volumes for these particular roadways are not operating at a desirable limit according to 25-6-116.

According to 25-6-114 of the Land Development Code, NTA's are not required for arterial roadways. The Austin Metropolitan Area Transportation Plan classifies Justin Lane as an arterial roadway, and therefore there are no recommendations for Justin Lane outlined in this NTA.

### **Recommendations/Conclusions**

1. The neighborhood traffic analysis was triggered because the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 trips per day, and the project has access to a local or residential collector street where at least 50 percent of the site frontage has an SF-5 or more restrictive zoning designation. Hardy Drive and Cullen Avenue are classified as Collector streets.
2. The traffic along Cullen Avenue and Hardy Drive currently exceeds the requirements established in Section 25-6-116. At time of site plan, the applicant will be required to post fiscal for improving the roadway width up to 30 feet for the entire street frontage

along the property of Cullen Avenue and Hardy Drive. The applicant must submit a construction cost estimate signed and sealed by an engineer to verify the amount required for posting.

3. Development of this property should also be limited to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in this neighborhood traffic analysis, including traffic distribution, roadway conditions, and other traffic related characteristics.

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If you have any questions or require additional information, please contact me 974-2881.



Amanda M. Couch  
Senior Planner ~ Transportation Review  
Planning and Development Review Department