

PLANNING COMMISSION

HANDOUTS

MAY 12, 2015

C2

P E T I T I O N

Date: 4/14/15

File Number: C14-2014-0194

Address of

Rezoning Request: 2901 E 5th St, Austin, TX, 787

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 residential - single family (sf-3)

(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
<u>H. Falvo</u>	Heather Falvo	2900 E 4th St, Austin TX 78702
<u>Daniel Reed</u>	Daniel Reed	2900 E 4th St, Austin, TX 78702
<u>Alvin B. Mendoza</u>	Alvin B. Mendoza	2905 E. 4th St Austin TX 78702
<u>Felicitas Cortez</u>	Felicitas Cortez	2901 E 4th St Austin, TX 78702
<u>Ignacio B. Pulido</u>	Ignacio B. Pulido	2903 E 4th St Austin, TX 78702
<u>Grace Nichols</u>	Grace Nichols	2907 E 5th St Austin, TX 78702
<u>Gilbert Rodriguez</u>	Gilbert Rodriguez	304 Presbury St Austin, TX 78702
<u>Gilbert Velasquez</u>	Gilbert Velasquez	2902 E 4th St Austin, TX 78702
<u>Baldemar Delung</u>	Baldemar Delung	2904 E 4th St Austin, TX 78702
<u>Joe Zappala</u>	Joe Zappala	2907 E 4th St Austin, TX 78702
<u>Bernardo Gonzalez</u>	Bernardo Gonzalez	2906 E 4th St Austin, TX 78702
<u>Laura Alonso</u>	Laura Alonso	305 Linden St Austin, TX 78702
<u>Winnie Hsiang</u>	Winnie Hsiang	401 N Pleasant Valley Rd. Austin, TX 78702
<u>Carla Castillo</u>	Carla Castillo	2806 E 4th St Austin, TX 78702

Date: 4/14/15

Contact Name: Heather Falvo

Phone Number: 512-217-7303

Chaffin, Heather

C9

From: tatiana oria [REDACTED]
Sent: Monday, May 11, 2015 8:48 PM
To: Chaffin, Heather
Subject: Samuel Huston rezoning

Heather

Samuel Huston is already so dangerous, as it is a main artery to 183. I have personally made more than one request for speed bumps, at minimum, to be evaluated and or implemented, to no avail. I believe rezoning makes this an even more dangerous situation to kids on foot and bike in our neighborhood and even drivers who cannot get out of the way fast enough of those zooming up and down the hill. Please reconsider this effort for the safety of those who live here.

Tatiana Oria
Hillcrest Lane

Chaffin, Heather

CA

From: MARGARET WILLIAMSON
Sent: Monday, May 11, 2015 6:09 PM
To: Chaffin, Heather
Subject: Case Number C14-2015-0019
Attachments: 034.JPG; 035.JPG; 036.JPG; 038.JPG; 039.JPG; 028.JPG; 029.JPG; 040.JPG

Thank you so very much for your quick response Heather. This is my letter of objection to the proposed development due for public hearing with the Planning Commission May, 12th, 2015. I have been a home-owner for near 10 years currently in the area and though I understand there are housing needs, I have been personally affected greatly within just the last few months by having my own vehicle totaled while parked and my privacy fence driven through due to excess speed and excessive traffic on the street. I am unsure if the passenger even survived the crash. Photos included. It has become increasingly dangerous and currently there are new developments underway at the corner of Samuel Huston Avenue and Webberville Road and this is not even with consideration of what the latest proposal will bring. It has become a death-trap to be frank and is not an exaggeration as the neighbors can attest and are collisions frequently though they may be unreported, children are discouraged from play and can no longer ride bikes or walk pets, I bury strays frequently. There is an elementary school on the street now, 183 being within a block of, and the only flashing school light very near the school and only at certain times of the day, traffic traveling at 50 mph is a regular occurrence including commercial traffic. Capital Metro did attempt also a route on the street but was not possible and discontinued thank goodness. The street is a particular nightmare during peak work/school travel time with traffic backed-up halfway down the street with very dangerous loading and unloading of children onto school buses. Parents including myself, do not leave children unsupervised at bus stops. Parking is very limited and those that do live on the street if at all possible, keep their vehicle off...I am currently parking in the grass since my latest loss as are most but what has happened unfortunately, is that speed has increased due to being more room at certain times of the day and suddenly, traffic is backed-up with the half dozen school buses at the end of the street and no place to go if an accident should occur, it is a matter of time and we pray daily for the best. I have requested speed-bumps for years or at minimum, radar on the street and have been told to contact my representative. We are also talking of a petition. The folks that have lived here for many years are very aware of the on-going problem, which is not due those on the street mainly as we have developed the courtesy over the years of taking turns pulling over and giving right-of-way as there is not the room now for two lanes of travel, those new to the area or those using the street as a short-cut do not practice this courtesy nor the commercial traffic which increases daily and don't seem to recognize this as a residential neighborhood. Thank you very much for your consideration.

Sincerely, Margaret Ann Williamson 512-926-2220
5402 Samuel Huston Avenue
Austin, Texas 78721









May 12, 2015

Planning Commission Hearing

Late Back-Up

**Item # C1: NPA-2015-0016.03 -2901 E. 5th Street
(District 3)**



Meredith, Maureen

To: Dave Reed
Chaffin, Heather; Heather Falvo
Subject: RE: NPA-2014-0016.03 - 2901 E. 5th Street

From: Dave Reed
Sent: Thursday, May 07, 2015 10:19 PM
To: Meredith, Maureen
Cc: Chaffin, Heather; Heather Falvo
Subject: Re: NPA-2014-0016.03 - 2901 E. 5th Street

Maureen,
Thanks for asking.

A number of neighbors did download and sign a petition regarding the cases mentioned below. I believe that was mailed approximately 1 week ago. The neighbors are against the property being zoned anything other than residential. There would be some willingness to allow higher density residential, but we would want to understand before any agreements were made. The current neighborhood plan has the property designated as Single Family.

When discussed during the community meeting, there was not a specific business idea or business plan in place to help us evaluate the impact to the neighborhood. The neighbors are concerned that any agreement on initial commercial use could change, even if a restrictive covenant were identified.

Discussed in the community meeting, the neighborhood is already experiencing significant traffic and parking overflow from Pleasant Valley, 5th Street, and 2nd Street. Any additional movement towards commercial would risk increasing these issues. Some informal discussion has begun concerning a neighborhood street parking permit application.

Some examples of the traffic and parking congestion:

- A significant number of vehicles from the Capital Metro administrative offices (at Broadway and 5th Street) park in the neighborhood. Sometimes these cars overlap driveways or prevent older residents from having visitors park near their homes.
- Auto mechanic and body shop business at the corner of 5th and Broadway use the street as a significant portion of the parking for their customers during the daytime as well as an adjacent residentially zoned vacant lot.
- Churches and health clinics are along Broadway near the 2nd street and 3rd street intersections. These entities sometimes require overflow parking.
- Lustre Pearl is in the process of re-opening at the corner of 2nd and Linden. That property has little to no off street parking. If anything similar to Rainey street develops, we would be very concerned.

Rezoning Application Case: C14-2014-0194 2901 E 5th St
From: SF-3
To: GR-MU-NP

Neighborhood Plan Amendment: NPA-2014-0016.03 2901 E 5th St
From: Single Family
To: Mixed Use

Please include our comments within the case.

Thanks,
David Reed
Heather Falvo
2900 E 4th Street

Meredith, Maureen

To:
ect:

Heather Marie Falvo
RE: NPA-2014-0016.03 - 2901 E. 5th Street

From: Heather Marie Falvo <

Date: May 8, 2015 at 4:33:03 PM CDT

To: "Chaffin, Heather" <Heather.Chaffin@austintexas.gov>

Cc: Dave Reed <dwreed@g>, "Sabino.Renteria@austintexas.gov" <Sabino.Renteria@austintexas.gov>

Subject: Re: NPA-2014-0016.03 - 2901 E. 5th Street

Hi Heather,

I still object to allowing some as of yet undetermined (let alone any) business literally in my backyard. It is my understanding that the neighborhood plan has this designated as residential, and I am not seeing why this is a necessary exception to the plan. My husband purchased and built on this lot based on the fact that the neighborhood plan existed and that our block was zoned residential. I see no pressing need for a hair salon (there is one on 5th, 6th and 7th, all in commercial areas).

With Luster Pearl on the way, it seems that our neighborhood is going to be allowed by city officials to go the way of Rainey Street. At that point, will my only recourse be to hope that a billionaire developer comes and buys me out of here? I certainly hope that is not to be the case.

And, will you please acknowledge whether the neighborhood petition has been received? There should have been approximately 8 signatories. We have a photocopy of you are unable to locate it.

Respectfully,
Heather Falvo MD
2900 E4th St
78703

Sent from my iPhone

May 12, 2015

Planning Commission Hearing

Late Back-Up

**Item # ^c3: NPA-2015-0019.01 -919 W. 29th Street
(District 9)**

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 has expressed an interest in an application affecting your neighborhood.

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

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

If you have any questions concerning this notice, please contact the City of Austin Planning and Zoning 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 Zoning Department

Maureen Meredith

P. O. Box 1088

Austin, TX 78767-8810

Rec'd 5/12/15

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-2015-0019.01

Contact: Maureen Meredith

Public Hearing: May 12, 2015, Planning Commission

Jun 11, 2015, City Council

☒ I am in favor
☐ I object

Your Name (please print)

719 W. 29th St

Your address(es) affected by this application

719 W. 29th St

Signature

Date

5/4/2015

Comments:

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Case Number: NPA-2015-0019.01

Contact: Maureen Meredith

Public Hearing: May 12, 2015, Planning Commission
Jun 11, 2015, City Council

☒ I am in favor
☐ I object

May 12, 2015, Dabrock

Your Name (please print)

2847 Shoal Crest Ave

Your address(es) affected by this application

May 12, 2015, Dabrock

Signature

Date

Comments:

PUBLIC HEARING INFORMATION

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Case Number: NPA-2015-0019.01

Contact: Maureen Meredith

Public Hearing: May 12, 2015, Planning Commission

Jun 11, 2015, City Council

☒ I am in favor
☐ I object

A. Arco Smith, PhD

Your Name (please print)

909 W 29th St.

Your address(es) affected by this application

5.4.15

Signature

Date

Comments:

C4

Haase, Victoria [Tori]

Subject: FW: SCNA comments rg zoning application for 919 West 29th

From: Leah Bojo []
Sent: Thursday, April 16, 2015 11:09 AM
To: Haase, Victoria [Tori]; Michele Haussmann; Meredith, Maureen
Subject: RE: SCNA comments rg zoning application for 919 West 29th

Thanks, Tori. We're still figuring out of those dates and should be back to you shortly with an answer.

In the meantime, our client is ok with the neighborhood's conditions of support. Could you confirm that those will all go in the conditional overlay of the zoning ordinance?

Best,
Leah

Leah Bojo

ENTITLEMENTS AND POLICY MANAGER

LBojo@LandUseSolutionsTX.com

www.LandUseSolutionsTX.com

512.212.4114 210.812.2222



CONFIDENTIALITY NOTICE:

This message and any attached files may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

From: Michele Haussmann []
Sent: Monday, April 13, 2015 2:34 PM
To: Meredith, Maureen
Cc: Leah Bojo; Haase, Victoria [Tori]
Subject: Re: SCNA comments rg zoning application for 919 West 29th

Thank you, Maureen. This is great news. I appreciate all of your time and assistance with this project.

Respectfully,
M

Please excuse any misspellings as this was sent via phone.

On Apr 13, 2015, at 1:36 PM, Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:

Michele and Leah:
FYI. See below.

Maureen

40

From: robert jarry []
Sent: Monday, April 13, 2015 10:15 AM
To: Meredith, Maureen
Cc: Adam Stephens; john foxworth; Rob Borowski; [sprice](#); Alicia Jarry
Subject: SCNA comments rg zoning application for 919 West 29th

Maureen,

Thanks for organizing the meeting on the zoning request for 919 West 29th, it was most informative and helpful.

The Shoal Crest Neighborhood Association supports the proposed GO-MU-CO-NP zoning with the following proposed Conditional Overlay to match the existing LO-MU-CO-NP zoning along West 29th Street:

1. Restrict the Property to LO-MU site development regulations with the following added restrictions:

- Maximum building height of 30' from ground level (less than the proposed 35' but sufficient for the applicant's project). This is the maximum for SF3 and is what all other structures on 29th were built under.

- FAR restricted to 0.5:1. This is sufficient for the proposed project.

2. Restrict the Property to LO-MU land use with the following added restrictions:

- Prohibit Medical offices (less than 5,000 sq. ft) and Medical Offices (exceeding 5,000 sq. ft.)

- Prohibit Bed & Breakfast (group 1 and 2)

- Prohibit all CIVIC uses

The neighborhood feels the applicant's project as presented will be an asset to the neighborhood. Our concern is that all future uses be compatible with the character of the neighborhood and not adversely impact the limited parking and traffic in this area.

Respectfully,
Robert Jarry, President SCNA

C4

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, August 11, 2014

CASE NUMBER: C15-2014-0084

<input checked="" type="checkbox"/> Y	Jeff Jack	
<input checked="" type="checkbox"/> Y	Michael Von Ohlen	Motion to Grant
<input checked="" type="checkbox"/> Y	Ricardo De Camps	
<input type="checkbox"/> N	Bryan King	
<input checked="" type="checkbox"/> Y	Vincent Harding	
<input checked="" type="checkbox"/> Y	Will Schnier - Melissa Hawthorne-OUT	2nd the Motion
<input checked="" type="checkbox"/> Y	Sallie Burchett	

APPLICANT: Ken Johnson

OWNER: Clay Duckworth

ADDRESS: 919 29TH ST

VARIANCE REQUESTED:

The applicant has requested a variance from Section 25-2-492 (D) (*Site Development Regulations*) to decrease the front setback from 25 feet (required) to 9 feet (requested); and decrease the side street setback from 15 feet (required) to 8 feet (requested); in order to move a structure onto the lot in an "SF-3-CO-NP", Family Residence – Conditional Overlay – Neighborhood Plan zoning district. (West University)

BOARD'S DECISION: POSTPONED TO JULY 14, 2014; July 14, 2014 The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to August 11, 2014, Board Member Melissa Hawthorne second on a 7-0 vote; **POSTPONED TO AUGUST 11, 2014; Aug 11, 2014** The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with condition cannot be used as short term rental (STR) or stealth dorm, Board Member Will Schnier second on a 6-1 vote (Board Member Bryan King nay); **GRANTED WITH CONDITION CANNOT BE USED AS SHORT TERM RENTAL (STR) OR STEALTH DORM.**

FINDING:

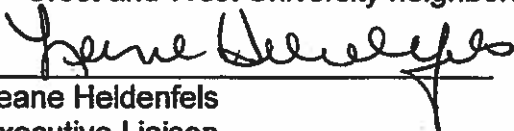
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: sever angle of front lot creates excessive front setback which compare to conventional adjacent rectangle lot shape resulting from lot which is significant narrow in the front than it is in the rear creates error buildable requiring much narrow home to comply with side setback requirements
2. (a) The hardship for which the variance is requested is unique to the property in that: property is not standard rectangular shape therefore does not allow reasonable use in the effort to moving historical residence to property, two heritage oak tree southwest of property for development towards front narrowest part of the lot, 13"ash tree in the rear which would have to be removed if front setback variance is denied

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100

C4

- (b) The hardship is not general to the area in which the property is located because:
adjacent lots have standard rectangle shape and not tampered rear to front of lot
3. The variance will not alter the character of the area adjacent to the property, will not
impair the use of adjacent conforming property, and will not impair the purpose of
the regulations of the zoning district in which the property is located because:
relocation of historical appropriate home be complementary to the character of Shoal
Crest and West University neighbors


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

10

PUBLIC HEARING INFORMATION

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

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

For additional information on the City of Austin's land development process, visit our website:
<http://www.austintexas.gov/development>.

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

Case Number: C14-2015-0024

Contact: Tori Haase, 512-974-7691

Public Hearing: May 12, 2015, Planning Commission
June 11, 2015, City Council

Your Name (please print)

2847 Shoal Creek Ave
919 W. 29th St

Your address(es) affected by this application

May 12, 2015

Signature

Daytime Telephone: 512-971-9803

Date

5/4/2015

☒ I am in favor
☐ I object

Comments:

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

City of Austin
Planning & Zoning Department
Tori Haase
P. O. Box 1088
Austin, TX 78767-8810

C.4

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Contact: Tori Haase, 512-974-7691
Public Hearing: May 12, 2015, Planning Commission
June 11, 2015, City Council

A. Arco Smith, PhD.
Your Name (please print)

909 W 29th St.

Your address(es) affected by this application



Signature

5.4.15

Date

Daytime Telephone: 512 294 8646

Comments:

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

City of Austin
Planning & Zoning Department
Tori Haase
P. O. Box 1088
Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-2015-0024

Contact: Tori Haase, 512-974-7691

Public Hearing: May 12, 2015, Planning Commission
 June 11, 2015, City Council

A. Arco Smith, PhD.
 Your Name (please print)

909 W 29th St.

Your address(es) affected by this application

5-4-15

Date

Signature

Daytime Telephone: 512 294 8646

Comments:

☒ I am in favor
☐ I object

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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.

For additional information on the City of Austin's land development process, visit our website:

<http://www.austintexas.gov/development>.

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

Case Number: C14-2015-0024

Contact: Tori Haase, 512-974-7691

Public Hearing: May 12, 2015, Planning Commission
June 11, 2015, City Council

Your Name (please print)

2847 Shad Creek Ave
919 W. 29th St

Your address(es) affected by this application

Signature

5/14/2015

Date

Daytime Telephone: 512-971-4808

Comments:

☒ I am in favor
☐ I object

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

City of Austin

Planning & Zoning Department

Tori Haase

P. O. Box 1088

Austin, TX 78767-8810

