

# PLANNING COMMISSION

## MINUTES

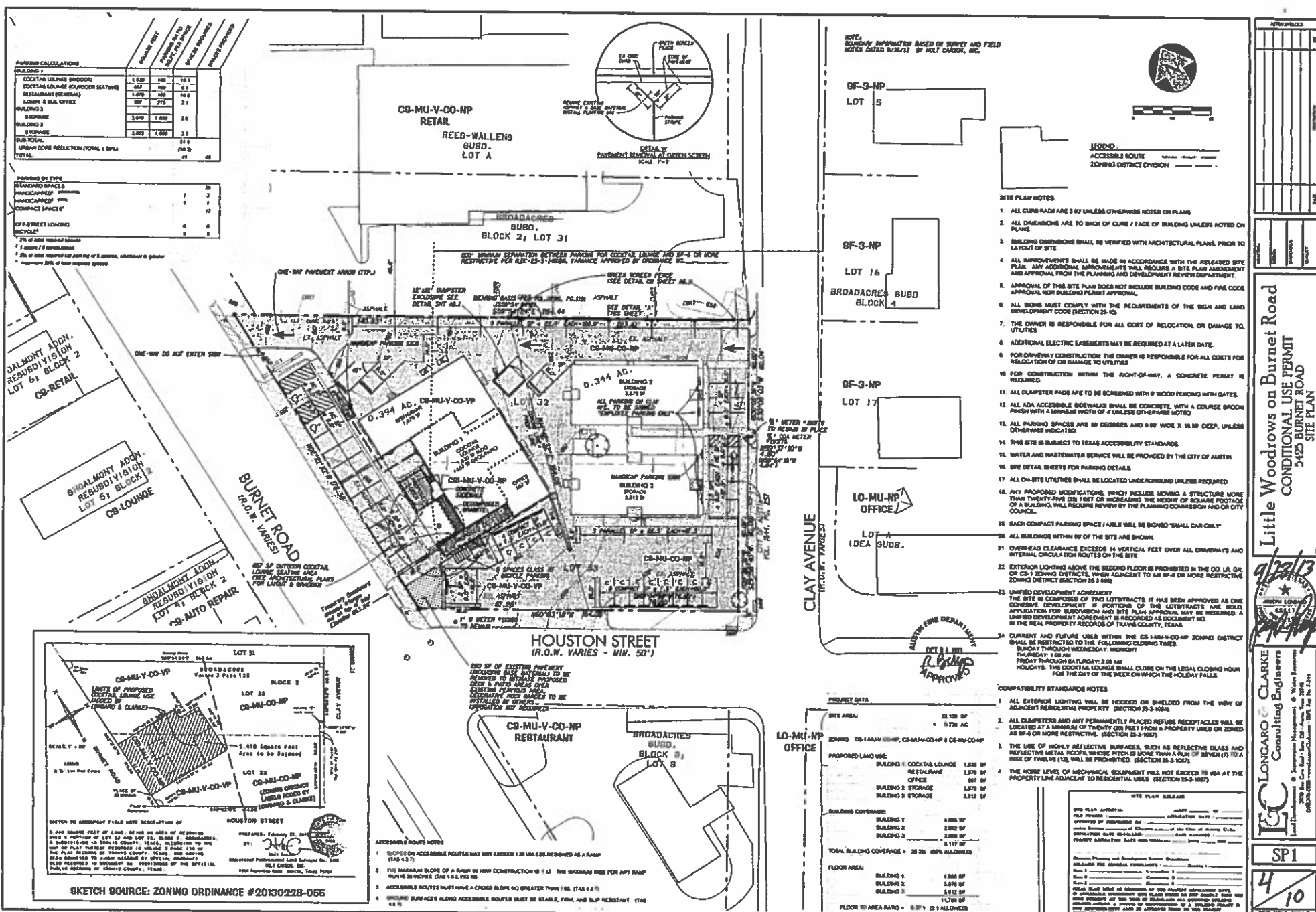
NOVEMBER 12, 2013

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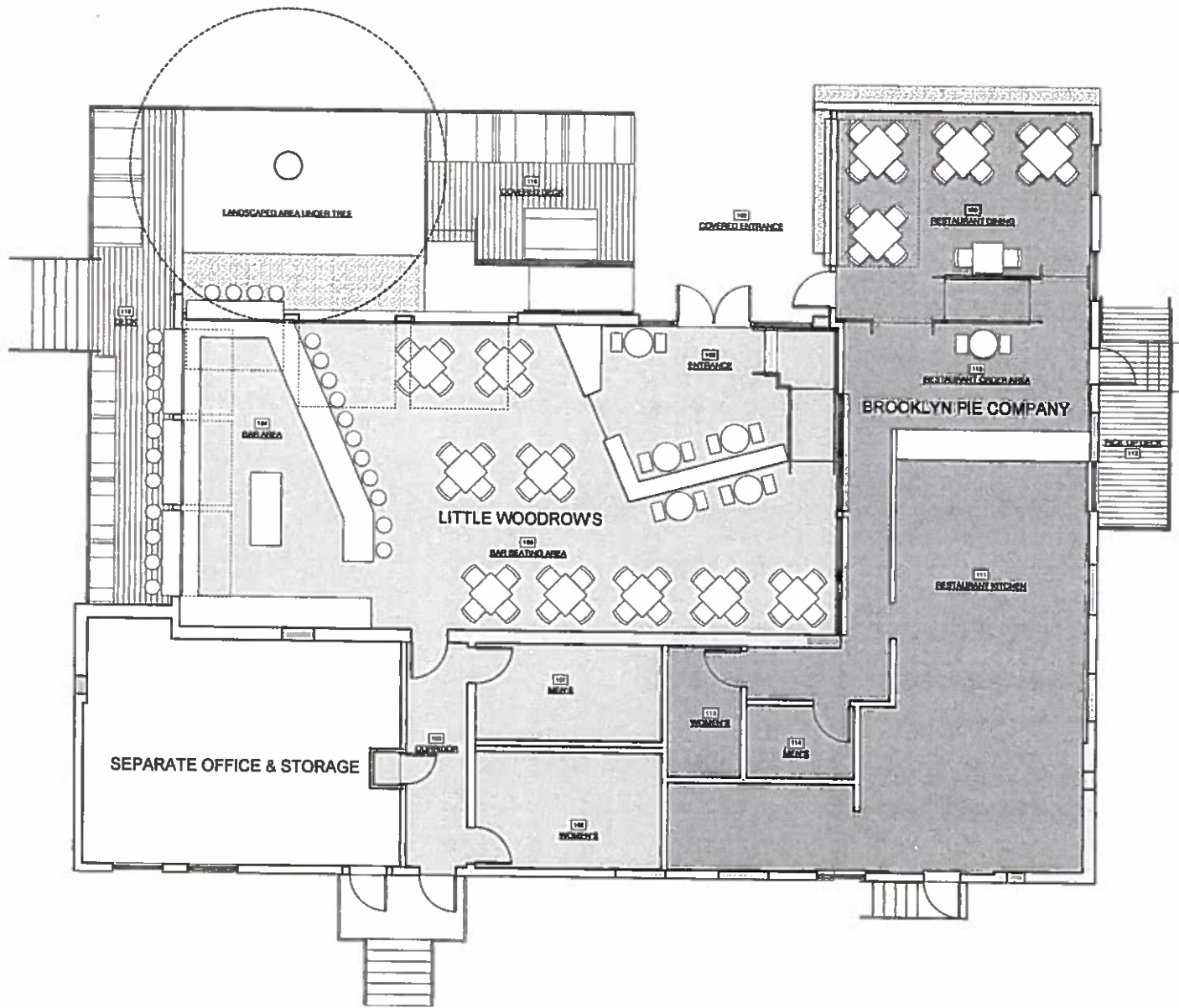








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**DICK CLARK**  
ARCHITECTS  
505 WEST 40 STREET  
AUSTIN, TEXAS 78704  
TEL 512 275 0000  
FAX 512 475 0001

  
D.C.  
6/1/2024

PROJECT

5425 BURNET ROAD  
SHELL BUILDING  
AUSTIN, TX 78748

DESIGNED BY  
D.C. 6/1/2024  
REVISED  
NO 10 0112  
PROJECT

SHEET TITLE  
BUILDING  
PLAN

SCALE  
A1.5

NOTES: SHEET 1 OF 1  
THIS SHEET IS TO BE USED IN CONJUNCTION WITH THE OTHER SHEETS IN THIS SET.  
ALL DIMENSIONS ARE IN FEET AND INCHES.  
ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.





OWNER:  
SWEETBRIAR CONDOMINIUMS, LP  
301 WEST STASSNEY LN.  
AUSTIN, TEXAS 78745  
TEL: 512-770-0000

DESIGNER:  
PERALES ENGINEERING, L.L.C.  
301 WEST STASSNEY LN.  
AUSTIN, TEXAS 78745  
PHONE: (512) 397-1011

ENGINEER:  
HOLY CROSS, INC.  
1904 FORTWORTH ROAD  
AUSTIN, TEXAS 78741  
(512) 442-0900  
(512) 442-0901 FAX  
2-ONE, ADDRESS: 1904 FORTWORTH ROAD

LANDSCAPE ARCHITECT:  
LAWSON/CHONG  
3800 E. CHURCH AVE. #204  
AUSTIN, TX 78756  
P: 512.438.8728  
C: 512.477.5276  
F: 512.438.8724  
WWW.LAWSON-CHONG.COM

ZONING:  
OS-40-CR-07

LAND USE SUMMARY:  
TOTAL ACRES: 2.36 ACRES  
LAND IN CONVEYANCE: 1.31 ACRES

FLOODPLAIN INFORMATION:

THE SITE DOES NOT FALL WITHIN ANY FLOOD PLANNING AS COVERED BY FIRM 17081, 1-14-1000000, OFFICIAL DATE SEPTEMBER 18, 2008. THIS PROJECT IS LOCATED WITHIN THE CHURCH AVENUE FLOODPLAIN ZONE.

WATERSHED:

THE PROJECT IS LOCATED IN THE CHURCH AVENUE WATERSHED WHICH IS CLASSIFIED AS A SUBURBAN WATERSHED. THE PROJECT WILL BE DEVELOPED, CONSTRUCTED AND MAINTAINED IN CONFORMANCE WITH THE RULES AND ORDINANCES OF THE CITY OF AUSTIN WATERSHED DEVELOPMENT ORDINANCE. THE APPLICABLE WATER QUALITY ORDINANCE IS COVERED BY-4 OF THE CITY LAND DEVELOPMENT CODE.

BENCHMARK:

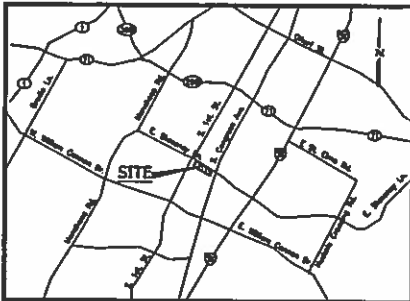
WATER SERVICE INFORMATION:

CITY OF AUSTIN WATER PRELIMINARY ZONE: CENTRAL NORTH  
CITY OF AUSTIN WATER & SEWERAGE DIST: 6-17  
CALCULATED SEWER PRESSURE (PSI): 0.14 PSI  
CALCULATED WATER PRESSURE (PSI): 0.14 PSI  
FIRE FLOW AVAILABLE: 1,000 GPM

NOTES:

1. REVIEW OF THIS APPLICATION DOES NOT CONSTITUTE A GUARANTEE OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE APPLICANT IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND RELIABILITY OF ALL DATA, INFORMATION AND CALCULATIONS. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION.
2. THE PLAN IS COMPLETE, ACCURATE AND IN COMPLIANCE WITH CHAPTER 25-4 SUBCHAPTER A OF THE LAND DEVELOPMENT CODE.
3. BY THE ACT OF SUBMITTING A SET FOR THE PROPOSED CONSTRUCTION, THE APPLICANT WARRANTS THAT THE DESIGN, AND ALL SUBCONTRACTORS AND MATERIAL SUPPLIERS, HAVE BEEN CAREFULLY AND THOROUGHLY REVIEWED AND APPROVED FOR THE PURPOSES OF THIS APPLICATION. THE APPLICANT WARRANTS THAT THE DESIGN, AND ALL SUBCONTRACTORS AND MATERIAL SUPPLIERS, HAVE BEEN CAREFULLY AND THOROUGHLY REVIEWED AND APPROVED FOR THE PURPOSES OF THIS APPLICATION. THE APPLICANT WARRANTS THAT THE DESIGN, AND ALL SUBCONTRACTORS AND MATERIAL SUPPLIERS, HAVE BEEN CAREFULLY AND THOROUGHLY REVIEWED AND APPROVED FOR THE PURPOSES OF THIS APPLICATION.
4. THE LOCATION OF ALL EXISTING UTILITIES SHOWN ON THESE PLANS HAS BEEN BASED UPON RECORD INFORMATION ONLY AND NOT FIELD SURVEY. THE APPLICANT SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. THE APPLICANT SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. THE APPLICANT SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
5. ALL CONSTRUCTION OPERATIONS SHALL BE ACCOMPLISHED IN ACCORDANCE WITH APPLICABLE REGULATIONS OF THE U.S. DEPARTMENT OF AGRICULTURE AND SOIL CONSERVATION SERVICE. (SOIL CONSERVATION SERVICE MAY BE PURCHASED FROM 4000, 511 EAST 5TH STREET, AUSTIN, TEXAS).
6. PURSUANT TO 11-12-031 OF THE CITY CODE, THE CONSTRUCTION SHALL NOT BE CONSIDERED A TEMPORARY USE OF RIGHT-OF-WAY FROM THE DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION.
7. ALL TREES ARE TO BE PROTECTED DURING CONSTRUCTION.
8. CONSTRUCTION SHALL MAINTAIN ALL TREES AND PROVIDE PROTECTION TO EXISTING CONDITIONS FOLLOWING THE COMPLETION OF EACH PHASE OF CONSTRUCTION. CONSTRUCTION SHALL MAINTAIN ALL TREES AND PROVIDE PROTECTION TO EXISTING CONDITIONS FOLLOWING THE COMPLETION OF EACH PHASE OF CONSTRUCTION. CONSTRUCTION SHALL MAINTAIN ALL TREES AND PROVIDE PROTECTION TO EXISTING CONDITIONS FOLLOWING THE COMPLETION OF EACH PHASE OF CONSTRUCTION.
9. THE EXISTING AREA UNDER THIS PROJECT SHALL BE REDEVELOPED AND ALL PERMITS OBTAINED/RENEWED/CONTINUED COMPLETED PRIOR TO THE RELEASE OF OCCUPANCY PERMITS FOR THIS PROJECT. 25-6-100 (C) TEMPORARY EROSION/SEDIMENTATION CONTROLS SHALL BE MAINTAINED AS REQUIRED PRIOR TO THE RELEASE OF THIS PROJECT TO ENSURE THAT EXISTING CONDITIONS REMAIN AND ARE PROTECTED. THE APPLICANT SHALL MAINTAIN THE EXISTING CONDITIONS OF THE PROJECT SITE IN THE EVENT OF A RELEASE OF THIS PROJECT TO ENSURE THAT EXISTING CONDITIONS REMAIN AND ARE PROTECTED.
10. EXISTING LINE IS THE PROPOSED BOUNDARY AND CLASSIFIED AS A SUBURBAN BOUNDARY.
11. THIS SET PLAN IS SUBJECT TO SUBCHAPTER E OF THE LAND DEVELOPMENT CODE (CONSTRUCTION RECORD STANDARDS).
12. A FEE-IN-LIEU OF PARKLAND REDEMPTION HAS BEEN PAID FOR (24) CHALLENGE LOTS. (24-5011-00000)
13. CHURCH AVENUE SHALL BE OPEN TO TRAFFIC ON EITHER SIDE OF THE SITE AND SET TO 60 FPM.
14. ALL (ALTERNATIVE COMPLIANCE) FROM THE REQUIREMENTS OF SUBCHAPTER E OF THE LAND DEVELOPMENT CODE HAS BEEN OBTAINED FOR THIS SET. ALTERNATIVE COMPLIANCE APPLIES FOR THE APPLICABLE REQUIREMENTS FROM SECTION 2.2.4. THE ALTERNATIVE COMPLIANCE REQUIREMENTS OF SECTION 2.2.4 AND THE BUILDING DEPARTMENT REQUIREMENTS OF SECTION 2.2.4. THE ALTERNATIVE COMPLIANCE REQUIREMENTS OF SECTION 2.2.4 AND THE BUILDING DEPARTMENT REQUIREMENTS OF SECTION 2.2.4. THE ALTERNATIVE COMPLIANCE REQUIREMENTS OF SECTION 2.2.4 AND THE BUILDING DEPARTMENT REQUIREMENTS OF SECTION 2.2.4.
15. APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN DOES NOT CONSTITUTE A GUARANTEE OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE APPLICANT IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND RELIABILITY OF ALL DATA, INFORMATION AND CALCULATIONS. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION.
16. THE RESTRICTIONS THAT APPLY SPECIFICALLY TO THIS PROPERTY ARE IN ORDINANCE NO. 20080010-2001

# CONSOLIDATED ADMINISTRATIVE SITE PLAN FOR SWEETBRIAR CONDOMINIUMS 301 WEST STASSNEY LN. AUSTIN, TRAVIS COUNTY, 78745



VICINITY MAP  
R.L.S.  
C.O.A. AND M.L. 6-17  
(MAPED PAGE 944)

DATE: FEBRUARY 15, 2013

RELATED CASE NUMBERS:

101 US NUMBER: 041000000  
BUREAU: 01-00-011111 & 01-00-0111  
2000000000 01-00-0111  
SET PLAN: 01-00-0111  
01-00-0111, & 01-00-0111  
01-00-0111-0111

LEGAL DESCRIPTION:

LOT 1 BLK 1 301 WEST STASSNEY OFFICE PARK AS RECORDED IN VOLUME 100 PAGES 20-20 IN THE COUNTY RECORDS OF TRAVIS COUNTY.

REVISIONS / CORRECTIONS

Number	Description	Author (R/S)	Check (R/S)	Draw (R/S)	Scale	Sheet No.	City of Austin	Date
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I CERTIFY THAT THESE ENGINEERING DOCUMENTS ARE COMPLETE, ACCURATE AND ADEQUATE FOR THE INTENDED PURPOSES, INCLUDING CONSTRUCTION, BUT ARE NOT AUTHORIZED FOR CONSTRUCTION PRIOR TO PERMITS CITY APPROVAL.

SHEET INDEX

- 1 COVER SHEET
- 2 FINAL PLAN
- 3 GENERAL NOTES
- 4 GENERAL NOTES
- 5 GENERAL NOTES
- 6 EXISTING CONDITIONS/DEMOLITION PLAN
- 7 EXISTING DRAINAGE AREA MAP
- 8 OFFSITE DRAINAGE AREA MAP
- 9 PROPOSED DRAINAGE AREA MAP
- 10 WATER QUALITY PLAN
- 11 WATER QUALITY PLAN
- 12 WATER QUALITY NOTES AND DETAILS
- 13 WATER QUALITY NOTES AND DETAILS
- 14 WATER QUALITY NOTES AND DETAILS
- 15 EROSION AND SEDIMENTATION CONTROL PLAN
- 16 EROSION AND SEDIMENTATION CONTROL NOTES AND DETAILS
- 17 SITE PLAN
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- 20 GRADING AND DRAINAGE PLAN
- 21 STORM DRAINAGE PLAN & PROFILE
- 22 GRADING AND DRAINAGE NOTES AND DETAILS
- 23 OVERALL WATER & WASTEWATER PLAN
- 24 WATER PLAN & PROFILE
- 25 WATER PLAN & PROFILE
- 26 WASTEWATER PLAN & PROFILE
- 27 WASTEWATER PLAN & PROFILE
- 28 WATER DETAILS
- 29 WASTEWATER DETAILS
- 30 TRAFFIC CONTROL PLAN
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- 32 TRAFFIC CONTROL DETAILS
- 33 LANDSCAPE PLAN
- 34 LANDSCAPE PLAN
- 35 RAIN GARDEN NOTES & CALCULATIONS
- 36 RAIN GARDEN NOTES & CALCULATIONS
- 37 RAIN GARDEN NOTES & CALCULATIONS
- 38 DIMENSIONED FLOOR PLANS & BUILDING ELEVATIONS
- 39 DIMENSIONED FLOOR PLANS & BUILDING ELEVATIONS

SUBMITTED BY:

PERALES ENGINEERING, L.L.C.  
301 WEST STASSNEY LN.  
AUSTIN, TEXAS 78745  
(512) 397-1011

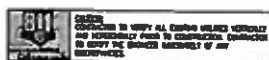
APPROVED BY:

DATE:

DATE:

DATE:

DATE:



USE THIS SPACE FOR ANY ADDITIONAL NOTES OR COMMENTS. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION. THE ENGINEER HAS REVIEWED THE DATA, INFORMATION AND CALCULATIONS FOR THE PURPOSES OF THIS APPLICATION.

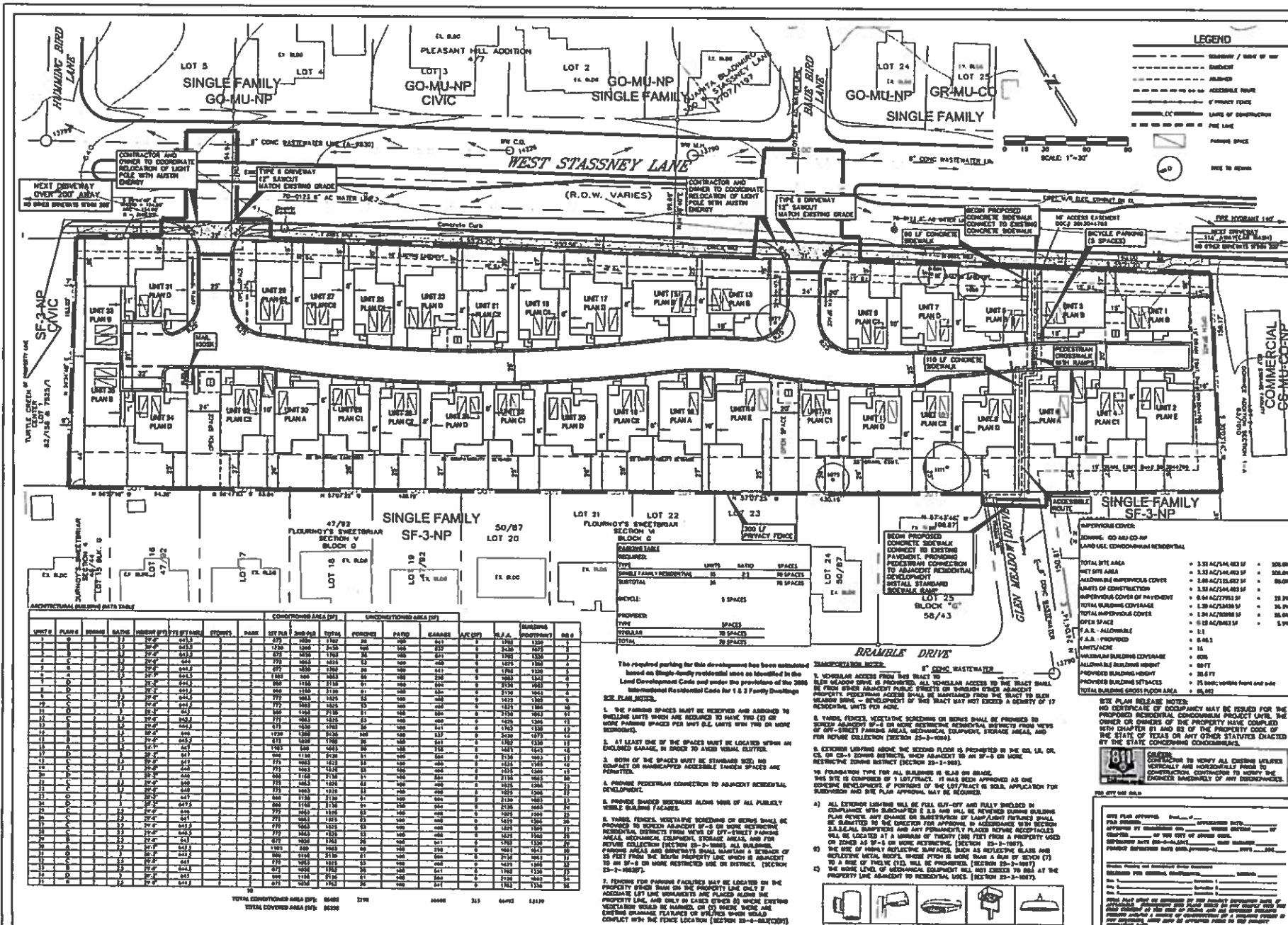
PERALES ENGINEERING, L.L.C.  
Land Development and  
Environmental Consulting Services  
T.S.P.E. # F-12013

SWEETBRIAR CONDOMINIUMS  
301 WEST STASSNEY LN., AUSTIN TEXAS  
COVER SHEET

SHEET  
1  
OF  
39

SP-2013-0054C



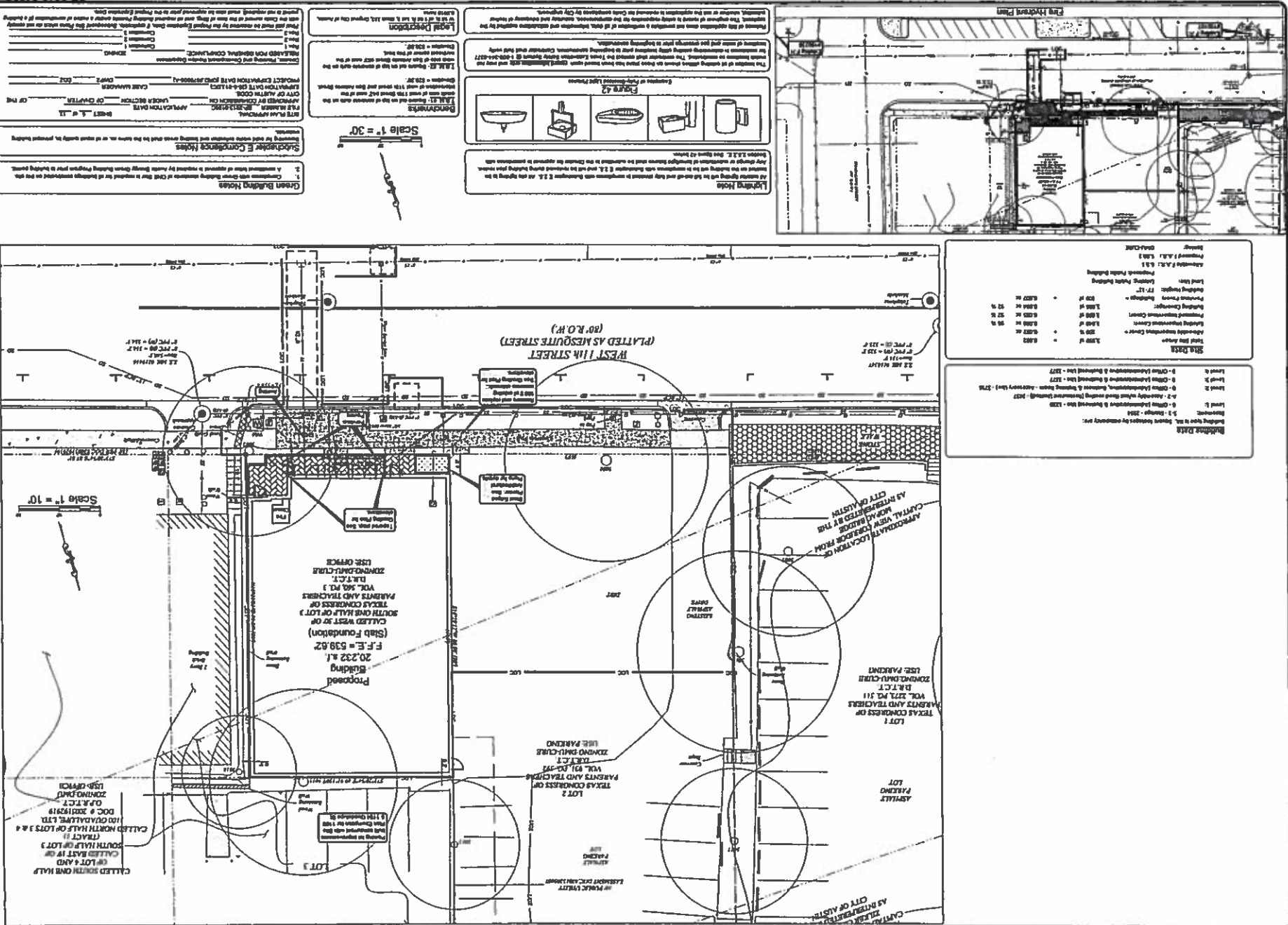
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DATE: 4/24/2013	<p><b>SWEETBRIAR CONDOMINIUMS</b>  <b>301 WEST STASSEY LN, AUSTIN TEXAS</b></p> <p><b>SITE DIMENSION PLAN</b></p>		<p><b>PERALES ENGINEERING, L.L.C.</b>          Land Development and          Environmental Consulting Services          T.S.P.E. # F-12013</p>	DATE	BY	CHKD	DATE
Drawn by							
Illustrated by							
Checked by							
PROJECT FILE NUMBER							























## MEMORANDUM

TO: Christine Barton-Holmes, Case Manager  
Members of the Planning Commission

FROM: Shandrian Jarvis, Transportation Review

DATE: August 7, 2013

SUBJECT: Variance Request for 408 West 11<sup>th</sup> Street – SP-2013-0189CT

Recommendation: **Approval**

The applicant for the above referenced subdivision is requesting a variance to Title 25 of the Land Development Code (LDC) Section 25-6-592 (B) (1) and (B) (2). Per LDC 25-6-592, sites zoned Central Business District (CBD) or Downtown Mixed Use (DMU) are required to provide a trash receptacle location, including space for a vehicle to empty the receptacle (Subsection (B)(1)); and an off-street loading facility (Subsection (B)(2)). The Land Use Commission may waive the requirement if it determines that it does not create a hazard to pedestrians or vehicles.

The proposed tract, located at the northwest corner of Guadalupe Street and 11<sup>th</sup> Street, is a single lot situated on 0.0918 acres. A site plan for a general office building at this location is currently under review by City of Austin staff.

Staff determined that there is not sufficient space on the site to comply with the requirements of Section 25-6-592 (B) (1) and (B) (2).

**Staff recommends approval of the variance for the following reasons:**

- The building is proposed to be small office use with a total of 20,232 square feet.
- The site does not have access to an alley.
- No off-street parking area is provided.
- The applicant agrees to work with City of Austin staff to provide alternatives to address trash collection and loading/unloading needs.

If you have any further questions or require additional information, please contact me at 974-2628.

Shandrian Jarvis  
Transportation Review Staff







NOV 01 2013

# Lawrence Street Right-of-Way Variance Request

CITY OF AUSTIN

ILL-PURPOSE JURISDICTION

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 the Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



PLANNING AND DEVELOPMENT REVIEW DEPARTMENT



C29





West Downtown Alliance  
1800 Nucces Street  
Austin, TX 78701

Mr. Dave Anderson, Chair  
Planning Commission Members  
City of Austin Planning Commission

November 12, 2013

Re: Proposed Judges Hill Historic District

Dear Planning Commission Members:

The West Downtown Alliance is a City of Austin registered Neighborhood Association representing the interests of commercial property owners in the area bounded by MLK Jr. Blvd to the north, West 5<sup>th</sup> Street to the south, West Avenue to the west and Lavaca Street to the east.

The West Downtown Alliance respects the right of those Judges Hill property owners who wish to impose additional restrictions and conditions on their property by establishing a Local Historic District within the *residentially zoned* confines of their neighborhood provided that is the desire of the majority of the private property owners in the proposed district. However, we also support the rights of those property owners within the proposed district who do not wish to impose the restrictions of such a rezoning of their property and who object to being included in the proposed Local Historic District against their will.

We question the legal validity and appropriateness of the applicant's inclusion of City of Austin publicly owned vacant land (with no contributing historic value) in the boundaries of the proposed Local Historic District. And we ask under what legal authority the public and its land can be included as a consenting land owner in the applicant's calculations to establish the required "property owners of a least 51% of land area inside the boundaries" consenting majority required to initiate the rezoning as a Local Historic District. This presumption of the public will without its approval seems grossly inappropriate if not illegal. If the proposed district can't qualify without the public land's inclusion, then the applicant and its supporters are running roughshod over the will of the legitimate private majority.

As currently written, the Judges Hill Historic District application makes reference to St. Martin's Church's desire to develop its commercially zoned holdings in the future and the application specifically states that the applicant does not want to present barriers to more intensive development that complies with City codes.

Why St. Martin's was specifically called out in the application is a bit puzzling to the West Downtown Alliance as all property owners would reasonably expect the applicant's attitude be extended to all



West Downtown Alliance  
1800 Nueces Street  
Austin, TX 78701

commercially zoned property adjacent to the proposed Local Historic District. As a matter of record, we expect nothing less.

Of greater concern is the reference to ‘compliance with City codes’. As it stands now, the current Land Development Code and the Downtown Austin Plan provide certain compatibility and design standards for commercial development adjacent to historic districts and structures. Under current City code, we can evaluate the economic impact and redevelopment opportunities that the establishment of a Local Historic District in Judge’s Hill would have on our commercial property. However, as you are aware, the City’s Land Development Code is currently being rewritten and there is no guarantee that the new code will provide commercial property owners adjacent to historic districts the same rights we are now entitled to. With the likely change to a Form-Based code, it is more than likely that the form imposed on adjacent and proximate commercial properties will be adversely influenced by an adjacent Local Historic District. If a more restrictive redevelopment form for adjacent areas is approved, the negative economic impact on commercial properties surrounding the Judges Hill Historic District could be dramatic. Until such time as the new LDC is in place and the full impact on the economics and entitlements of the adjacent commercial business district can be evaluated, it is wholly unfair to the hundreds of nearby commercial properties for such a district to be approved now.

The purpose of a Historic District is to suspend a place in time to maintain its original look and feel in perpetuity. We respect the value that appropriate and justified historic preservation brings to a community and its sense of identity. Philosophically, the problem with historic designation is that they limit adaptability of property to adjust to changing market conditions not only within the district itself, but in adjacent contributing areas that are affected by compatibility standards. The imposition of historic district locks in certain land uses in perpetuity and places constraints on redevelopment answers to the demands of changing demographics – both residential and commercial. At a time when the City of Austin is addressing growth with greater density in the urban core, it seems counter-productive to implement a historic district that could impose a development freeze on this predominantly commercial northwest corner of the Central Business District.

In the same way that the West Downtown Alliance respects the Judge’s Hill property owners’ right to self-determination, our members expect the Judges Hill property owners to respect the long-established commercial nature of our business district and our desire and right to enjoy and protect our commercial property in this CBD submarket.

Just as Judges Hill doesn’t want nearby commercial development to adversely affect the fabric of their residential neighborhood, members of the West Downtown Alliance don’t want the imposition of a Local Historic District in Judges Hill to dilute, minimize or adversely alter their commercial property rights.



West Downtown Alliance  
1800 Nueces Street  
Austin, TX 78701

If the Local Historic District is to be created, a legitimate majority of private property owners or private property willing to impose the restrictions and conditions on their property should be the basis of the applicant's authority to pursue the zoning change and determine the district's boundaries.

On behalf of the West Downtown Alliance we respectfully request that, should the district be desired by such a legitimate majority, this commission and the City Council dictate that the boundaries of the Local Historic District be limited to residentially zoned property and ensure that in the creation of the district no restrictions or conditions, other than those that exist today, be imposed on all commercially zoned properties outside the boundaries of the district. At the very least, we expect the City to protect the property rights, the commercial viability and economic vitality of the commercial property owners and businesses in the adjacent neighborhoods and leave us unharmed by this proposed action.

Respectfully,

Susan H. Harris  
Vice President

cc: Scotty Sayers, President



Meredith, Maureen

PC Nov. 12, 2013  
Items # 7 & 8

To: Kevin McKinney  
Subject: RE: Perry estate

Commodore Perry Estate  
NPA-2013-0019.01  
C14-2013-0040

-----Original Message-----  
From: Kevin McKinney  
Sent: Sunday, November 10, 2013 10:35 AM  
To: Meredith, Maureen  
Subject: Perry estate

I oppose the commercial zoning proposed for the Perry Estate in case number C14-2013-0040 and the associated neighborhood plan amendment (NPA-2013-0019.01). Hotel, restaurant, and indoor and outdoor entertainment are inappropriate uses for this property.

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From: Meredith Brown  
Sent: Monday, November 11, 2013 1:28 PM  
To: Patterson, Clark; Meredith, Maureen  
Subject: Perry Estate

Good Afternoon,

I own the home on 503 E 41st St.

I oppose the commercial zoning proposed for the Perry Estate in case number C14-2013-0040 and the associated neighborhood plan amendment (NPA-2013-0019.01). Hotel, restaurant, and indoor and outdoor entertainment are inappropriate uses for this property.

Regards,  
Meredith Brown

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From: Kathy Macchi  
Sent: Tuesday, November 12, 2013 8:39 AM  
To: Patterson, Clark; Meredith, Maureen  
Subject: Zoning case: C14-2013-0040, Neighborhood plan amendment: 2013-018648 NP

Mr. Patterson and Ms. Meredith,

I understand the rezoning request for the Perry Estate is this evening. Unfortunately, I cannot be there in person to speak to you about my opposition to the project. However, just because I'm not there to speak to you face-to-face does not mean I am not adamant about my opposition.

I strongly oppose the commercial zoning proposed for the Perry Estate in case number C14-2013-0040 and the associated neighborhood plan amendment (NPA-2013-0019.01). Hotel, restaurant, and indoor and outdoor entertainment are inappropriate uses for this property. The neighborhood association overwhelming rejected the proposal for the commercial zoning. Why would the commission go against what over 80% of the neighborhood has repeatedly said is not an appropriate use. What would be the reason?

Also, it disturbs me to hear that the Planning Commission has made up its mind already before hearing residents speak to them tonight. This is not a neighborhood against all changes and development. Last meeting we voted for some major changes for a local area business. Why? He presented what he wanted to do and why. We asked for a few modifications. He asked for some. Both sides were pleased with the results.

Mr. Lyda, however, has consistently been vague about what he wants to do with property. This demonstrates to me that he just wants a zoning change and then will do whatever he wants. If he truly has the Perry Estate as his utmost concern (as he states), he would have solid plans to show how he is going to build a business there so he maintain the Estate.

I own a business and have for years. There is NO need for a zoning change until Mr. Lyda presents a firm plan for what he intends to build. Until then it can wait. Why does the Planning Commission feel the need to grant a zoning change without any idea of what Mr. Lyda plans to do. No bank would make a loan without more info. When he has a final plan, let's all (Planning Commission and the neighborhood) review it then and decide. This would be a sensible approach.

Also, Mr. Lyda knew the zoning when he bought the property. This is not someone who bought it with one intention and then was surprised. He bought knowing the restrictions and has refused to show any final plans. Fluid and undecided plans is all that has shown. I have a million ideas in my head, too, but I don't expect someone to change rules to accommodate them. Wait until he has finalized plans – then let's see what makes sense.

Please. I live here. Do not give us this headache. Do not override all our votes. It hurts all of us.

Kathy Macchi  
1003 E. 44th Street  
Austin, TX 78751

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From: Tim Arndt  
Sent: Tuesday, November 12, 2013 9:04 AM  
To: Patterson, Clark; Meredith, Maureen  
Subject: Zoning case: C14-2013-0040 and Neighborhood plan amendment: 2013-018648 NP

Dear Ms. Maureen Meredith and Mr. Clark Patterson, AICP

I live two blocks from the Perry Estate and do not wish to have live music and increased traffic that will result from the irreversible zoning change you have recommended as city staff for this property. The purchaser of the property was well aware of the zoning when purchased and those property uses should remain in force. It is a false choice that the only way to preserve the estate is a CHANGE to commercial zoning. I oppose the commercial zoning proposed for the Perry Estate in case number C14-2013-0040 and the associated neighborhood plan amendment (NPA-2013-0019.01). Hotel, restaurant, and indoor and outdoor entertainment behind a walled compound are inappropriate uses for this property and adds nothing positive to the neighborhood.



Please retract your staff recommendation for this change that will be irreversible. Help me to preserve the quality of life for me, my family, and my neighbors in Hancock. This is as monumental a decision as the City of Austin selling half of the Hancock Golf Course in 1959. Please think about what your decision will mean to my central Austin neighborhood in 50 years.

Best,  
Tim

Tim Arndt  
3915 Becker Ave  
Austin, TX 78751  
512-983-6769

\*\*\*\*\*

From: Faye Rozmaryn  
Sent: Tuesday, November 12, 2013 10:16 AM  
To: Patterson, Clark; Meredith, Maureen  
Subject: Perry Estate

I oppose the commercial zoning proposed for the Perry Estate in case number C14-2013-0040 and the associated neighborhood plan amendment (NPA-2013-0019.01). Hotel, restaurant, and indoor and outdoor entertainment are inappropriate uses for this property. Respectfully yours,

Faye Rozmaryn  
1003 East 44th Street  
Austin, Tx. 78751

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From: Jim Kirschner  
Sent: Tuesday, November 12, 2013 3:10 PM  
To: Patterson, Clark; Meredith, Maureen  
Subject: Perry Estate Zoning

Although I will not be able to attend the meeting tonight, I want to go on record that we oppose the commercial zoning proposed for the Perry Estate in case number C14-2013-0040 and the associated neighborhood plan amendment (NPA-2013-0019.01). Hotel, restaurant and indoor and outdoor entertainment are inappropriate uses for this property. Thank you Jim/Ann Kirschner  
514 East 39th  
Austin, Texas 78751

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 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: [www.austintexas.gov/planning/](http://www.austintexas.gov/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  
512-974-2695

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-2013-0019.01

Contact: Maureen Meredith

Public Hearing: Nov 21, 2013, City Council

☐ I am in favor

☒ Subject

Your Name (please print)

BRUCE FARR CHURCH

709 Park Blvd

78751

Your address(es) affected by this application

Comments:

Signature

*[Signature]*

Date

11/7/13

#6

**ARMBRUST & BROWN, PLLC**  
ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300  
FACSIMILE 512-435-2360

RICHARD SUTTLE  
(512)435-2310  
RSUTTLE@ABAUUSTTX.COM

November 12, 2013

Dave Anderson, Chairman  
City of Austin  
Planning Commission  
301 W. 2<sup>nd</sup> Street  
Austin, Texas 78701

Re: C12M-2013-0001 - Cascades MUD No. 1

Dear Mr. Chairman:

On behalf of the applicant in the case referenced above, I hereby request a postponement to your December 10, 2013 meeting. The purpose of the request is to further evaluate issues related to water quality on Onion Creek and wastewater easement issues. This is the applicant's first request for postponement.

Your attention to this matter is greatly appreciated, if you have any questions or comments, please do not hesitate to contact me.

*Respectfully submitted,*

  
Richard T. Suttle Jr.

cc: Danette Chimenti  
Richard Hatfield  
Alfonso Hernandez  
Jeff Jack  
Jean Stevens  
Myron Smith  
Brian Roark  
Stephen Oliver  
James Nortey  
Howard Lazarus  
Virginia Collier  
Bart Jennings





CB

# MEMORANDUM

**TO:** Planning Commissioners

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

**DATE:** November 12, 2013

**SUBJECT:** Additional Correspondence – Apostolic 1.5  
C14-2013-0081

Commissioners:

Attached please find additional correspondence from a neighborhood stakeholder regarding the proposed rezoning.

  
Lee Heckman  
Planning and Development Review Department



From: Lara Nixon  
Sent: Monday, November 11, 2013 10:56 AM  
To: Heckman, Lee  
Subject: Case: C14-2013-0081 / Apostolic 1.5

Dear Mr. Heckman,

It has been brought to my attention through our neighborhood association that this matter is pending. As a side note I would like to inform you that there was NO OTHER NOTICE given to me, nor many of my neighbors about this issue. This, in fact, was the first time I heard there was even a request made by the church at the end of our street to rezone. One of my neighbors stopped me in the street to inform me, luckily.

As I am sure you are aware, the proposed zoning change would do several things:

1. It would cause an amazing increase in traffic down our street. I believe the projections are somewhere in the 107% range. This is unacceptable to me as I have selected my home in a neighborhood that promotes health and community specifically due to the "walking friendly" streets with shade and little traffic. An over 100% increase in traffic anywhere in our neighborhood would be devastating to that practice and in fact be dangerous to the animals we walk, the elderly neighbors who exercise after the day becomes cooler (dusk) and the children that ride their bikes/skateboard on our streets.

2. Our neighborhood just completed a very lengthy construction project that was environmentally intense whereby all of the drainage issues we experienced were rectified by the city. Sherwood (and many other streets in our sub-division) had new storm drains put in and much of our curb line was effected by that. Although it took nearly two years for this to be completed in full, we are grateful to the city for allocating the funds and keeping our water shed functioning and our flooding problems at bay. To even conceive of another street project (Here I am referring to the necessity to widen Sherwood should the proposed rezoning be supported) along our residential street is more than many of us can bear. Not to mention the loss of variance space that directly impacts our property. We also have concerns about how changing our street width (thus decreasing vegetation) would impact the drainage issues we just resolved.

3. Approval of a change in zoning will leave us unprotected from future endeavors should the Apostolic Church ever decide to sell their property. These church members have always been good neighbors to us and I would have no reason to believe that their expansion would change that, however, the undeniable reality of a zoning change is that we might not always have these neighbors. A GR-NP zoning is one step closer to a commercial zoning shift. This is a trend we are very concerned about.

4. This proposed shift in zoning is in direct contradiction to our neighborhood plan. We have tried for years to support and sustain Blunn Creek and we are always in a very precarious balance to do so. I believe that this expansion would tip the scales for what is already a very fragile preserve and we might lose it altogether. Austin in general and our neighborhood in particular cannot afford to lose any more green space to expansion.

Thank you for your attention to this and the time you take for our consideration,

Lara Nixon  
2608 Sherwood Lane  
Austin, TX 78704





CR

# MEMORANDUM

**TO:** Planning Commissioners

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

**DATE:** November 12, 2013

**SUBJECT:** Amended Rezoning Request – Holy Cross Lutheran Church  
C14-2013-0122

Dear Commissioners:

The applicant has amended the rezoning application from SF-2 (Single-Family Residence Standard Lot) to GR (community commercial) to an amended request of SF-2 to LO (limited office). Please see attached (Exhibit R).

This amended request follows weekend meetings between the Holy Cross Lutheran Church, Mariposa Montessori School, and representatives of the Barton View Neighborhood Association. The Neighborhood Association supports the request for LO, and requests that this zoning be approved on Consent by the Planning Commission. Please see attached (Exhibit S).

Staff does not oppose granting LO instead of the GR as originally recommended.

Per the LDC, 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.

Lee Heckman  
Planning and Development Review Department

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

From: Kari Blachly  
Sent: Tuesday, November 12, 2013 12:27 PM  
To: Heckman, Lee  
Cc: Horacio Gasquet; Ingrid Morton; Jean Wilkins  
Subject: C14-2013-0122 / Holy Cross Lutheran Church

Mr. Heckman:

After meeting over the weekend with the members of the Barton View Neighborhood Association we have decided to amend our rezoning request from GR (Community Commercial) to LO (Limited Office).

Please allow this email to represent my formal request to ament our rezoning application from GR to LO.

Respectfully,

Kari Blachly  
Authorized Agent for Holy Cross Lutheran Church

**From:** Horacio Gasquet  
**Sent:** Tuesday, November 12, 2013 10:47 AM  
**To:** Heckman, Lee  
**Cc:** Kari Blachly  
**Subject:** Re: C14-2013-0122 / Holy Cross Lutheran Church

Yes,

I meant to say limited office, not local office.

Horacio

**From:** Horacio Gasquet  
**Sent:** Tuesday, November 12, 2013 12:43 AM  
**To:** Heckman, Lee  
**Cc:** Ingrid Morton; Kari Blachly; Steve Leitch  
**Subject:** C14-2013-0122 / Holy Cross Lutheran Church  
**Importance:** High

Dear Lee,

The Barton View Neighborhood Association invited several representatives from the Holy Cross Lutheran Church and Mariposa Montessori school to speak to us at an association meeting on Friday Nov 8th. The applicant Kari Blachly presented their case, and was supported by three additional members from the church congregation.

Whitney Falcon, the owner of Mariposa Montessori, also attended the meeting and explained the urgency that we all find consensus quickly due to the impact this process is having on the students that were intended to occupy that space back in September.

Additionally, she explained the significant financial hardship to the school, which is paying rent to Holy Cross Lutheran Church without the benefit of that space. It is feared that the school will lose many students if the over-crowding situation at their current location is not resolved in time for classes to begin in January right after the holiday break.

At that association meeting, both parties agreed to have a smaller working group gather on Sunday Nov10th, with Kari Blachly and Steve Leitch representing the Holy Cross Lutheran Church. At this meeting, we talked through the neighborhood concerns with staff's recommendation of GR zoning classification for this property, when a lower zoning classification would be sufficient for the opening of the school. The neighborhood is concerned about the long term implications a GR zoning would have on land use at that location if the Holy Cross Lutheran Church decided to sell the property to developers, and felt that a lower zoning classification would be appropriate for preserving the character of the neighborhood and the local environment.

In our small Sunday working group, we discussed various zoning and conditional overlay options to address the neighborhood concerns. Both parties came to the conclusion, that we could support moving forward quickly with the up-zoning request on Tuesday Nov12th with a Local Office zoning classification instead of GR. It is our understanding from your email dated Nov 8th, 2013 addressed to me, that this zoning classification permits the private elementary educational use, and that this designation would also be appropriate for the site based on its location and the adjacent properties.

Since this is an urgent matter for the children and parents attending Mariposa Montessori School, we are asking for staff support of a Local Office recommendation to Planning Commission on Nov 12th, and are further asking staff to support placing this item on the consent agenda to speed passage for the benefit of the students. We hope you can be accommodating to this last minute request for a change to the application and staff's recommendation given the consensus that exists for how to move forward.

Kari Blachly will be following up with you Tuesday morning to address any concerns you may have with this late stage change to the application. I can be reached by cell phone at 512-809-8626 if you need to contact me directly by phone on Tuesday during the day.

We look forward to meeting you Tuesday night at the Planning Commission hearing.

*Horacio Gasquet*

DRAFT AIRPORT CORRIDOR PLAN

A) PROPERTY IS DESIGNATED IN THE NEIGHBORHOOD TRANSITION ZONE.

B) NEIGHBORHOOD TRANSITION ZONE IS PROJECTED TO HAVE  
PERMITTED COMMERCIAL USES OF -

- 1) ADMINISTRATIVE OFFICES,
- 2) ART GALLERY,
- 3) ART WORKSHOP,
- 4) PROFESSIONAL OFFICES.

C) SETBACKS ARE BY STREET FRONTAGE PRIORITY -  
BENNETT IS CLASSIFIED AS GENERAL FRONTAGE WITH –

- 1) 5' MINIMUM SETBACK
- 2) NO MAXIMUM SETBACK

PROPOSED REZONING AND PLAN AMENDMENT IS DIRECTLY  
ALIGNED WITH THE DRAFT AIRPORT CORRIDOR PLAN.

WHAT CONDITIONS IN THE OVERLAY?

A) LIMITING COMMERCIAL USES TO “LO” DISTRICT –

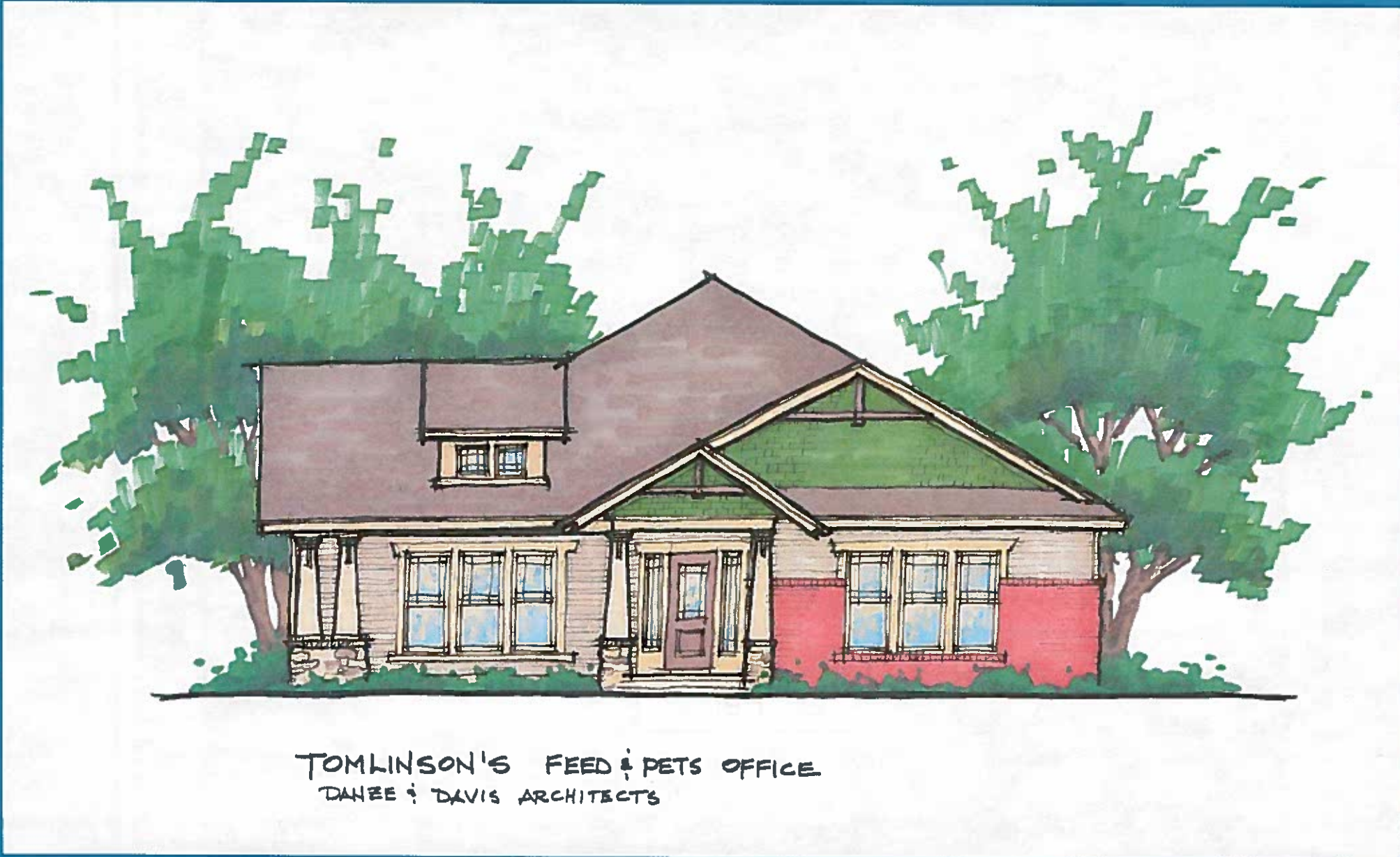
- 1) ADMINISTRATIVE & BUSINESS OFFICES
- 2) ART GALLERY
- 3) ART WORKSHOP
- 4) COMMUNICATIONS SERVICES
- 5) MEDICAL OFFICES
- 6) PROFESSIONAL OFFICES
- 7) SOFTWARE DEVELOPMENT

B) “LO” SITE DEVELOPMENT REGULATIONS

WHY “LO” USES?

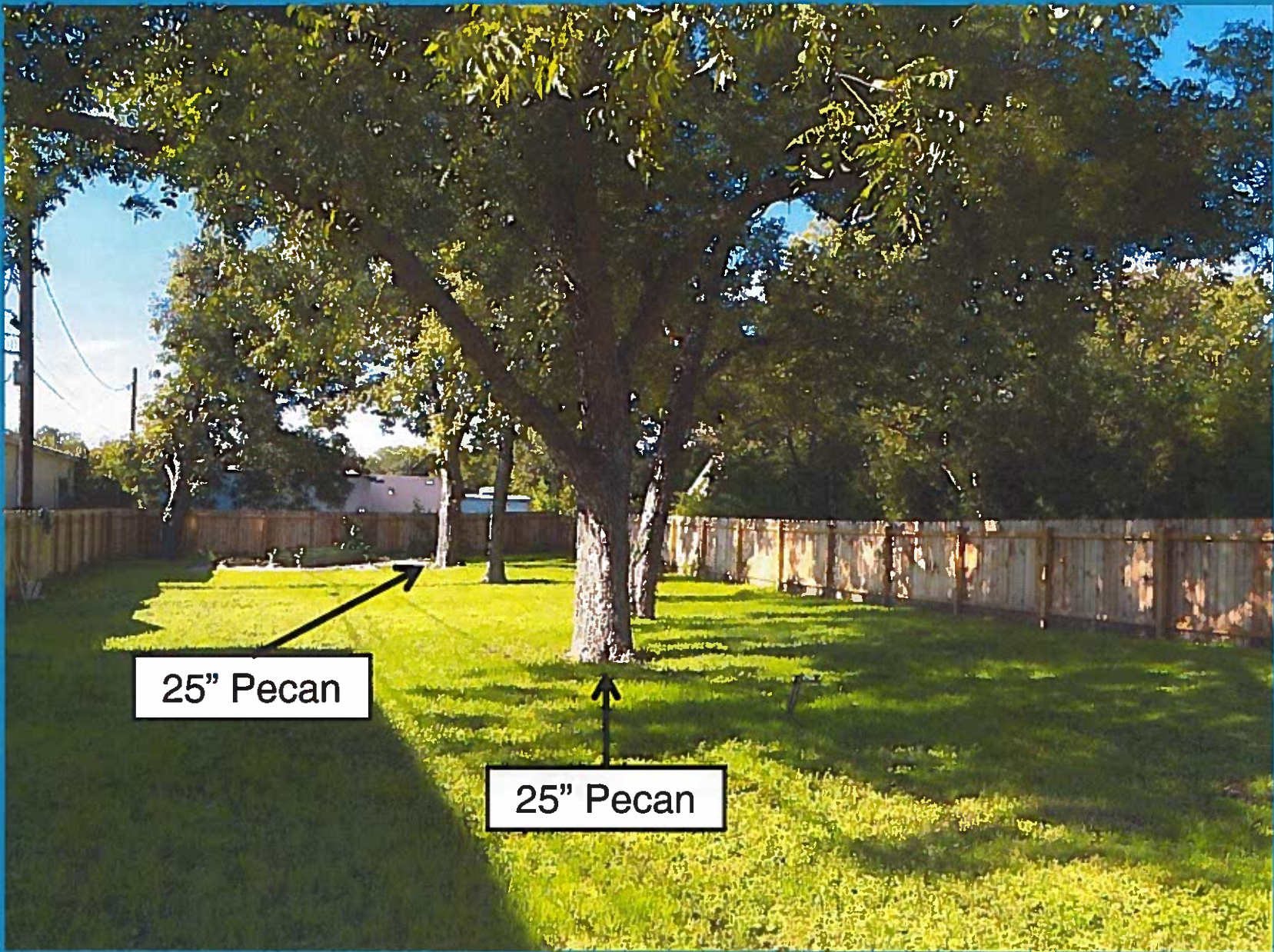
TOMLINSON'S IS SEEKING AN OFFICE BUILDING FOR THEIR EXPANDING OPERATIONS.



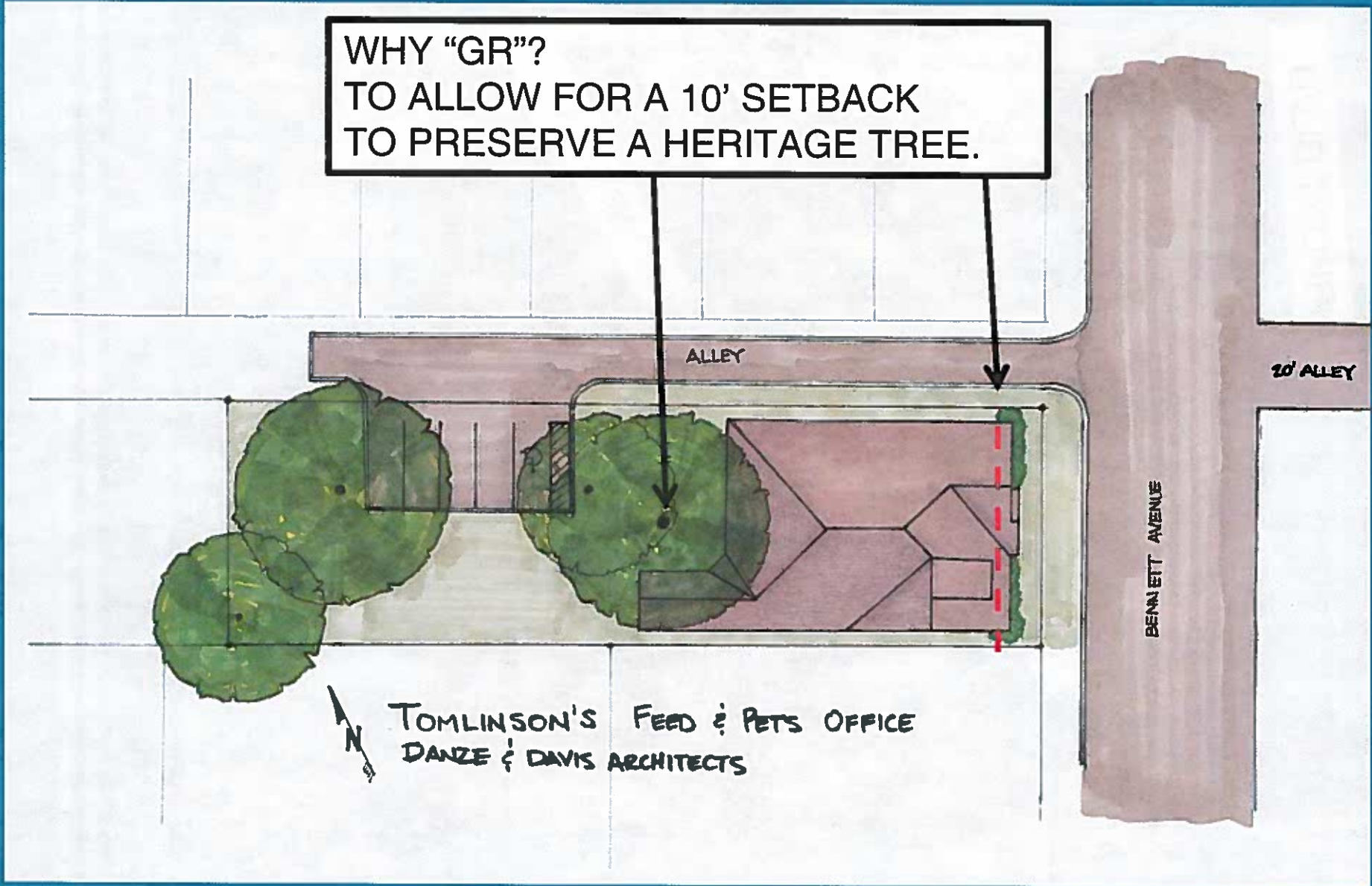


TOMLINSON'S FEED & PETS OFFICE  
DANEE & DAVIS ARCHITECTS











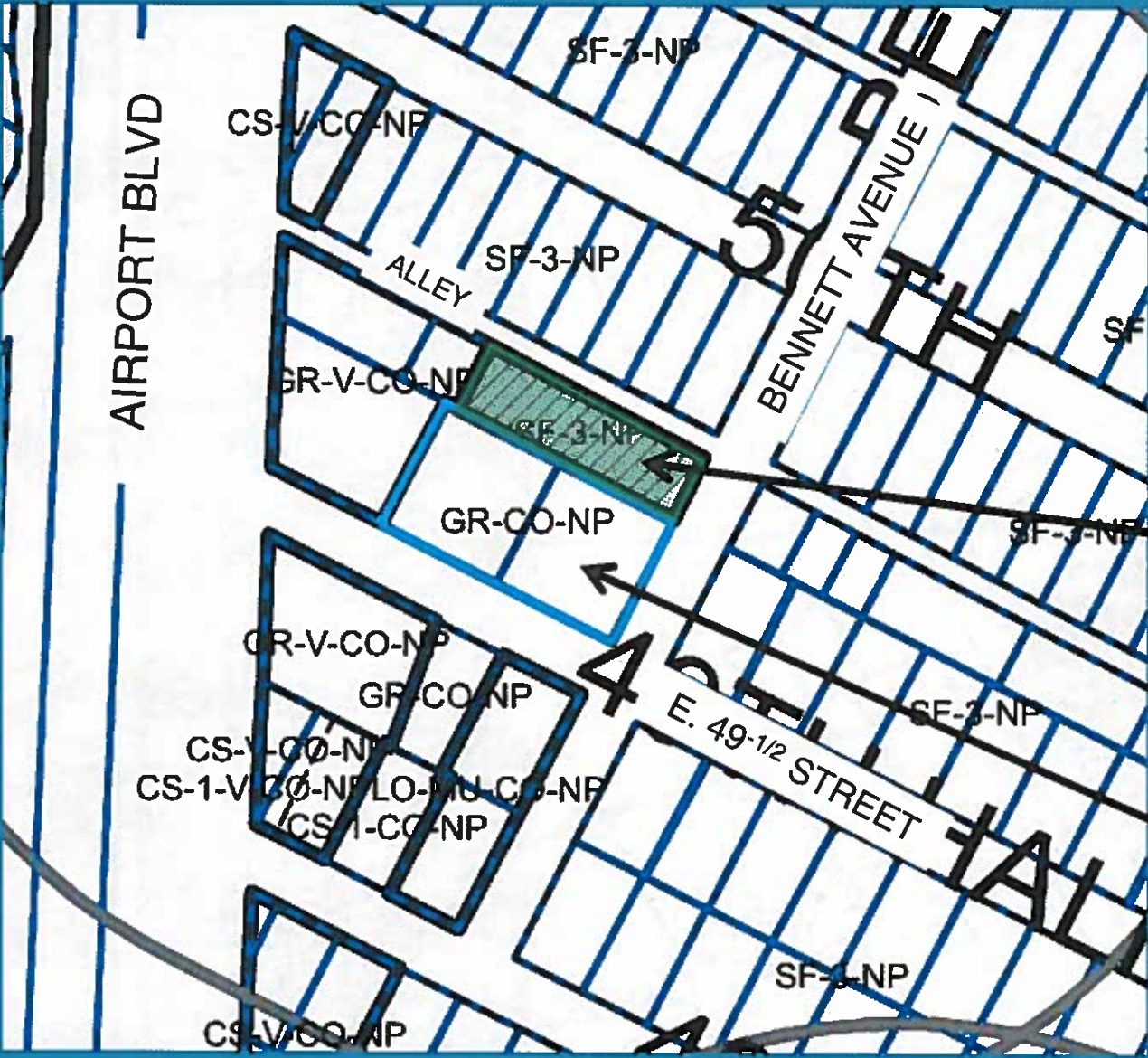


PROPOSED  
TOMLINSON'S  
PROPERTY

EXISTING  
TOMLINSON'S  
PROPERTY



TOMLINSON'S REZONING AND NPA – C14-2013-0021 & NPA-2013-0011.02



PROPOSED  
TOMLINSON'S  
PROPERTY -

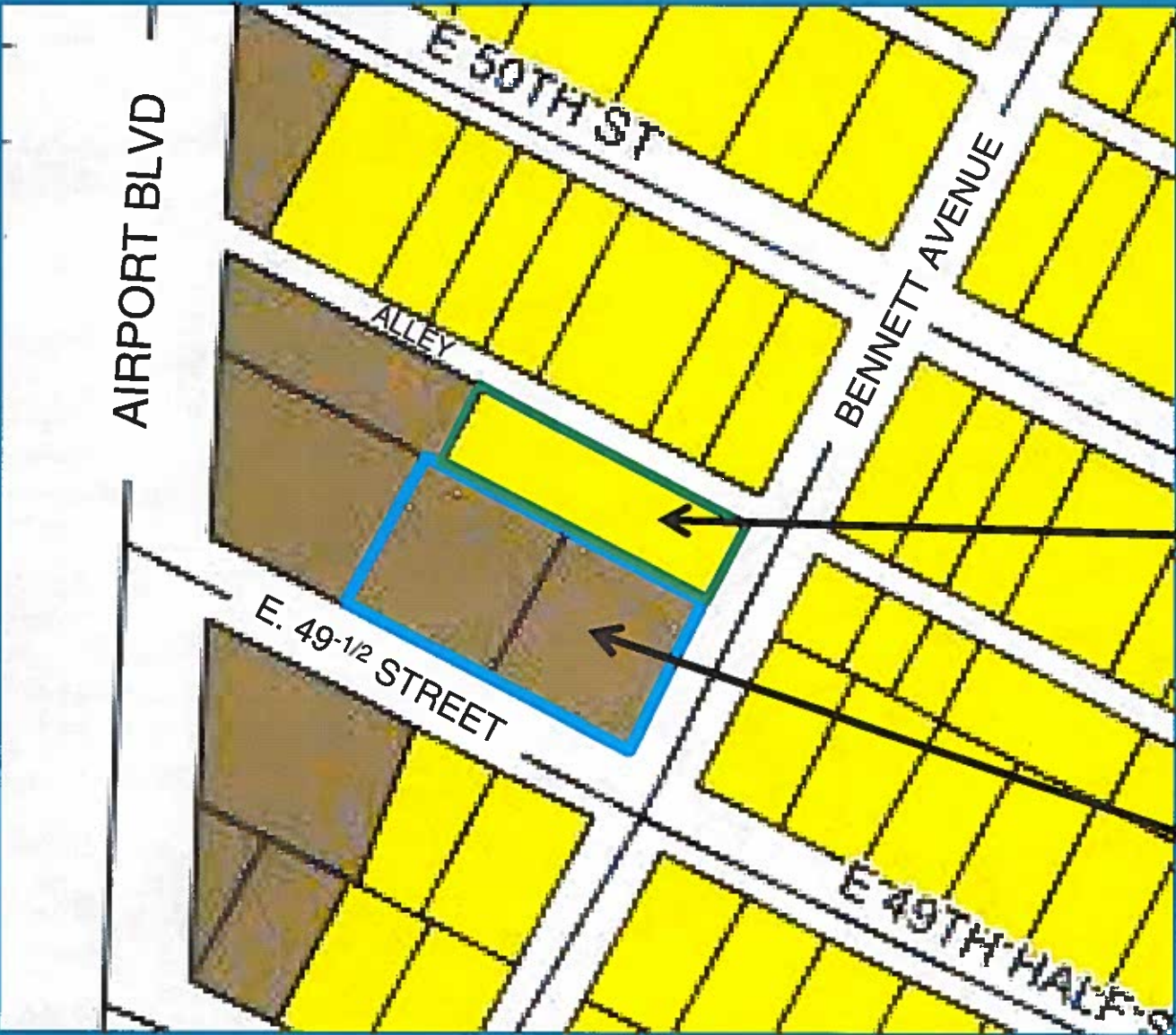
EXISTING ZONING –  
SF-3-NP

PROPOSED ZONING –  
GR-MU-CO-NP

EXISTING  
TOMLINSON'S  
PROPERTY –

GR-CO-NP





PROPOSED  
TOMLINSON'S  
PROPERTY -

EXISTING LAND USE -  
SINGLE-FAMILY

PROPOSED LAND USE -  
MIXED-USE

EXISTING  
TOMLINSON'S  
PROPERTY –

MIXED-USE

**Barton-Holmes, Christine**

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C26

**From:** Alice Glasco <[alice@agconsultingcompany.com](mailto:alice@agconsultingcompany.com)>  
**Sent:** Tuesday, November 12, 2013 1:27 PM  
**To:** Barton-Holmes, Christine  
**Subject:** FW: Little Woodrow's

Another one in support.

**From:** Keely Patridge <[keely.patrige@gmail.com](mailto:keely.patrige@gmail.com)>  
**Date:** November 12, 2013 12:53:21 PM CST  
**To:** Rick Engel <[rick@austinjaya.com](mailto:rick@austinjaya.com)>  
**Subject:** Little Woodrow's

Hi,

My name is Keely Patridge. I have lived in Brentwood (one block off of Burnet Road) for almost 7 years. Several months ago I saw some discussion on the neighborhood message board about Little Woodrow's opening on Burnet Road. I was happy that the city council granted the zoning required to allow Little Woodrow's to open at this nearby location. I look forward to being able to walk to Little Woodrow's along with many other new restaurants/bars opening in the area. It's exciting to see the area growing.

Thanks,  
Keely  
2011 B Romeria  
Austin, TX

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\*\*on blood evidence alone there is a one out of 57 billion chance that OJ Simpson is innocent.  
57 billion is approximately 10 times the current population of the world. OJ did it!!

56

**Barton-Holmes, Christine**

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**From:** Alice Glasco <[alice@agconsultingcompany.com](mailto:alice@agconsultingcompany.com)>  
**Sent:** Tuesday, November 12, 2013 11:41 AM  
**To:** Barton-Holmes, Christine  
**Subject:** Fwd: Little Woodrow's on Burnet

For your records.

Sent from my iPhone  
512-626-4461

Begin forwarded message:

**From:** Rick Engel <[rick@restaurantfreedom.com](mailto:rick@restaurantfreedom.com)>  
**Date:** November 12, 2013 10:56:38 AM CST  
**To:** Alice Glasco <[alice@agconsultingcompany.com](mailto:alice@agconsultingcompany.com)>, 'Steve Portnoy' <[steve.portnoy@gmail.com](mailto:steve.portnoy@gmail.com)>  
**Subject:** FW: Little Woodrow's on Burnet

Please forward to staff. Thank you

---

**From:** Tim Hayden [<mailto:tim.hayden.austin@gmail.com>]  
**Sent:** Tuesday, November 12, 2013 10:13 AM  
**To:** Rick Engel  
**Subject:** Little Woodrow's on Burnet

Rick,

My family and I are thrilled to have one of our favorite downtown venues opening within walking distance to our home. The Little Woodrow's at 5425 Burnet Rd. is something my neighbors and I are excited to experience as part of our eclectic neighborhood.

Please let me know what we can do to support the opening of Little Woodrow's in Burnet!

Thank you,

Halea and Tim Hayden

6702 Hardy Drive

Austin, TX 78757

Tim Hayden  
512.750.4066  
@TheTimHayden

Sent from something wireless, most probably mobile...



**Barton-Holmes, Christine**

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**From:** Alice Glasco <[alice@agconsultingcompany.com](mailto:alice@agconsultingcompany.com)>  
**Sent:** Tuesday, November 12, 2013 12:14 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Fwd: little Woodrow's

Another one.

Sent from my iPhone  
512-626-4461

Begin forwarded message:

**From:** Rick Engel <[rick@restaurantfreedom.com](mailto:rick@restaurantfreedom.com)>  
**Date:** November 12, 2013 9:51:59 AM CST  
**To:** Alice Glasco <[alice@agconsultingcompany.com](mailto:alice@agconsultingcompany.com)>  
**Cc:** Steve Portnoy <[steve.portnoy@gmail.com](mailto:steve.portnoy@gmail.com)>  
**Subject:** Fwd: little Woodrow's

Sent from my iPhone

Begin forwarded message:

**From:** Brad Patridge <[bradlee\\_13@yahoo.com](mailto:bradlee_13@yahoo.com)>  
**Date:** November 12, 2013 9:46:09 AM CST  
**To:** Rick Engel <[rick@restaurantfreedom.com](mailto:rick@restaurantfreedom.com)>  
**Subject:** little Woodrow's

Hi,

My name is Brad Patridge, and I live at 2011 Romeria #A, Austin, Tx.  
I am very excited about having a Little Woodrow's in my neighborhood.

Sincerely,  
Brad Patridge  
512-623-9911

Sent from my iPhone



**Barton-Holmes, Christine**

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**From:** Andrea E Pully <apully@sbcglobal.net>  
**Sent:** Saturday, November 09, 2013 7:48 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Fw: SPC-2013-0196C

----- Forwarded Message -----

**From:** Andrea E Pully <apully@sbcglobal.net>  
**To:** "bc-Jean.Stevens@ausintexas.gov" <bc-Jean.Stevens@ausintexas.gov>  
**Sent:** Saturday, November 9, 2013 7:43 PM  
**Subject:** Fw: SPC-2013-0196C

----- Forwarded Message -----

**From:** Andrea E Pully <apully@sbcglobal.net>  
**To:** "bc-Alfonso.Hernandez@ausintexas.gov" <bc-Alfonso.Hernandez@ausintexas.gov>  
**Sent:** Saturday, November 9, 2013 7:43 PM  
**Subject:** Fw: SPC-2013-0196C

----- Forwarded Message -----

**From:** Andrea E Pully <apully@sbcglobal.net>  
**To:** "bc-Dave.Anderson@ausintexas.gov" <bc-Dave.Anderson@ausintexas.gov>  
**Sent:** Saturday, November 9, 2013 7:42 PM  
**Subject:** SPC-2013-0196C

----- Forwarded Message -----

**From:** Andrea E Pully <apully@sbcglobal.net>  
**To:** "bc-Dave.Anderson@ausintexas.gov" <bc-Dave.Anderson@ausintexas.gov>  
**Sent:** Saturday, November 9, 2013 7:40 PM  
**Subject:**

This is in regards to the bar proposed to be located at the intersection of Burnet and Houston Street.

- 1.) Please revise Site Plan Note 24 of the Conditional Use site plan to indicate a midnight closing time for Thursday and a 1am closing time for Friday and Saturday.
- 2.) Prohibit all outdoor audio and/or visual equipment except those for personal and security activity after 8pm.
- 3.) Prohibit all live music.
- 4.) Close exterior openings of the building at 10pm.
- 5.) Limit outdoor trash and recycling activities to between 9am to 6pm.
- 6.) Require an on-site off-loading /loading zone to accommodate activities such as truck deliveries.

Please oppose the approval of the permit if the requests are not adequately addressed.

Thank you,

Andrea Pully  
a concerned neighbor at 5511 Montview St.

**Barton-Holmes, Christine**

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**From:** Dan Brecker <dobrecker@yahoo.com>  
**Sent:** Saturday, November 09, 2013 8:37 PM  
**To:** Barton-Holmes, Christine  
**Cc:** jaime  
**Subject:** case # SPC-2013-0196C, bar at Burnet Road and Houston Street

Dear Ms. Barton-Holmes,

I am writing to express my strong concern about the new bar proposed for the corner of Burnet Road and Houston Street, which is very close to my residence at 5404 Montview Street in Allandale (where I live with my wife, Jaime Barnes, and two children 3 & 5 yrs old). I have two primary concerns:

1) noise, especially late at night  
Our neighborhood (and street) is currently very quiet at night (despite its proximity to Burnet Road) which makes it a desirable place to live. In my opinion, a quiet neighborhood bar would be welcome in such a location. It is a mistake, however, to allow a large bar, especially if the bar has a patio, and especially a bar whose owner is not willing to negotiate regarding outdoor noise restrictions, in such close proximity to a quiet neighborhood.

2) parking and traffic  
Montview Street is only two blocks long where my family and I live. This was part of the reason we decided to buy a house here. There is minimal traffic and I consider our street to be a good, safe and quiet place to raise my kids. An influx of bar patrons parking on our street along with noise from an open-late outdoor space would fundamentally change the character of our neighborhood.

I want to make it clear that I am not opposed to a bar in general. I am however strongly opposed to a bar whose owner is unwilling to consider implementing responsible conditions to lessen impacts on the local community.

Austin is growing fast. Lets make sure its grows responsibly, sensibly and in the best way possible for its citizens.

Thank you for considering my concerns.  
Please don't hesitate to contact me with questions or for clarifications

Dan Brecker

512-471-6166 (office)  
505-270-0597 (cell)  
512-382-5376 (home)



**Barton-Holmes, Christine**

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**From:** Dale Henry <dhenry@austin.rr.com>  
**Sent:** Sunday, November 10, 2013 11:56 AM  
**To:** Barton-Holmes, Christine  
**Cc:** Anne Young; brentwood steering  
**Subject:** Brentwood Neighborhood on Little Woodrow's SPC-2013-0196C

Christine,

The Brentwood Neighborhood Steering Committee voted to oppose the CUP for Little Woodrow's at 5425 Burnet Road. The reason we chose to oppose is the location is wrong for a bar. It is too close to neighbors homes. They will be impacted by the noise, parking, and traffic. A large part of the bar area is out doors and the noise will effect the families that live near the bar. The site dose not have enough parking to maintain their business, meaning that neighborhood streets will become Little Woodrow's parking. ( Little Longhorn has more parking and their customers park on the neighborhood streets) Traffic will increase in the area during times of operation. The area along Brunet Road is growing and the neighborhoods will be impacted. However the neighborhoods need development that brings benefits to the area. A bar at 5425 Beret Road will not benefit the neighborhood. It is the wrong location for a bar.

If the Planning Commission decides to grant the CUP for Little Woodrow's, the Brentwood Neighborhood Steering Committee ask that the following is part of the site plan.

The office buildings in the Little Woodrow's parking area be used only for storage (as the owner has agreed) with limited parking for loading and unloading only.

Revise Site Plan Note 24 to indicate a midnight closing time for Thursday and a 1:00 a.m. closing time for Friday and Saturday. (The applicant keeps using his Barton Springs Road business as the best example of his work with neighborhoods, etc. Well, a neighbor just pointed out that the closing times at that location are MIDNIGHT on Sundays through THURSDAYS and 1:00 a.m. on FRIDAYS and SATURDAYS)

Prohibit all outdoor audio and/or visual equipment except those for personal and security purposes, excluding table management pagers.

Require high-quality security video of all Bar areas during all hours of operation, which will be retained for a minimum of four weeks

Prohibit all live music

Prohibit any outdoor noise-generating activity after 8:00 p.m.

Close exterior openings of the building at 10:30 p.m. (such as doors, windows, "garage doors", movable walls, etc.)

Limit outdoor trash and recycling activities (dumping, pick-up times, etc.) to between 9:00 a.m. and 6:00 p.m.

Require on-site off-loading/loading zone to accommodate truck deliveries and pick-ups

Thank You,  
Dale Henry  
President Brentwood Neighborhood Association  
512-458-8760



This email is free from viruses and malware because avast! Antivirus protection is active.



**Barton-Holmes, Christine**

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**From:** Cynthia Keohane <cbkeohane@prodigy.net>  
**Sent:** Sunday, November 10, 2013 7:13 PM  
**To:** Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC; mnrgnatfield@live.com  
**Cc:** Barton-Holmes, Christine  
**Subject:** SPC-2013-0196C – Little Woodrow's on Burnet - please set restrictions

**Dear Commissioners:**

I support the list of conditions recommended by the Allandale Neighborhood Association Executive Committee for the proposed Little Woodrow's bar on Burnet Road.

The site is within several hundred feet of many Brentwood and Allandale homes. I am very concerned about the safety of the immediate neighbors, many of whom walk to HEB and nearby drugstores. I am also concerned about the impact to those of us on nearby neighborhood streets; studies have shown that drunk patrons often choose to drive on quiet neighborhood streets when leaving bars.

Please support the requested conditions or deny the request.

Best regards,  
Cynthia Keohane, Wynona Avenue  
Former President, Allandale Neighborhood Association



**Barton-Holmes, Christine**

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**From:** Paulette Kern <paulettekern@sbcglobal.net>  
**Sent:** Sunday, November 10, 2013 8:33 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Little Woodrow's CUPCase #:SPC-2013-0196C

Dear Planning Commissioners,

Regarding the CUP process for the Little Woodrows proposed at 5425 Burnet Road, I was very concerned to learn of an attempted hijacking of the process at the final hour of the final reading of the zoning change. I was told at a meeting with COA staff and applicant representatives that conditions had already been agreed to and completed on the property at the zoning hearing. It is my understanding that the CUP is part of a process with a separate hearing and opportunity for input.

Austin's ordinance for conditional use (Ch.25-5-145) says that a conditional use may not "more adversely affect an adjoining site than would a permitted use" and may not "adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area". This use in this location cannot fulfill the above standards without severe restrictions.

After a meeting with City staff and the applicant, impacted neighbors worked together to generate a more comprehensive list of our requests. This list represents revised conditions and/or additional conditions that must be part of the Conditional Use Permit put forth for consideration by the Planning Commission. I ask that you **deny the CUP unless** the conditions below are included.

The concepts represented in this list were discussed at the Friday, Nov. 1, 2013 meeting with staff and applicant.

CUP requirements:

1. Revise Site Plan Note 24 to indicate a midnight closing time for Thursday and a 1:00 a.m. closing time for Friday and Saturday.

\* The applicant presents his business on Barton Springs Drive as the best example of his willingness to work with neighbors. And the closing times for that location are consistent with those outlined in this revised condition.

**LOCATION:**

1530 Barton Springs Rd.  
Austin, Texas 78704

**HOURS:**

-Sunday - Thursday: 11am - 12am  
Friday - Saturday: 11am - 1am

\* Other business establishments within this section of Burnet Road have already agreed to eliminate 2:00 a.m. closing times. This revised condition also brings the proposed Little Woodrow's Bar into compliance.

2. Prohibit all outdoor audio and/or visual equipment except those for personal and/or security purposes.
3. Require high-quality security video of all Bar areas during all hours of operation, which will be retained for a minimum of four weeks
4. Prohibit all live music
- \* The applicant has stated on several occasions that this requirement is already part of the proposed CUP. This brings the CUP in line with his statements, while helping to address neighborhood noise concerns.
5. Prohibit any outdoor noise-generating activity after 8:00 p.m.
6. Close exterior openings of the building at 10:30 p.m. (such as doors, windows, "garage doors", movable walls, etc.), in support of City regulations
7. Limit outdoor trash and recycling activities (dumping, pick-up times, etc.) to between 9:00 a.m. and 6:00 p.m.
8. Require an on-site off-loading/loading zone to accommodate activities such as truck deliveries.
- \* We believe this is a City of Austin site plan requirement that was inadvertently overlooked until now.

Please help limit the detrimental effects of this use on this site for the citizen neighbors by adding the above conditions to the CUP on this business. The situation set up for the citizen residents with this business in this location is untenable and dangerous on this narrow section of Burnet Road. Please help us.

Thank you,

Paulette Kern  
512-454-9166

**Barton-Holmes, Christine**

---

**From:** Anne Young <anne.young@aysite.net>  
**Sent:** Monday, November 11, 2013 2:46 PM  
**To:** Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC  
**Cc:** Barton-Holmes, Christine  
**Subject:** SPC-2013-0196C, November 12th agenda, item 26  
**Attachments:** SPC-2013-0196C 11-12-13.pdf

Dear Planning Commission Chair and Commissioners:

The attached pdf file contains my current communication for you regarding this case. If you would prefer to receive the contents in another format, please let me know.

Anne Young

On 10/20/2013 6:12 PM, Anne Young wrote:

Case Number: SPC-2013-0196C

Dear Planning Commission Chair and Commissioners:

The purpose of this message is to urge you to vote AGAINST the referenced project in its current form.

My neighbors and I have tried to carefully review the Conditional Use Permit site plan and proposed floor plan for this project. We have also asked many questions of the bar owner. And after evaluating all of the compiled information, we believe that the project in its current form will have a significant and extremely negative impact on us.

This property already has CS-1 zoning, though it is a site that is obviously ill suited for a bar. This section of Burnet Road has residential properties immediately adjacent to very shallow commercial properties. The properties have historically been used by businesses that are needed and supported by the surrounding community. And many of the businesses were owned by residents of our own neighborhoods. In fact, the subject property housed a longstanding Austin real estate company that was a solid and welcome part of the surrounding community.

The applicant has been successful in his drive to secure CS-1 zoning for a portion of the property included in his project. But that does not mean that he has the right to negatively impact a major portion of the properties around his. And CS-1 zoning in this instance requires a Conditional use Permit -- for the specific purpose of placing conditions on the project.

I am confident that you are well aware of the many conflicts between bars and nearby residents, so I won't belabor them here. And many of the conflicts will be created simply by the establishment of a bar in this location. But it is not necessary to *enlarge*

the disruption by thrusting a portion of the bar and its activities beyond the confines of the structure itself. And that is what the proposed deck areas of this project accomplish -- all within the area where we raise our families.

There will be no way of avoiding this project in its current condition. As we walk along Burnet Road with our kids to other family friendly businesses such as Hat Creek Burgers, how will we be able to avoid this bar? As we garden in our yards, how will we not jump at the deck crowd's roar for every football score? As we entertain at our homes, must our music choices be theirs? Should we have to listen to each and every amazing drum solo?

These are just examples of what we'll have to deal with... all day and into each night... every day and every night of each week. For we WILL hear the activities on these decks unless you help us. Unlike the bar patrons, we don't have the ability to simply leave. WE LIVE HERE.

This is your chance to stand-up for the Austin residents that live near this property. Please support us in our request to have the following conditions placed on this project.

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
- Definitively close all exterior openings by 10:00 p.m. each night

I would be happy to answer questions regarding this request, and we look forward to hearing of your support for our position. We are relying on you.

Anne Young  
Shoalmont Drive, Austin

Hearing Date: November 12, 2013  
Agenda item: #26  
Case: SPC-2013-0196C

Dear Planning Commission Chair and Commissioners:

The purpose of this message is to urge you to vote AGAINST the Conditional Use Permit for the referenced project in its current form.

It is regretful to have to report to you that absolutely no progress has been made on this case. The applicant and owner have steadfastly refused to seriously consider our requests for conditions on this property, even though the City's case manager held a meeting on November 1<sup>st</sup> to try to promote communication between the parties. The applicant and owner were well aware of our concerns even before that meeting, yet they have not attempted to resolve them in any way.

You may hear from the applicant that limitations put upon the property/project at the time of the zoning change constitute a de facto CUP. That is not accurate. What you may not hear from the applicant is that he refused to work with the neighbors and Neighborhood Associations during that process also. In fact, he waited until the very last moment to negotiate with only a few random early attendees waiting at City Hall on the evening of the last, closed hearing for the zoning change. The Brentwood Neighborhood Association and the Allandale Neighborhood Association were both on record as opposing the zoning change. Yet neither was represented during those last minute, flurried, and hidden negotiations.

The result? A minimum set of restrictions were placed on the property in order to secure the zoning change, with the understanding that they would be built-upon during the CUP approval process.

Neighbors who protested the zoning change were assured repeatedly by Commissioners and Council members that rigorous conditions could be placed on this property during the CUP process - conditions that would strive to protect the surrounding neighbors. The applicant would like to ignore those assurances. We believed in the assurances. We believe in the system, and we believe that the Planning Commission is the proper group to place the needed limitations on this property.

My earlier message to you (attached) outlines some of my concerns about the CUP, and I will not reiterate them here. Instead, let me review a few of the reasons this is a totally unsuitable location for a bar.

1. It is within several hundred feet of numerous Brentwood and Allandale homes and is, in fact, directly across Clay Avenue from residences.

2. Its northern property line is shared with Next To New, part of the Episcopalian ministry.  
Web site excerpts:  
Next-to-New Shop of St. David's Episcopal Church, a consignment shop and outreach ministry sponsored by St. David's Parish.  
  
Next-To-New is a tax-exempt corporation pursuant to Section 501(c)(3) of the Internal Revenue Code and operates exclusively for religious, charitable, and educational purposes.
3. It is located diagonally across the street from a treatment center for Seton Shoal Creek Hospital.  
5407 Clay Avenue  
Mission statement excerpts:  
Our mission inspires us to care for and improve the health of those we serve with a special concern for the poor and the vulnerable. We are called to be a sign of God's unconditional love for all and believe that all persons by their creation are endowed with dignity.  
  
Treats inpatients or outpatients who may be experiencing emotional and/or substance abuse difficulties.
4. It is located at an intersection without a traffic signal, yet the intersecting street is a main thoroughfare for students and families traveling to and from McCallum High School. Little Woodrow's starts Happy Hour at 3:00 p.m. on weekdays. By the time students leave campus, the daily Happy Hour will be in full swing.
5. It is located one block south of a traffic signal that is being installed at the intersection of Burnet Road and Shoalmont Drive.
  - a. This will greatly increase the number of inebriated drivers on Allandale streets. (Little Woodrow's is already included in the Top Ten DWI bars in Austin.)
  - b. Studies have shown that drunk patrons most often choose to drive on quiet neighborhood streets when leaving bars, since police officers are more likely to be found on the nearby commercial streets.
6. It is located directly across the street from The Little Longhorn Saloon.
  - a. Parking that is currently utilized by Saloon patrons will now be overrun with Little Woodrow's patrons and even more Saloon patrons will be forced to drive and to park along Allandale streets - the same streets that often have no sidewalks or even curbs.
  - b. Numerous pedestrian Saloon patrons already cross Burnet Road accessing their parked cars at the Nelson Puett building or Next To New. Patrons from multiple bars (sometimes inebriated) will now be encouraged to jeopardize their safety by attempting that crossing.



7. It is located across Burnet Road from single story buildings on shallow lots that share back property lines with residential properties.
  - a. Among the renovations planned by the applicant is the addition of outdoor decking with televisions and/or a speaker system on the Burnet Road side of the existing building.
  - b. The renovation plans also include multiple "garage doors" opening the interior space directly onto the decks. The decks will completely span the area between the building and the sidewalks along the Burnet Road parking, with the exception of an area directly around an existing Heritage Live Oak tree.
  - c. According to the applicant, the garage doors will be fully open and the televisions/ speaker system completely operational the entire time the bar is open for business - even until 2:00 a.m.

Over the past few weeks, my neighbors and I have reviewed for you some of the huge impacts that this new bar will have on the surrounding property owners. Both the Allandale Neighborhood Association and the Brentwood Neighborhood Association still oppose the creation of a bar in this location as it is currently proposed. But we have recently worked successfully with another bar in this area to develop an agreement to set conditions on the bar operation that make it a more welcome part of the neighborhood. In that situation, the owner group actually understands the significant impacts that their bar has on the surrounding neighbors and chooses to act responsibly. This applicant does not.

The applicant's intention to force his "one size fits all" business model on our narrow section of Burnet Road must not be allowed to proceed. At the very least, please require the following conditions prior to approving any CUP for the property.

1. Limit the bar size to 2,495 square feet, as currently proposed.
2. Revise Site Plan Note 24 to indicate a midnight closing time for Thursday and a 1:00 a.m. closing time for Friday and Saturday.
  - a. The applicant presents his business on Barton Springs Drive as the best example of his willingness to work with neighbors. The closing times for that location are consistent with those outlined in this revised condition.
  - b. Other business establishments within this section of Burnet Road have already agreed to eliminate 2:00 a.m. closing times. This revised condition also brings the proposed Little Woodrow's bar into compliance.
3. Prohibit all outdoor audio and/or visual equipment except those for personal and/or security purposes.
4. Require high-quality security video of all Bar areas during all hours of operation, which will be retained for a minimum of four weeks.

5. Prohibit all live music
  - a. The applicant has stated on several occasions that this requirement is already part of the proposed CUP. This brings the CUP in line with his statements, while helping to address neighborhood noise concerns.
6. Prohibit any outdoor noise-generating activity after 8:00 p.m.
7. Close exterior openings of the building at 10:00 p.m. (such as doors, windows, "garage doors", movable walls, etc.)
8. Limit outdoor trash and recycling activities (dumping, pick-up times, etc.) to between 9:00 a.m. and 6:00 p.m.
9. Require an on-site off-loading/loading zone to accommodate activities such as truck deliveries.

Thank you for considering my request, and please contact me if I can answer any questions regarding it.

Anne Young  
Shoalmont Drive, Austin  
512.657.5323

**Barton-Holmes, Christine**

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<b>From:</b>	dmintzb@yahoo.com
<b>Sent:</b>	Friday, November 08, 2013 3:59 PM
<b>To:</b>	Barton-Holmes, Christine
<b>Subject:</b>	Comments re: Little Woodrow's CUP
<b>Attachments:</b>	ANA_woodrows_CUP.pdf

Please see the attached comments regarding the conditional use permit for Little Woodrow's proposed location at 5425 Burnet Road.

Sincerely,

David Mintz  
President  
Allandale Neighborhood Association





Allandale Neighborhood Association • P.O. Box 10886 • Austin, Texas 78766

November 8, 2013

Christine Barton-Holmes, LEED AP  
Senior Planner, Land Use Review  
City of Austin Planning & Development Review Dept.  
One Texas Center  
505 Barton Springs Rd., 4th Flr.  
Austin, TX 78704

Re: SPC-2013-0196C

Dear Ms. Barton-Holmes,

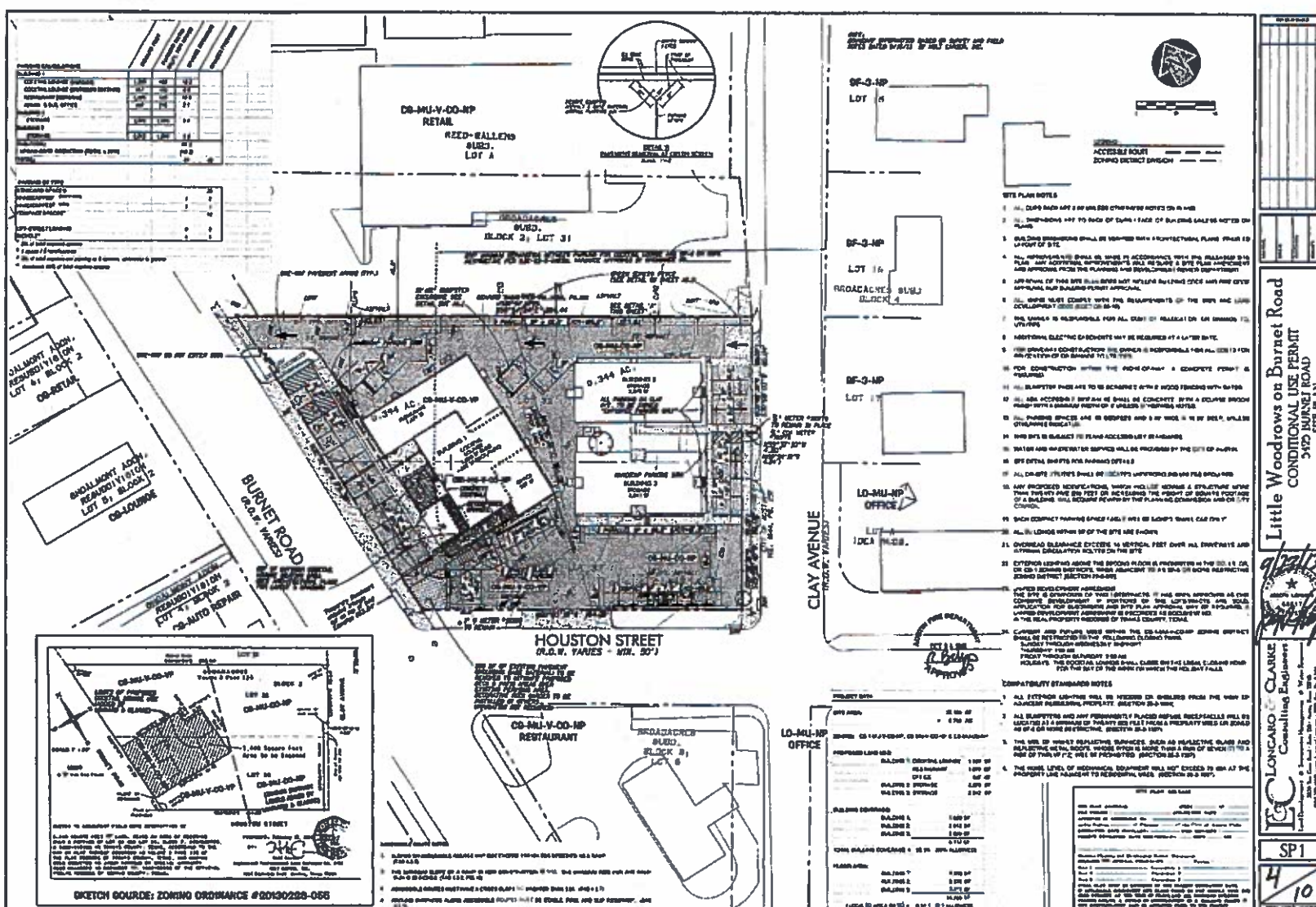
The Executive Committee of the Allandale Neighborhood Association (ANA) met on November 6 and passed a motion requesting that the Planning Commission deny granting a Conditional Use Permit (CUP) for the Little Woodrow's location at 5425 Burnet Road, unless the CUP includes the following provisions:

1. Revise Site Plan Note 24 to indicate a midnight closing time for Thursday and a 1:00 a.m. closing time for Friday and Saturday (please see currently proposed site plan, attached).
2. Prohibit all outdoor audio and/or visual equipment except those for personal and/or security purposes.
3. Require high-quality security video of all Bar areas during all hours of operation, which will be retained for a minimum of four weeks.
4. Prohibit all live music.
5. Prohibit any outdoor noise-generating activity after 8:00 p.m.
6. Close exterior openings of the building at 10:00 p.m. (such as doors, windows, "garage doors", movable walls, etc.).
7. Limit outdoor trash and recycling activities (dumping, pick-up times, etc.) to between 9:00 a.m. and 6:00 p.m.
8. Require an on-site off-loading/loading zone to accommodate activities such as truck deliveries.

We appreciate that the bar owner and property owner met with neighbors and city staff on November 1 to discuss concerns about the bar. While the ANA Executive Committee had not taken a position on the CUP at that time and were not formally represented in those discussions, we are open to participating in future meetings and hope that we can work together with other stakeholders to reach an amicable settlement.

Sincerely,

David Mintz  
ANA President  
512-626-0113, dmintztx@yahoo.com



**Barton-Holmes, Christine**

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**From:** Kata Carbone <kata@utexas.edu>  
**Sent:** Tuesday, October 22, 2013 3:42 AM  
**To:** Barton-Holmes, Christine  
**Subject:** Fwd: SPC-2013-0196C, Little Woodrow's on Burnet Road  
**Attachments:** PCform.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

----- Forwarded message -----

**From:** **Kata Carbone** <kata@utexas.edu>  
**Date:** Tue, Oct 22, 2013 at 3:38 AM  
**Subject:** SPC-2013-0196C, Little Woodrow's on Burnet Road  
**To:** bc-Dave.Anderson@austintexas.gov, bc-Alfonso.Hernandez@austintexas.gov, bc-Jean.Stevens@austintexas.gov, bc-Danette.Chimenti@austintexas.gov, bc-Jeff.Jack@austintexas.gov, bc-James.Nortey@austintexas.gov, bc-Stephen.Oliver@austintexas.gov, bc-Brian.Roark@austintexas.gov, bc-Myron.Smith@austintexas.gov  
**Cc:** [christine.bartonholmes@austintexas.gov](mailto:christine.bartonholmes@austintexas.gov)

City of Austin Planning Commission

Re: SPC-2013-0196C, Little Woodrow's on Burnet Road

Dear Commissioners,

When they heard about plans to open a Little Woodrow's on Burnet Road, folks near the Little Woodrow's on Parmer Lane felt sorry for us.

Burnet Road is not an office district or a warehouse district. And it's not a bar crawl district, despite the occasional "keepin'-it-weird" group slumming it from the Little Longhorn up to Buddy's Place. Establishments with outdoor patios equipped with big-screen TVs, loudspeakers for amplified music, and a 2:00 a.m. closing time don't belong here---they belong in places where people don't live. Anyone who lives within a few blocks of a stealth dorm in a single-family neighborhood will attest to the disruption caused by a dozen alcohol-fueled boys hooting and hollering out on their back patio in the middle of the night. Why give a bar a license to disrupt an entire neighborhood?

Our vision for an improved Burnet Road corridor does not include turning it into a bar district---a North 6th Street or a FarNoCo. There are long-established neighborhoods adjacent to Burnet Road. These are homes with families whose kids need to get to sleep early, and adults who need to get up early because they work 9 to 5, and older people who deserve some tranquility because of all those years of getting their kids to bed early and getting up early to go to work.

Residents love being able to do business in their own neighborhoods and eagerly anticipate new eateries. However, the Little Woodrow's normal business model is not a good fit. Imposing the following conditions will make Little Woodrow's a better fit:

- \* Revise Site Plan Note 24 to indicate a 1:00 a.m. closing time on Friday and Saturday.
- \* Confine all noise (amplified sound, music, TV, loudspeakers, hooting and hollering) indoors at all times.

Please help us strike a balance that enables a thriving business community while still maintaining our residential quality of life.

Sincerely,  
  
Kata Carbone  
Allandale



PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

KATA CARBONE

Your Name (please print)

ALLANDALE NA.

Your address(es) affected by this application

☐ I am in favor  
☒ I object

22 OCT 13

Date

Signature  
Daytime Telephone: 512-454-6571

Comments:

Please see attached email.

Thanks.

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

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**From:** Andrea <apully@sbcglobal.net>  
**Sent:** Monday, October 21, 2013 10:50 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Case SPC 2013 0196C  
**Attachments:** photo.JPG; ATT00001.txt

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

My protest form w/ object.





## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact listed on a notice); or
- appearing and speaking for the record at the public hearing;

and

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](http://www.austintexas.gov/development)

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

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2785

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Anshree Pully

Your Name (please print)

5511 Montview St.

Your address(es) affected by this application

Anshree E. Pully

Signature

☒ I am in favor  
☐ I am not in favor

10/21/13

Date

Daytime Telephone:

Comments:

I object to the conditional use permit for the reasons in my e-mail.

Thank you!

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P.O. Box 1088

Austin, TX 78767-0810





**Barton-Holmes, Christine**

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**From:** Sam Shore <seshore@gmail.com>  
**Sent:** Monday, October 21, 2013 9:10 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Little Woodrow's Conditional Use Permit

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Christine,  
Below is a letter I have sent to each Planning Commissioner. I wanted you to be aware of it when this case comes up for review.

I am a resident who lives on Adams Ave in the home closest to Burnet Road and just down the street from a soon-to-be-occupied 179-unit apartment complex - Burnet Flats. The area in the immediate vicinity is being bombarded by new growth that is changing the "livability" of the neighborhood for families with children. There is very little buffering between commercial and residential properties along this stretch of Burnet Road and this must be considered with the new developments.

In the last few months, projects that primarily serve alcohol and that are requesting late night hours of operation have sprung up along the 5500 block of Burnet and representing a bar district that is incompatible with the surrounding neighborhoods. Please read the information below which in part represents the views of us in the neighborhood that want a sustainable family environment within the central Austin area.

I am writing regarding the Little Woodrow's project and to ask for the following conditions:

- n Prohibit all outdoor amplified sound
- n Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- n Try to keep all exterior openings closed (such as doors, windows, etc.)
- n Close all exterior openings by 10:00 p.m. each night

These conditions are important, for the following reasons:

n Our community has a child-friendly growth vision for Burnet Rd. We call it 'live-work-play-sleep.' Neighborhood associations along Burnet endorse this vision. Both Burnet itself at this location, and the streets behind it on both sides, should be part of a 'transition zone' with housing suited to families, seniors, or anyone else.

n The City of Austin Comprehensive Plan endorses our child-friendly vision. Imagine Austin calls repeatedly for mixed use infill suitable to all ages. Growth along Burnet is intended to integrate seamlessly into our existing community, indeed become the pedestrian center of our community.

n We are engaged in implementing this vision. Area residents have planted over 100 trees on Burnet and obtained funding for child-safe pedestrian amenities. We have widely communicated our vision, including to Mr. Engel.

n We are engaged in getting age-diverse housing. Right now, mainly efficiency and one-bedroom units that exclude families are getting built on Burnet, due to short-term market pressure and inadequate zoning rules. The resulting concentration of young adults draws services suited to young adults. These same trends near downtown are pushing children out. We are working with city planners to develop age-diverse zoning and other policies for areas several miles from downtown.

n Not bars, but late-night bar districts, undermine a child-friendly environment. Experience on corridors like South Congress suggest that a concentration of several bars or restaurants that serve alcohol late at night leads to noise and behavioral problems for adjacent residents. These are problems especially challenging for children and seniors, who perform poorly when regularly over-stimulated or deprived of a good night's sleep.

n Multiple late-night alcohol venues constitute a bar district. Ginny's Little Longhorn Saloon, across from the Little Woodrow's site, already has a late night liquor license. Another new venue across Burnet, Taco Flats, requested one. When Little Woodrow's obtained its CS-1 zoning in January, we expressed concern with this part of Burnet becoming a bar district that would create a permanent risk of late night noise and behavioral problems, disruptive to



children and other long-term residents. City Council rejected this argument because they didn't see one late-night bar as constituting a district. With multiple venues seeking late-night liquor sales, it becomes harder to ignore the trend.

There are better places for bar districts nearby. Anderson Ln west of Burnet is buffered from age-diverse neighborhoods. Other better-suited areas include Highland Mall, North Burnet Gateway, and Downtown itself.

Our child-friendly vision for Burnet Rd is an exciting and credible one. It adds diversity to Austin's urban core. It serves middle managers, generally in their child-rearing years, who are needed throughout our knowledge-based economy. It works well for seniors and young adults too. Other successful cities like Boston, Dallas or Seattle have child-friendly neighborhoods 3-7 miles from downtown. Please help us to achieve our positive vision for our community. Safeguard a future Burnet that works for residents of all ages.

Thank you,

Sam Shore  
5614 Adams Ave  
Austin, TX 78756

512-940-8614

**Barton-Holmes, Christine**

<b>From:</b>	Chris Hayden <chayden1966@gmail.com>
<b>Sent:</b>	Monday, October 21, 2013 8:08 PM
<b>To:</b>	Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Northey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC; Barton-Holmes, Christine; mnrghatfield@yahoo.com
<b>Subject:</b>	Case Number: SPC-2013-0196C
<b>Attachments:</b>	SPC-2013-0196C Protest.pdf
<b>Follow Up Flag:</b>	Follow up
<b>Flag Status:</b>	Flagged

Dear Planning Commission Chair, Commission Members and city of Austin staff,

This email is to protest the Conditional Use Permit (Case Number SPC-2013-0196C – Little Woodrow’s on Burnet Road) which is item # 12 on your October 22nd, 2013 agenda. I ask that you vote against the Conditional Use Permit in its current form. I want to address two of reasons why the permit should be rejected.

1. I live a short distance from 5425 Burnet Road in Allandale. As you know, Allandale is a vibrant area in central Austin with families living primarily in single family homes. A late night cocktail lounge is not compatible with the neighborhood. The current plan has two outdoor decks and what appears to several openings from the inside bar to the outside. As I stated, this is a family friendly neighborhood and late night sound, both from patrons and the proposed outdoor televisions and speakers is not acceptable. The late night noise would have a negative impact on the neighborhood.

2. The off street parking calculation does not include the office inside the cocktail lounge in the square feet of the establishment. It is part of the cocktail lounge and should be accounted for accordingly. When the 587 square foot of the office is added to the 1,830 square foot of the indoor space and the 657 square foot of the outdoor space, the total square foot for the cocktail lounge is 3,074. Per the city codes, the parking requirements for a cocktail lounge greater than 2,500 square foot is 1 parking space per 50 square foot. Therefore there is not enough off street parking available to meet city requirements.

Please vote against the permit in its current form. The following items should be changed in the site plan notes (Note 24). They are as follows:

**The establishment should close at midnight Sunday through Wednesday, close at 1 AM Thursday through Saturday (not 2 AM).**

**Outdoor amplified sound is prohibited, live music is prohibited, move outdoor noise generating activity (decks) by 8 PM each night**

**Keep doors and windows closed as much as possible**

**Close all doors and windows by 10 PM each night**

I do not object to a cocktail lounge, but I do object to the cocktail lounge in its current form (late night hours

and outdoor noise) before the Planning Commission. The plan, as the applicant has submitted, is not compatible with the Allandale and Brentwood family friendly neighborhoods. We live here and the ask that you vote against the permit as requested and make the changes I requested above. I am also attaching my protest form. Thank you for your time and consideration.

Chris Hayden 5406 Montview St

### PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact listed on a notice); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Chris Hayden

Your Name (please print)

5406 Montview St Austin, TX 78756

Your address(es) affected by this application

Signature

Signature

☐ I am in favor  
☒ I object

10-21-13

Date

Daytime Telephone: 512-773-1094

Comments: Admin and business office in parking calculations should be included with the cocktail lounge. This would place the bar above 2,500 square feet and change the parking requirements from 1/100 sq ft to 1/50 sq ft, and there would not be enough parking available. They would be over the spaces provided.

Hours not compatible with single family homes. Use of outdoor amplified sound is not acceptable after 8 pm.

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

---

**From:** Dale Henry <dhenry@austin.rr.com>  
**Sent:** Monday, October 21, 2013 7:56 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Fw: [brentwood-ra] Fw: NEED YOUR HELP restricting late-night hours, noise for Little Woodrow's bar on Burnet

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Christine,  
I live in The Houstonian, at Houston and Jeff Davis, and plan to attend the meeting Tuesday night. I'll also send a letter to the parties listed in your email. My feelings about a Little Woodrow's (LW) are outlined here.

The idea of a bar 2 blocks up the street is horrifying. We already have drunk drivers tearing down Houston at night and certainly don't need more. The week before last, a very likely drunk driver ran over our trash can, *which was right up against the curb*, at 2:30am, scattering trash everywhere--not the first incident of its kind.

In my opinion, even 1am is too late a closing time. Lucy's, which has a full bar, closes at 11 pm, which seems to serve the immediate neighborhood just fine. Likewise, a number of other places within walking distance serve alcohol but close before midnight. I see no reason to have a later closing time for LW, especially as there is no bus service to accommodate intoxicated patrons so late.

Noise will, of course, be exponentially worse with a bar on the corner. To give you an idea of how much noise from Burnet already permeates the neighborhood: noise from Burnet (e.g., the #3 bus's recorded announcement and the stereo that Arbor Auto mechanics sometimes play after hours with the garage door open) *carries the 2 blocks down to my home and can be heard indoors even with all the doors and windows closed*. Compounding these occasional/ intermittent nuisances with a bar open late at night and, *ridiculously*, having outdoor seating and entertainment is an enormous burden on the people who live (and attempt to sleep!) in this neighborhood. Just the additional traffic coming down Houston--which, having no speed bumps and only a couple (often ignored) stop signs is already a popular route for speeders--will add considerably to noise at night.

Moreover, there will doubtless be a burden on the police department to dispatch officers to catch drunk drivers and answer noise and disorderly conduct complaints in this area of town that has heretofore seen little of such activities. This takes police resources from areas that already have a concentration of bars and require a police presence.

I unequivocally oppose the establishment of this business on Burnet and hope the commission, if now powerless to prohibit it, will at least *do everything possible to mitigate its impact on the neighborhood* by curtailing outdoor activity at this business and restricting hours to no later than midnight.

Jackie Doyle

Sent from my iPad

On Oct 19, 2013, at 10:35 PM, "Dale Henry" <dhenry@austin.rr.com> wrote:

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

Dear neighbors,

Please consider 1) writing Planning Commission and 2) attending the PC meeting on Tuesday evening to protest late night hours and outdoor noise at the Little Woodrow's bar at 5425 Burnet. Please let me know if you can attend, and I'll let you know the meeting details.

Please consider forwarding this request to other people, especially Gullett or Brentwood parents who live south of 2222, who might consider supporting it. I can send you a list of Gullett parents if you might know some of them.

It has been a busy year for late-night bar zoning and license requests around the 5500 block of Burnet near the new luxury apartment complexes. We have had three: 1) Ginny's Little Longhorn Saloon has remodeled and is requesting to renew its existing late night license; 2) a new restaurant called Taco Flats requested a late night mixed beverage license; 3) the Little Woodrow's bar received CS-1 zoning and is now seeking late night hours as part of its conditional overlay request to Planning Commission.

The Little Woodrow's conditional overlay request going to Planning Commission would permit them to remain open until 2 AM on Fridays, Saturdays and holidays. Their proposed site design incorporates outdoor features that include TVs, speakers, and possibly live music. Neighbors have compiled a list of conditions that they want placed on the bar. These items are included in my letter to Planning Commission below.

**WE NEED TO PREVENT LATE-NIGHT BAR DISTRICTS FROM FORMING ON BURNET.** If a late-night bar district becomes established at 5500 Burnet, the precedent will make it more challenging to prevent similar uses elsewhere along Burnet. The bar district issue directly threatens the vision of a Burnet that works for people of all ages, and especially for children.

Below is my letter to Planning Commission and staff, which you are welcome to use as a template. The emails of planning commissioners and the staff person on the case are provided.

If you can attend the Planning Commission meeting, let me know so we can coordinate. You can either speak or donate your time to others. Attending the meeting is particularly effective because commissioners can see you and judge your strong interest. But writing letters is also important.

Let me know if you have any questions. Thank you so much for considering this request. I know how much personal time civic engagement can take from your loved ones.

Steven



Commissioners:

[bc-Dave.Anderson@austintexas.gov](mailto:bc-Dave.Anderson@austintexas.gov)  
[bc-Alfonso.Hernandez@austintexas.gov](mailto:bc-Alfonso.Hernandez@austintexas.gov)  
[bc-Jean.Stevens@austintexas.gov](mailto:bc-Jean.Stevens@austintexas.gov)  
[bc-Danette.Chimenti@austintexas.gov](mailto:bc-Danette.Chimenti@austintexas.gov)  
[bc-Jeff.Jack@austintexas.gov](mailto:bc-Jeff.Jack@austintexas.gov)  
[bc-James.Nortey@austintexas.gov](mailto:bc-James.Nortey@austintexas.gov)  
[bc-Stephen.Oliver@austintexas.gov](mailto:bc-Stephen.Oliver@austintexas.gov)  
[bc-Brian.Roark@austintexas.gov](mailto:bc-Brian.Roark@austintexas.gov)  
[bc-Myron.Smith@austintexas.gov](mailto:bc-Myron.Smith@austintexas.gov)

CoA case manager

[Christine.Barton-Holmes@austintexas.gov](mailto:Christine.Barton-Holmes@austintexas.gov)

October 19, 2013

SPC-2013-0196C

Little Woodrow's on Burnet Rd

Dear

I am writing to protest the Little Woodrow's project in its current form and ask for the following conditions:

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
- Definitively close all exterior openings by 10:00 p.m. each night

These conditions are important, for the following reasons:

- **Our community has a child-friendly growth vision for Burnet Rd.** We call it 'live-work-play-sleep.' Neighborhood associations along Burnet endorse this vision. Both Burnet itself at this location, and the streets behind it, should be part of a 'transition zone' with housing suited to families, seniors, or anyone else.
- **The City of Austin Comprehensive Plan endorses our child-friendly vision.** Imagine Austin calls repeatedly for mixed use infill suitable to all ages. Growth along Burnet is intended to integrate seamlessly into our existing community, indeed become the pedestrian center of our community.
- **We are engaged in implementing this vision.** Area residents have planted over 100 trees on Burnet and obtained funding for child-safe pedestrian amenities. We have widely communicated our vision, including to Mr. Engel.
- **We are engaged in getting age-diverse housing.** Right now, mainly efficiency and one-bedroom units that exclude families are getting built on Burnet, due to short-term market pressure and inadequate zoning rules. The resulting concentration of young adults draws services suited to young adults. These same trends near downtown are pushing children out. We are working with city planners to develop age-diverse zoning and other policies for areas several miles from downtown.
- **Not bars, but late-night bar districts, undermine a child-friendly environment.** Experience on corridors like South Congress suggest that a concentration of several bars or restaurants that serve alcohol late at night leads to noise and behavioral problems for adjacent residents. These are problems especially challenging for children and seniors, who perform poorly when regularly over-stimulated or deprived of a good night's sleep.
- **Multiple late-night alcohol venues constitute a bar district.** Ginny's Little Longhorn Saloon, across from the Little Woodrow's site, already has a late night liquor license. Another new venue across Burnet, Taco Flats, requested one. When Little Woodrow's obtained its CS-1 zoning in January, we expressed concern with this part of Burnet becoming a bar district that would create a permanent risk of late night noise and behavioral problems, disruptive to children and other long-term residents. City Council rejected this argument because they didn't see one late-night bar as constituting a district. With multiple venues seeking late-night liquor sales, it becomes harder to ignore the trend.
- **There are better places for bar districts nearby.** Anderson Ln west of Burnet is buffered from age-diverse neighborhoods. Other better-suited areas include Highland Mall, North Burnet Gateway, and Downtown itself.

Our child-friendly vision for Burnet Rd is an exciting and credible one. It adds diversity to Austin's urban core. It serves middle managers, generally in their child-rearing years, who are needed throughout our knowledge-based economy. It works well for seniors and young adults too. Other successful cities like Boston, Dallas or Seattle have child-friendly neighborhoods 3-7 miles from downtown. Momentum is building for this vision. But we need time. Please help us to achieve our positive vision for our community. Safeguard a future Burnet that works for residents of all ages.

Thank you,

Steven Zettner

President, Sustainable Neighborhoods of North Central Austin

[www.snaustin.org](http://www.snaustin.org)

Steven Zetner  
Sustainable Neighborhoods of North Central Austin  
[www.snaustin.org](http://www.snaustin.org)

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- New Photos 2

Visit Your Group

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To Unsubscribe - <mailto:brentwood-na-unsubscribe@yahoogroups.com>  
To Contact Moderator - <mailto:brentwood-na-owner@yahoogroups.com>

Post only messages which are of a general interest to people in the Brentwood Neighborhood.  
Individuals posting abusive or inflammatory messages will be terminated.

Visit the BNA website - <http://brentwoodaustin.blogspot.com/>  
BNA does not endorse or guarantee any member postings.

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**Barton-Holmes, Christine**

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**From:** Dale Henry <dlhenry@austin.rr.com>  
**Sent:** Monday, October 21, 2013 7:52 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Little Woodrow's use permit

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Christine,  
The Brentwood Neighborhood Steering Committee voted to oppose Little Woodrow's request for a change in use permit. This location is the problem, it is too close to single family homes and the lack of parking.

Thanks,  
Dale Henry  
President Brentwood Neighborhood Association

---

 This email is free from viruses and malware because avast! Antivirus protection is active.



**Barton-Holmes, Christine**

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<b>From:</b>	Barbara McArthur <mca@astro.as.utexas.edu>
<b>Sent:</b>	Monday, October 21, 2013 3:11 PM
<b>To:</b>	Barton-Holmes, Christine; Barbara McArthur
<b>Subject:</b>	Re: Little Woodrow's - SPC-2013-0196C
<b>Attachments:</b>	littlewoodrowproximityhouse2.jpg
<b>Follow Up Flag:</b>	Follow up
<b>Flag Status:</b>	Flagged

Thank you very much Christine. The attached photo shows how close the bar is the homes. The red brick is the bar building.

Barbara

On 10/21/13 2:53 PM, Barton-Holmes, Christine wrote:

Barbara,

I've asked the applicant for a clarification. As soon as I hear something, I'll let you know.

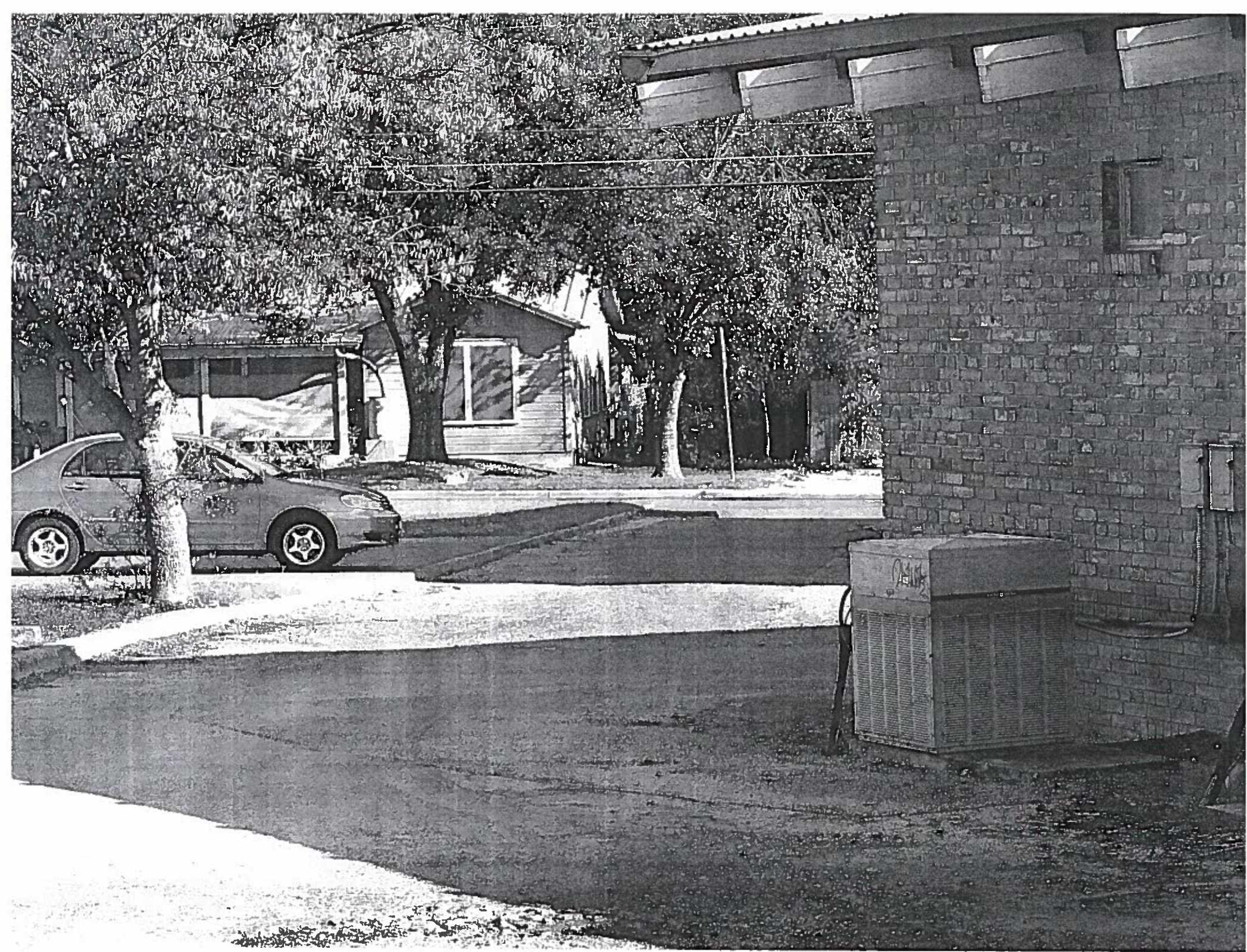
Thank you,

Christine













**Barton-Holmes, Christine**

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**From:** Barbara McArthur <mca@astro.as.utexas.edu>  
**Sent:** Monday, October 21, 2013 2:31 PM  
**To:** Barton-Holmes, Christine; Barbara McArthur  
**Subject:** FYI - petition  
**Attachments:** LittleWoodrowpetitions.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Christine -

FYI I've attached the petition that the neighborhood had collected against the Little Woodrow's Bar Zoning for your records.

Thank you once again for your time and consideration - it is appreciated.

Barbara McArthur



## Our Support – Neighbors & Small Business

Please support the Brentwood and Allandale Neighborhood Associations and these local residents and small businesses and deny this rezoning.

[illegible][illegible]

Case No. 14-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-104





**Barton-Holmes, Christine**

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**From:** Timothy Fackler <tim.fackler@gmail.com>  
**Sent:** Monday, October 21, 2013 1:37 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Fwd: SPC-2013-0196C 22OCT2013 Planning Commission Hearing  
**Attachments:** coa\_notice\_protest.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Subject: SPC-2013-0196C 22OCT2013 Planning Commission Hearing  
T o: [bc-myron.smith@austintexas.gov](mailto:bc-myron.smith@austintexas.gov), [bc-brian.roark@austintexas.gov](mailto:bc-brian.roark@austintexas.gov), [bc-stephen.oliver@austintexas.gov](mailto:bc-stephen.oliver@austintexas.gov), [bc-james.nortley@austintexas.gov](mailto:bc-james.nortley@austintexas.gov), [bc-jeff.jack@austintexas.gov](mailto:bc-jeff.jack@austintexas.gov), [bc-danette.chimenti@austintexas.gov](mailto:bc-danette.chimenti@austintexas.gov), [bc-jean.stevens@austintexas.gov](mailto:bc-jean.stevens@austintexas.gov), [bc-alfonso.hernandez@austintexas.gov](mailto:bc-alfonso.hernandez@austintexas.gov), [bc-dave.anderson@austintexas.gov](mailto:bc-dave.anderson@austintexas.gov), [murchatfield@yahoo.com](mailto:murchatfield@yahoo.com), [christin.barton-holmes@austintexas.gov](mailto:christin.barton-holmes@austintexas.gov)

Dear Planning Commission Members and Staff,

I write to share my objection to the proposed conditional use permit to be addressed in Case Number SPC-2013-0196C 22OCT2013.

I respectfully request that, before it is considered for approval, the site plan notes for this proposed project be modified to include the provisions below addressing hours of operation, noise, and traffic. With these provisions in place, the site plan will better fit the physical limitations of the location and the pedestrian and residential character of the surrounding neighborhoods.

- require 1 am closing on Friday and Saturday rather than the current 2 am provision
- move outdoor noise-generating activity inside each night by 8 pm
- close doors, windows and other interior outlets each night by 10 pm
- prohibit outdoor live music
- prohibit outdoor amplified sound
- prohibit street deliveries
- calculate parking based on liquor-storage as well as liquor-serving areas

My residential and business neighbors have provided extensive reasons for changing the conditional use permit to include these provisions.

Among these I'd like to emphasize in particular the risks to public safety posed by substantially increased vehicular traffic from bar patrons on Burnet Road as well as on residential side streets in the area. For example, the street on which I live, Montview, lacks sidewalks for part of its length and has no posted speed limits or speed-limiting devices such as road humps. Yet it carries steady pedestrian traffic during the 6 am to 1 am hours of operation of the HEB grocery at Burnet and Koenig.

The site plan restrictions I've listed above will, I believe, help extend a climate of commercial responsibility in the area consistent with its essentially residential character.

With an expectation of greater responsibility by owners, I believe the the risk of injuries, harm to property, or even fatalities like the one which occurred in the early hours of 13 June 2013 just across Burnet Road from the proposed project (see APD report 2013-1640264 and <http://www.statesman.com/news/news/crime-law/official-one-killed-in-burnet-road-crash/nYKNH/>) can be reduced.

Thanks very much for your consideration in this matter.

Timothy Fackler  
5601 Montview St  
Austin TX 78756  
Cell: [\(512\)-694-4928](tel:512-694-4928)  
Home: [\(512\)-371-1046](tel:512-371-1046)

## PUBLIC HEARING INFORMATION

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and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

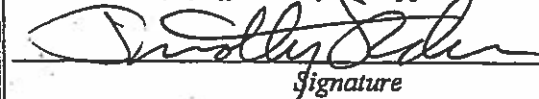
Timothy Fackler

Your Name (please print)

☐ I am in favor  
☒ I object

5601 Montview St. 78756

Your address(es) affected by this application



Signature

10/19/2013  
Date

Daytime Telephone: 512-694-4928

Comments: (see email)

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

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**From:** Libby Farris <lfarris@grandecom.net>  
**Sent:** Monday, October 21, 2013 11:49 AM  
**To:** Myron.Smith@austintexas.gov; Brian.Roark@austintexas.gov;  
Stephen.Oliver@austintexas.gov; James.Nortey@austintexas.gov;  
JeffJack@austintexas.gov; Danette.Chimenti@austintexas.gov;  
Jean.Stevens@austintexas.gov; Alfonso.Hernandez@austintexas.gov;  
Dave.Anderson@austintexas.gov; Barton-Holmes, Christine  
**Subject:** Little Woodrow's zoning change

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Commissioners

As a resident of Brentwood, I am writing to ask that you not support Little Woodrow's request for variances on their establishment. Specifically I am opposed to allowing:  
Outdoor live music, amplified or not  
Late hours extension

I am greatly concerned that allowing this development sets a precedent that could very quickly precipitate Burnet Road becoming a nightclub zone with all the resulting parking, trash, late night disturbances and other related circumstances that would have a negative impact on the surrounding family neighborhood. There is very little physical space between commercial zones on this section of Burnet and the nearby residential street.

This neighborhood as it currently exists is one of Austin's true inner-city treasures. Some of the city's last affordable older homes in Brentwood and Crestview are sought-after by young families. There are lots of older affordable apartments, albeit under threat from redevelopment, but still quite a lot. To get a feel for the diverse demographic of this neighborhood, a visit to the Allendale HEB will immediately demonstrate the equitable mix of working class folks, young hipsters, Lone Star card users, and seniors.

From my home on Aurora Drive I can easily walk to groceries, restaurants, hair salons, coffee shops, drug stores, library, book stores, vets, and more. I would hate to see a Rainey Street-like club zone take over Burnet, driving up the rents and making it harder for mom-and-pop outfits to compete.

Please stick to the Austin Comprehensive Plan and keep our neighborhood a vibrant family-friendly community.

Thanks

Libby Farris  
5410 Aurora Dr



**Barton-Holmes, Christine**

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<b>From:</b>	cathy davis <ccdavisphd@gmail.com>
<b>Sent:</b>	Monday, October 21, 2013 9:43 AM
<b>To:</b>	Barton-Holmes, Christine
<b>Subject:</b>	Case Number SPC-2013-0196C
<b>Attachments:</b>	CoA Notice - Little Woodrows (1)-signed.pdf
<b>Follow Up Flag:</b>	Follow up
<b>Flag Status:</b>	Flagged

Dear Ms. Barton-Holmes,  
I am protesting the zoning request for Little Woodrows, case number SPC-2013-0196C. Please see my comments on the city's form attached. I won't be able to attend this evenings hearing, but would like my comments to be heard.

Thank you very much,  
Catherine Davis

--







# NOTICE OF PUBLIC HEARING SITEPLAN CONDITIONAL USE PERMIT

Este aviso le informa de una audiencia pública tratando de un proyecto desarrollo o cambio dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al (512) 974-2193.

Mailing Date: 10/11/2013

Case Number: SPC-2013-0196C

The City of Austin has sent this letter to inform you that we have received an application for a site plan that requires approval by a Land Use Commission (either the Planning Commission or the Zoning and Platting Commission). We are notifying you because City Ordinance requires that all property owners within 500 feet, residents who have a City utility account address within 500 feet, and registered environmental or neighborhood organizations whose declared boundaries are within 500 feet be notified when the City receives an application.

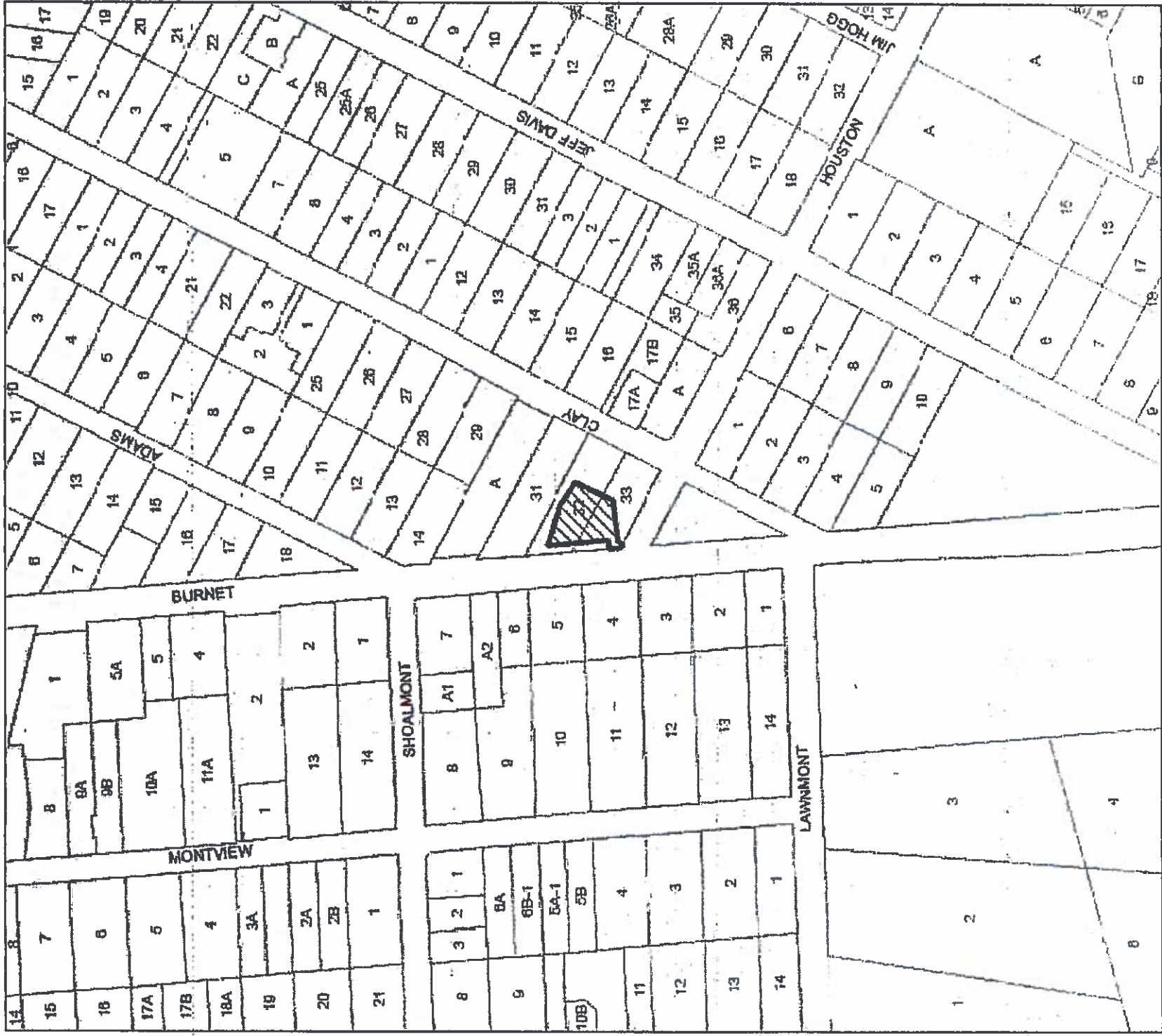
Applicant:	Longaro & Clarke LP, Joe Longaro, (512) 306-0228
Owner:	Jimmy Nassour, (512) 474-2900
Project Name:	Little Woodrow's on Burnet Road
Project Address:	5425 Burnet Road

**Project Description:** The applicant is requesting a conditional use permit to allow a proposed cocktail lounge and add an outdoor deck and patio.

This application is scheduled to be heard by the Planning Commission on October 22, 2013. The meeting will be held at City Hall Council Chambers, 301 West 2<sup>nd</sup> Street beginning at 6:00 p.m.

You can find more information on this site plan by inserting the case number at the following Web site: [https://www.ci.austin.tx.us/devreview/a\\_queryfolder\\_permits.jsp](https://www.ci.austin.tx.us/devreview/a_queryfolder_permits.jsp). For additional information about the project please contact the applicant, Joe Longaro, (512) 306-0228. For information about the permitting process, please contact the case manager, Christine Barton-Holmes, at 512-974-2788 or via e-mail at [christine.barton-holmes@austintexas.gov](mailto:christine.barton-holmes@austintexas.gov) or Rosemary Ramos at 512-974-2784 or via email, [rosemary.ramos@austintexas.gov](mailto:rosemary.ramos@austintexas.gov) and refer to the case number located on this notice. The case manager's office is located at One Texas Center, 4<sup>th</sup> Floor, 505 Barton Springs Road, Austin, Texas. You may examine the site plan at One Texas Center between the hours of 7:45 a.m. and 4:45 p.m., Monday through Friday.

For additional information on the City of Austin's land development process, please visit our web site [www.austintexas.gov/development](http://www.austintexas.gov/development).



CASE#: SPC-2013-0196C  
ADDRESS: 5425 Burnet Road

Subject Tract  
Base Map



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-site survey and represents only the approximate relative location of property boundaries.  
This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding accuracy or completeness.

## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Catherine C. Davis, Ph.D.

Your Name (please print)

☐ I am in favor  
☒ I object

5422 Montview Street, Austin, TX 78756

Your address(es) affected by this application

Catherine C. Davis

October 21, 2013

Signature

Date

Daytime Telephone: 512.576.7516

Comments: My name is Catherine Davis and I am an affected neighbor of case #

SPC-2013-0196C. I am protesting the proposed zoning change for the following

reasons: Revise plan note 24 to a 1:00AM closing time for Friday & Sat. vs. the 2:00 AM.,

ban all outdoor amplified music ; protesting all live music as music can be heard in m

with windows and doors closed. Restrict & move any outdoor noise generated

activity inside by 8pm daily. Try to keep windows and doors closed definitely by

10:00pm. Over flow parking on Shoalmont and Montview be prohibited.

I strongly urge the commission to consider my residence as it will be affected by

this zoning request.

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

City of Austin

Planning and Development Review – 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

---

**From:** Nathalie Frensley <nathalie\_frensley@hotmail.com>  
**Sent:** Monday, October 21, 2013 5:08 AM

**To:** bcMyron.Smith@austintexas.gov; bcBrian.Roark@austintexas.gov;  
bcStephen.Oliver@austintexas.gov; bcJames.Nortey@austintexas.gov;  
bcJeff.Jack@austintexas.gov; bcDanette.Chimenti@austintexas.gov;  
bcAleen.Stevens@austintexas.gov; bcAlfonso.Hernandez@austintexas.gov;  
bcDave.Anderson@austintexas.gov; mnrghatfield@yahoo.com; Barton-Holmes,  
Christine

**Subject:** SPC-2013-0196C 22OCT2013 Planning Commission Hearing  
**Attachments:** SPC-2013-0196C 22OCT2013 Frensley OBJECT.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Planning Chair, Commissioners and Staff Members:

Re: Case Number: SPC-2013-0196C

Please find attached my protest form and a scanned, signed pdf of my statement below.

The Commission's agenda for Tuesday, October 22<sup>nd</sup> includes a conditional use permit hearing for the property located at 5425 Burnet Road (SPC-2013-0196C), for a big-box project by the Little Woodrow's bar and lounge chain. This company started in Houston and has several lounge and bar locations in Austin. As a concerned Austinite, parent of a highly accomplished AISD Liberal Arts and Sciences Academy student, and long-term homeowner in the Shoalmont section of Allandale (sometimes called "Old Allandale", a directly affected neighborhood, I respectfully ask you please vote AGAINST the referenced project in its current form. In a nutshell, the reason for this firm but respectful request is that if this project proceeds in its current form, it will be a reversal of Austin's ideals of livability and new urbanism for the established, dense, single-family adjacent Allandale and Brentwood neighborhoods.

Specifically, I ask that you

- Revise Site Plan Note 24 to require a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated;
- Prohibit all outdoor amplified sound;
- Prohibit all live music;
- Move all outdoor noise-generating activity inside by 8:00 p.m. each night;
- Prohibit all on street deliveries;
- Require that all exterior openings (such as doors, windows, etc.) be kept closed; and
- Definitively close all exterior openings by 10:00 pm each night.
- Require that all liquor-serving and storage areas for this project be taken into account to more accurately and reasonably address the parking needs for the customer load this proposed project will generate.

The reason I ask that you require these modifications to the SPC-2013-0196C conditional use permit site plan is that it represents a locational business plan change from their other locations in Austin. Allow me to explain.



Little Woodrow's has four current locations in Austin: Bee Cave, Southpark, West 6<sup>th</sup> , and Parmer Lane. Each of these current locations does not have the parking and congestion issues and adjacent neighborhood safety and noise impacts that this proposed project will have at 5425 Burnet Road:

This proposed Burnet Road is location much closer to residential housing than at other Little Woodrow's locations, with the following implications:

- The proposed Burnet location is already on a highly congested road that will become even more congested as the Mopac HOV lane construction diverts additional traffic onto Burnet.
- The unique mix of shallow business lots and long, deep residential lots means that more residential areas are vulnerable to noise and light generated by the proposed Little Woodrow's on Burnet Road, particularly with its intent to amplify sound to the west across Burnet. While there may be businesses directly across the street, sound will travel past those buildings Planting hedges and building fences are not solutions to the noise this proposed project will generate – I have already checked on this.
- For Little Woodrow's to be profitable, it will have to attract a clientele from outside the adjacent neighborhoods, which will increase the numbers of drinking patrons driving on nearby residential streets late at night. *Note that the Allandale and Brentwood adjacent neighborhoods' residential streets have much higher walkability ratings than Little Woodrow's other locations in Austin and a much higher population of vulnerable persons who are residential pedestrians. The residential pedestrian population includes vulnerable disabled residents (on the Allandale side the City of Austin Housing Authority has a residence for elderly and disabled persons at 2300 W. North Loop) – these residents, school children, and other residential pedestrians throughout the Shoalmont neighborhood walk regularly on Clay, Houston, Shoalmont and Montview Streets to go to school and to the grocery store).* The impacted Allandale and Brentwood neighborhood residential streets have high pedestrian traffic – including bikes, wheelchairs, school children, and elderly – day and night due to neighborhood anchors that include Amy's Ice Creams, a H.E.B grocery store that is open until 1:00 am, Lamar Middle School (particularly with after school activities and sports practice), a dry cleaners, a drug store, convenience stores, an optometrist, and other pedestrian destinations that are part of daily life.
- This increased traffic load by Little Woodrow's drinking patrons will occur on residential side streets such as Montview and Shoalmont that do not have posted, lowered speed limits, handicapped pedestrian signage, traffic slowing humps, or in most cases even sidewalk installations.

Despite the unique combination of these features in the Shoalmont/Brentwood neighborhoods, the proposed Burnet Road location for the new Little Woodrow's does not take them into account. The Shoalmont and Brentwood neighborhoods were established in the 1940s-50s. They are vibrant neighborhoods with well-maintained homes, often extensively renovated, yards, and are primarily owner-occupied. These are highly desired areas for families with children due to the high ratings for the nearby elementary, middle, and high schools. Both Allandale and Brentwood have active neighborhood associations and annual community parties. Many long-term residents of these neighborhoods have chosen to retire-in-place. However, Little Woodrow's is applying the same approach to this proposed endeavor on Burnet Road as they have to their previous efforts located in much more recently developed parts of Austin with larger, less congested roads, and locations much further removed from established family neighborhoods. In the case of their downtown location, it is near only urban condominium housing which cannot be compared to the predominantly single family residences in Shoalmont and Brentwood. Here lies the problem: the Allandale Shoalmont and Brentwood residential neighborhoods are very, very different from the primarily commercial areas of their West 6<sup>th</sup> , Bee Cave, Southpark, and West Parmer locations yet Little Woodrow's has applied the same business plan/model to their proposed Burnet Road location. The fundamental differences between the Shoalmont and Brentwood neighborhoods versus their other, primarily commercial, locations far removed from close-in residential neighborhoods create compelling reasons for voting against SPC-2013-0196C in its current form:

- The West 6<sup>th</sup> location has no single-family zoned residential neighborhood to impact.
- Both the Bee Cave and Southpark locations have roads that can accommodate the large amount of late night traffic that these Little Woodrow's generate and, being located in deep lot strip centers, do not negatively impact nearby residential neighborhood safety and quality of life due to parking availability.
- The West Parmer location is ideally situated in a deep lot strip center with lots of parking that is located on an uncongested arterial road. The added bonus to the West Parmer location is that arterial will never become an alternate for a major highway when under construction.
- None of these locations are as near to City of Austin disabled/elderly housing or schools as the proposed Burnet location.
- All of these locations are sufficiently situated by distance or level from residences so noise and vehicle light pollution will not be an issue as it will be at the proposed Burnet Road location.



- None of these locations direct amplified music in the direction of residential areas on the other side of shallow business lots.
- Patron parking and driving at the 6<sup>th</sup> Street location does not inconvenience or endanger residential neighborhoods and there is sufficient parking at the Bee Cave, Southpark, and West Parmer locations so no residential neighborhoods are negatively impacted. This simply cannot physically be the case at the proposed Burnet Road location unless the Commission revises the current, referenced site plan.

As a 4<sup>th</sup> generation Austinite active in the community, I must say – very respectfully – that I am highly concerned about the City's liability exposure if this application is approved by the Commission without making several key changes identified above. My concerns are due to the lack of posted, lowered speed limits on nearby residential streets that will be impacted no handicapped pedestrian warning signage, no traffic slowing humps, in many stretches the lack of sidewalk installations and other expensive infrastructure safety improvements, given the surrounding neighborhoods' high residential pedestrian traffic and vulnerable populations. This stretch of Burnet Road is most certainly not a "bar district", even though the SPC-2013-0196C site plan incorrectly lists a "lounge" across the street on the west side of Burnet (that property doesn't even have a TABC permit application, much less an approved permit). These facts are additional compelling reasons to vote against SPC-2013-0196C in its current form

The property in question is one of, if not the largest, commercial properties on the Burnet Road strip between 2222/Northland and 45<sup>th</sup> Street. Many people who travel Burnet Road have no idea how shallow many of the commercial lots are within this segment of Burnet Road. This same segment has very little transitional zoning in between the commercial properties and the residential properties. What happens to this property will profoundly affect the Brentwood neighborhood to the east and the Allandale neighborhood to the west.

Up until this applicant's rezoning request, Burnet Road redevelopment has been mutually beneficial between the neighborhoods and businesses. Allandale and Brentwood have a long-shared and classic new urbanism neighborhood vision of anchoring Burnet Road redevelopment in a complementary relationship with the adjacent generationally-balanced residential neighborhoods. The Allandale and Brentwood neighborhoods are highly sought-after areas because they achieve Austin's ideal of stable neighborhoods with already high and increasing rates of owner-occupancy of residences, generational balance, excellent schools that enjoy neighborhood support, and high walkability to businesses that benefit from nearby single-family neighborhood patronage. These single-family neighborhoods have been a critical client base for new business located on this length of Burnet Road.

This vision has worked well for new Burnet Road redevelopment businesses such as Monkey's Nest, Hat Creek, Amy's Ice Creams, Phil's Ice House, Miguels, Torchy's Tacos, Clay Ways and many others. What these businesses have in common is that they complement, rather than threaten, neighborhood stability.

*Please do not allow this to change as drastically as it would by accepting the SPC-2013-0196C conditional use permit without the changes urged above.* The Austin American Statesman reported that the applicant justified the project on the grounds of a 179-unit apartment complex under construction on Burnet. Profitability, given the size of the building at 5425 Burnet Road and the scope of the bar project, would require far more patronage than that from the new apartment complex. Dangerous traffic will vastly increase. Local media have well-covered the traffic issues that will arise for Brentwood residents. In addition, The Little Longhorn Saloon is located directly across Burnet Road from the subject tract. The addition of a vastly larger property allowing and encouraging liquor sales without these modifications requested above to the SPC-2013-0196C conditional use permit is asking too much of the Shoalmont and Brentwood neighborhoods

My neighbors, family, and I have spoken at length about our concerns and worries generated by Little Woodrow's indifference to its negative impact on two neighborhoods in the design of its site plan. On October 8<sup>th</sup>, our Montview neighbors gathered for a National Night Out event at our house. As the Commission knows, this National Night Out is meant to increase awareness about local neighborhood anti-crime efforts. At this gathering, the main topic among my 30 or so neighbors was the singular concern about the Little Woodrow's project at 5425 Burnet Road. The direct effects of public safety threats from increased drunk driving and quality of life degradation from noise and other inconvenience runs counter to the City's ideals of Austin livability and new urbanism principles for the established, dense, single-family adjacent Allandale and Brentwood neighborhoods.

Please, I respectfully ask you to support the safety and quality of life of the Allandale and Brentwood neighborhoods, particularly those residents living on streets immediately parallel to Burnet Road and vote AGAINST SPC-2013-0196C in its current form.

Very sincerely,

Nathalie J. Frensley, Ph.D.  
5601 Montview Street  
Austin, TX 78756

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- occupies a primary residence that is within 500 feet of the subject property or proposed development;
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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Nathalie J. Fransky

Your Name (please print)

5601 Montview St. 78756

Your address(es) affected by this application

Nathalie J. Fransky

Signature

Date

Daytime Telephone: 512 581 9344

Comments: See attached ~~4~~ 4 page written state ment

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P.O. Box 1088

Austin, TX 78767-8810

To: The Planning Commission Chair and Commissioners:  
Re: Case Number: SPC-2013-0196C  
From: Nathalie J. Frensky

The Commission's agenda for Tuesday, October 22<sup>nd</sup> includes a conditional use permit hearing for the property located at 5425 Burnet Road (SPC-2013-0196C), for a big-box project by the Little Woodrow's bar and lounge chain. This company started in Houston and has several lounge and bar locations in Austin. As a concerned Austinite, parent of a highly accomplished AISD Liberal Arts and Sciences Academy student, and long-term homeowner in the Shoalmont section of Allandale (sometimes called "Old Allandale", a directly affected neighborhood, I respectfully ask you please vote AGAINST the referenced project in its current form. In a nutshell, the reason for this firm but respectful request is that if this project proceeds in its current form, it will be a reversal of Austin's ideals of livability and new urbanism for the established, dense, single-family adjacent Allandale and Brentwood neighborhoods.

Specifically, I ask that you

- Revise Site Plan Note 24 to require a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated;
- Prohibit all outdoor amplified sound;
- Prohibit all live music;
- Move all outdoor noise-generating activity inside by 8:00 p.m. each night;
- Prohibit all on street deliveries;
- Require that all exterior openings (such as doors, windows, etc.) be kept closed; and
- Definitively close all exterior openings by 10:00 pm each night.
- Require that all liquor-serving and storage areas for this project be taken into account to more accurately and reasonably address the parking needs for the customer load this proposed project will generate.

The reason I ask that you require these modifications to the SPC-2013-0196C conditional use permit site plan is that it represents a <sup>location</sup> business plan change from their other locations in Austin. Allow me to explain.

Little Woodrow's has four current locations in Austin: Bee Cave, Southpark, West 6<sup>th</sup>, and Parmer Lane. Each of these current locations does not have the parking and congestion issues and adjacent neighborhood safety and noise impacts that this proposed project will have at 5425 Burnet Road:

This proposed Burnet Road location much closer to residential housing than at other Little Woodrow's locations, with the following implications:

- The proposed Burnet location is already on a highly congested road that will become even more congested as the Mopac HOV lane construction diverts additional traffic onto Burnet.
- The unique mix of shallow business lots and long, deep residential lots means that more residential areas are vulnerable to noise and light generated by the proposed Little Woodrow's on Burnet Road, particularly with its intent to amplify sound to the west across Burnet. While there may be businesses directly across the street, sound will travel past those buildings. Planting hedges and building fences are not solutions to the noise this proposed project will generate – I have already checked on this.

Frensky 1/4  
AGAINST SPC-2013-0196C



- For Little Woodrow's to be profitable, it will have to attract a clientele from outside the adjacent neighborhoods, which will increase the numbers of drinking patrons driving on nearby residential streets late at night. *Note that the Allandale and Brentwood adjacent neighborhoods' residential streets have much higher walkability ratings than Little Woodrow's other locations in Austin and a much higher population of vulnerable persons who are residential pedestrians. The residential pedestrian population includes vulnerable disabled residents (on the Allandale side the City of Austin Housing Authority has a residence for elderly and disabled persons at 2300 W. North Loop) – these residents, school children, and other residential pedestrians throughout the Shoalmont neighborhood walk regularly on Clay, Houston, Shoalmont and Montview Streets to go to school and to the grocery store). The impacted Allandale and Brentwood neighborhood residential streets have high pedestrian traffic – including bikes, wheelchairs, school children, and elderly – day and night due to neighborhood anchors that include Amy's Ice Creams, a H.E.B grocery store that is open until 1:00 am, Lamar Middle School (particularly with after school activities and sports practice), a dry cleaners, a drug store, convenience stores, an optometrist, and other pedestrian destinations that are part of daily life.*

- This increased traffic load by Little Woodrow's drinking patrons will occur on residential side streets such as Montview and Shoalmont that do not have posted, lowered speed limits, handicapped pedestrian signage, traffic slowing humps, or in most cases even sidewalk installations.

Despite the unique combination of these features in the Shoalmont/Brentwood neighborhoods, the proposed Burnet Road location for the new Little Woodrow's does not take them into account. The Shoalmont and Brentwood neighborhoods were established in the 1940s-50s. They are vibrant neighborhoods with well-maintained homes, often extensively renovated, yards, and are primarily owner-occupied. These are highly desired areas for families with children due to the high ratings for the nearby elementary, middle, and high schools. Both Allandale and Brentwood have active neighborhood associations and annual community parties. Many long-term residents of these neighborhoods have chosen to retire-in-place. However, Little Woodrow's is applying the same approach to this proposed endeavor on Burnet Road as they have to their previous efforts located in much more recently developed parts of Austin with larger, less congested roads, and locations much further removed from established family neighborhoods. In the case of their downtown location, it is near only urban condominium housing which cannot be compared to the predominantly single family residences in Shoalmont and Brentwood. Here lies the problem: the Allandale Shoalmont and Brentwood residential neighborhoods are very, very different from the primarily commercial areas of their West 6<sup>th</sup>, Bee Cave, Southpark, and West Parmer locations yet Little Woodrow's has applied the same business plan/model to their proposed Burnet Road location. The fundamental differences between the Shoalmont and Brentwood neighborhoods versus their other, primarily commercial, locations far removed from close-in residential neighborhoods create compelling reasons for voting against SPC-2013-0196C in its current form:

- The West 6<sup>th</sup> location has no single-family zoned residential neighborhood to impact.
- Both the Bee Cave and Southpark locations have roads that can accommodate the large amount of late night traffic that these Little Woodrow's generate and, being located in deep lot strip centers, do not negatively impact nearby residential neighborhood safety and quality of life due to parking availability.
- The West Parmer location is ideally situated in a deep lot strip center with lots of parking that is located on an uncongested arterial road. The added bonus to the West Parmer location is that arterial will never become an alternate for a major highway when under construction.
- None of these locations are as near to City of Austin disabled/elderly housing or schools as the proposed Burnet location.
- All of these locations are sufficiently situated by distance or level from residences so noise and vehicle light pollution will not be an issue as it will be at the proposed Burnet Road location.
- None of these locations direct amplified music in the direction of residential areas on the other side of shallow business lots.

Form 214  
AGAINST SPC-2013-0196C

- Patron parking and driving at the 6<sup>th</sup> Street location does not inconvenience or endanger residential neighborhoods and there is sufficient parking at the Bee Cave, Southpark, and West Parmer locations so no residential neighborhoods are negatively impacted. This simply cannot physically be the case at the proposed Burnet Road location unless the Commission revises the current, referenced site plan.

As a 4<sup>th</sup> generation Austinite active in the community, I must say – very respectfully – that I am highly concerned about the City's liability exposure if this application is approved by the Commission without making several key changes identified above. My concerns are due to the lack of posted, lowered speed limits on nearby residential streets that will be impacted, no handicapped pedestrian warning signage, no traffic slowing humps, in many stretches the lack of sidewalk installations and other expensive infrastructure safety improvements, given the surrounding neighborhoods' high residential pedestrian traffic and vulnerable populations. This stretch of Burnet Road is most certainly not a "bar district", even though the SPC-2013-0196C site plan incorrectly lists a "lounge" across the street on the west side of Burnet (that property doesn't even have a TABC permit application, much less an approved permit). These facts are additional compelling reasons to vote against SPC-2013-0196C in its current form.

The property in question is one of, if not the largest, commercial properties on the Burnet Road strip between 2222/Northland and 45<sup>th</sup> Street. Many people who travel Burnet Road have no idea how shallow many of the commercial lots are within this segment of Burnet Road. This same segment has very little transitional zoning in between the commercial properties and the residential properties. What happens to this property will profoundly affect the Brentwood neighborhood to the east and the Allandale neighborhood to the west.

Up until this applicant's rezoning request, Burnet Road redevelopment has been mutually beneficial between the neighborhoods and businesses. Allandale and Brentwood have a long-shared and classic new urbanism neighborhood vision of anchoring Burnet Road redevelopment in a complementary relationship with the adjacent generationally-balanced residential neighborhoods. The Allandale and Brentwood neighborhoods are highly sought-after areas because they achieve Austin's ideal of stable neighborhoods with already high and increasing rates of owner-occupancy of residences, generational balance, excellent schools that enjoy neighborhood support, and high walkability to businesses that benefit from nearby single-family neighborhood patronage. These single-family neighborhoods have been a critical client base for new business located on this length of Burnet Road.

This vision has worked well for new Burnet Road redevelopment businesses such as Monkey's Nest, Hat Creek, Amy's Ice Creams, Phil's Ice House, Miguel's, Torchy's Tacos, Clay Ways and many others. What these businesses have in common is that they complement, rather than threaten, neighborhood stability. *Please do not allow this to change as drastically as it would by accepting the SPC-2013-0196C conditional use permit without the changes urged above.* The Austin American Statesman reported that the applicant justified the project on the grounds of a 179-unit apartment complex under construction on Burnet. Profitability, given the size of the building at 5425 Burnet Road and the scope of the bar project, would require far more patronage than that from the new apartment complex. Dangerous traffic will vastly increase. Local media have well-covered the traffic issues that will arise for Brentwood residents. In addition, The Little Longhorn Saloon is located directly across Burnet Road from the subject tract. The addition of a vastly larger property allowing and encouraging liquor sales without these modifications requested above to the SPC-2013-0196C conditional use permit is asking too much of the Shoalmont and Brentwood neighborhoods.

My neighbors, family, and I have spoken at length about our concerns and worries generated by Little Woodrow's indifference to its negative impact on two neighborhoods in the design of its site plan. On October 8<sup>th</sup>, our Montview neighbors gathered for a National Night Out event at our house. As the Commission knows, this National Night Out is meant to increase awareness about local neighborhood anti-crime efforts. At this gathering, the main topic among my 30 or so neighbors was the singular concern about the Little Woodrow's project at 5425 Burnet Road. The direct effects of public safety threats from increased drunk driving and quality of life degradation from noise and other inconvenience

Fransky 3/4  
AGAINST SPC 2013.0196C

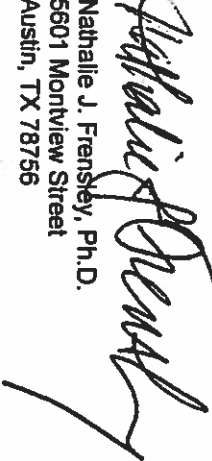




runs counter to the City's ideals of Austin livability and new urbanism principles for the established, dense, single-family adjacent Allandale and Brentwood neighborhoods.

Please, I respectfully ask you to support the safety and quality of life of the Allandale and Brentwood neighborhoods, particularly those residents living on streets immediately parallel to Burnet Road and vote AGAINST SPC-2013-0196C in its current form.

Very sincerely,

  
Nathalie J. Frenseley, Ph.D.  
5601 Montview Street  
Austin, TX 78756

Frenseley 4/4  
AGAINST SPC. 2013.0196C







**Barton-Holmes, Christine**

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**From:** Paulette Kern <paulettekern@sbcglobal.net>  
**Sent:** Sunday, October 20, 2013 9:53 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Protest Case# SPC-2013-0196C  
**Attachments:** Little Woodrow's protest.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Barton-Holmes,

Attached is my protest form for Little Woodrows. You already have my comments in email.

Thank you.

Paulette Kern  
2705 Twin Oaks Dr.



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/development](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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Paulette Kern

Your Name (please print)

☐ I am in favor  
☒ I object

2705 Twin Oaks Dr

Your address(es) affected by this application

Paulette B Kern

Signature

10-20-2013

Date

Daytime Telephone: 512-454-9166

Comments: see email of 10-20-2013

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

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**From:** Joseph Reynolds <joe-rey@texas.net>  
**Sent:** Monday, October 21, 2013 8:19 AM  
**To:** Barton-Holmes, Christine  
**Subject:** Opposition to SPC-2013-0196C – Little Woodrow's on Burnet Road  
**Attachments:** Opposition to SPC-2013-0196C.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I'm copying you as case manager for SPC-2013-0196C – Little Woodrow's on Burnet Road.

Please include the attached document in the case book for Tuesday night I tried sending earlier but the e-mail link in the posted agenda is blocked.

Joseph Reynolds  
[joe-rey@texas.net](mailto:joe-rey@texas.net)  
2611 West 49th St  
Austin, Texas 78731  
512-454-8880





## Opposition to SPC-2013-0196C – Little Woodrow's on Burnet Road

Commissioners, this permit should be denied until certain faults are remedied.

- 1] The site is too close to other existing and proposed late night permits, creating an informal Bar District in a residential area. The site adjoins single family homes.
  - 2] There is no proposed mechanism for controlling patron parking in adjoining neighborhoods. Such parking disrupts residents, especially at night when loud patrons return to drive away. Experience shows that they often litter and pee in yards, barf in streets.
  - 3] There is no proposed sound control to prevent trampling the rights of families to get kids to sleep or enjoy their yards without the bar intruding. The applicant has indicated that operation will be for the full permitted times and with items such as TVs on decks causing disturbance while open. There is no consideration of controlling cheering patrons during sporting events.
  - 4] There is no prohibition against live music
  - 5] There is no prohibition of on-street delivery parking. Any delivery trucks off the site will block either residential streets or a street [Houston] with an unusual intersection configuration.
  - 6] There is no requirement that dumpster service be in daytime, nor for smell mitigation.
  - 7] There is no requirement to prevent light pollution of residential houses.
- I ask the permit be denied until these issues are satisfactorily addressed.

Joe Reynolds  
2611 West 49<sup>th</sup>  
512-297-4841 [c]



**Barton-Holmes, Christine**

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**From:** Joseph Reynolds <joe-rey@texas.net>  
**Sent:** Monday, October 21, 2013 8:20 AM  
**To:** Barton-Holmes, Christine  
**Subject:** Nascent Burnet Road bar District and SPC-2013-0196C – Little Woodrow's on Burnet Road  
**Attachments:** Burnet Rd Bar District.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I'm copying you as case manager for SPC-2013-0196C – Little Woodrow's on Burnet Road.

Please include the attached document in the case book for Tuesday night. I tried sending earlier but the posted e-mail in the agenda is blocked.

Joseph Reynolds  
[joe-rey@texas.net](mailto:joe-rey@texas.net)  
2611 West 49th St  
Austin, Texas 78731  
512-454-8880



## Burnet Rd Bar District

This is to present concerns about the informal development of a Burnet Road Bar District. Developers plan three 2am permits in one block, and another just North.

Ginny's Little Longhorn - existing establishment

Little Woodrow - Permit pending - SPC-2013-0196C on the agenda tonight

Taco Flats - Announced

Others further north on Burnet - SPC-2012-0353C - Burnet Market Place

This commission is charged with the development policy of an area, not just with considering individual permits. It must consider combined development effects. It must balance the rights of a property owner wishing to develop and the rights of many neighbors who will be disrupted by the development. Get Policy right - Experience shows great problems when it is left to slide. South Congress development was extremely destructive to neighborhoods

Districts like "SoCo" are often advocated by people who do not have to live with the consequences. The owners and operators don't have to live with the consequences. Current neighbors and residences are directly impacted with loss of privacy, disruption of basic life functions like sleep, and are subjected to unruly behavior the operators disclaim. The Commission must find, and enforce in permit, controls on such destructive effects.

Invasive parking in surrounding neighborhoods is consistently a problem. Besides disrupting families when parked, the cars mean that drunken patrons return late, peeing in yards and causing disturbance through loud talking and noisy exits.

Allandale neighbors' experience with Fonda San Miguel [Woodview & North Loop] comes to mind. Employees start parking up Woodview before noon. Valet parking along Woodview starts with Dinner. The last cars leave after closing when clean-up/shut-down is finished. The only recourse is area permitted parking, which is extremely regressive on residents.

Noise is a difficult problem. It can be from operations like music performance, TVs on decks, dumpster service, or patrons - Motorcycles are no quieter at 2am than at noon. The Commission must apply permit conditions so that children can sleep and get to school, such that neighbors can enjoy their yards for the outdoor social space that it is. Not doing this is taking existing rights from residents for blocks around each establishment.

The range of the noise disturbance should not be underestimated. In the 1970s I lived on 7<sup>th</sup> between Baylor and Blanco. It was common for the sound from Liberty Lunch to be louder on my front porch than the music from my stereo coming through the open window. Phone calls didn't help. Eventually TABC agents came to assess the issue.

Another common disruption is on-street delivery parking, big beer and food trucks blocking lanes but never subjected to police enforcement. In the Burnet Rd area this will be a considerable problem. The road itself is far too congested, so the trucks block neighborhood streets. It happens now for the 5350 Apartments, it will happen on Houston with Little Woodrow.

The Commission must include the remedies in the permit conditions so that they are enforceable without neighbor's lawsuits. Operators can be 'bad actors', saying one thing to the commission and promptly forgetting that. All bar owners claim to be pure and clean, not serving drunk patrons. But, there are ten of them in the 'Top-10" DWI sources, so they must not be actually doing what they claim. Allandale worked and eventually won-out over Austin's #-1 DWI source - Dallas Nightclub.

The effect of one late-night bar is disruptive, several in a 'district' will be ruinous for the area residents. The Commission should consider placing proximity limits on late night bars. A proximity limit was imposed on Bed & Breakfast permits to prevent a 'hotel district' from forming. Do that for late night bars.

The Commission has a duty to form its' own policies, but we have some starting suggestions:

- 1] limit outdoor sound when kids need to be sleeping, and allow neighbors to use their yards and property
- 2] impose parking policies to constrain neighborhood intrusion from drunk patrons
  - tie bad behavior back to the permit
- 3] prohibit on-street delivery parking
- 4] require dumpster service to be daytime
- 5] control smells
- 6] limit light pollution, from buildings and from automobiles
- 7] revoke a bad actor's permits
- 8] impose 1500ft separation between late night permits

In summary, this commission, by duty, has to consider the policy issues of the nascent Bar District forming on Burnet. It has to weigh the desires of the developer versus the Neighbor's Trampled Rights. One site can ruin adjacent neighbors, and disrupt residents in a multi-block radius. The Commission should consider the combined effects of all the bars, currently proposed and follow-on. Districts start with a few businesses and grow.

The commission can do its' duty and consider the larger policy issues before approving individual permits, or it can rerun the SoCo debacle.

Joe Reynolds  
2611 West 49<sup>th</sup> St  
512-297-4841 [c]

**Barton-Holmes, Christine**

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**From:** Paulette Kern <paulettekern@sbcglobal.net>  
**Sent:** Sunday, October 20, 2013 9:01 PM  
**To:** Barton-Holmes, Christine  
**Subject:** SPC-2013-0196C Little Woodrow's on Burnet Rd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Planning Commission Chair and Commissioners,

Case #:SPC-2013-0196C

Please amend the CUP for the property above to reflect respect for the neighborhoods which surround it. In my opinion, action taken thus far has been wrong--please don't compound it. I am writing to protest the Little Woodrow's project in its current form and ask for the following conditions:

- Revise Site Plan Note 24 to indicate a 1 a.m. closing time for Friday and Saturday, versus the 2 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8 p.m. each night
- Try to keep all exterior openings closed (doors, windows, etc.)
- Close all exterior openings by 10 p.m. each night
- Tie enforcement incentives to CUP

Austin's ordinance for conditional use (Ch.25-5-145) says that a conditional use may not "more adversely affect an adjoining site than would a permitted use" and may not "adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area". How do you get to a bar in this location from here?

This area of Burnet Rd has long history of bordering closely upon family residential as does this property. There is a High School just 4 blocks away, a treatment center across an odd shaped intersection and a church mission oriented store next door. It seems odd that this type of business be injected in such a precarious and inappropriate location. I believe that if you stood on this property, the inappropriateness would be obvious.

I implore you to have a bigger vision for Burnet Rd. than a bar district. Multiple late night alcohol venues constitute a bar district. With Ginny's Little Longhorn, Little Woodrow's, and Taco Flats(coming soon), there will be 3 bars within 1 block on Burnet Rd. Isn't this "overserving" these neighborhoods?

Please help me to understand what this bar/night club will do for mankind that is so important that its right to conduct business (which will disrupt several neighborhoods), should trump those families' rights to peaceful enjoyment of their backyards and full nights sleep before their work or school time each morning. As it stands now,this bar will be open every school night until midnight or 1 a.m. with



outdoor amplified sound, and the accompanying inebriated clients, traffic cutting through the neighborhoods, parking issues and vandalism.

Please don't look at each case in isolation. I am counting on you to look at the whole picture and "plan" comprehensively for the best of the citizens living in this area.

Paulette Kern  
2705 Twin Oaks Dr.  
512-454-9166

**Barton-Holmes, Christine**

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**From:** Edward L. Robinson <el@astro.as.utexas.edu>  
**Sent:** Sunday, October 20, 2013 8:23 PM  
**To:** Barton-Holmes, Christine  
**Cc:** Dave.Anderson@austintexas.gov; Alfonso.Hernandez@austintexas.gov; Jean.Stevens@austintexas.gov; Danette.Chimenti@austintexas.gov; JeffJack@austintexas.gov; James.Nortey@austintexas.gov; Stephen.Oliver@austintexas.gov; Brian.Roark@austintexas.gov; Myron.Smith@austintexas.gov  
**Subject:** Planning Commission Case SPC-2013-0196C, Little Woodrow's on Burnet Road  
**Attachments:** SPC-2013-0196C-Protest.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Case Manager Barton-Holmes and Commissioners,

Please find attached my objection to the proposed conditional use permit to allow a cocktail lounge and add an outdoor deck and patio to Little Woodrow's on Burnet Road.

Sincerely,

Edward L. Robinson



## PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

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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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Edward L. Robinson

Your Name (please print)

<input type="checkbox"/>	I am in favor
<input checked="" type="checkbox"/>	I object

2614 Pembroke Trail, Austin, TX

Your address(es) affected by this application

Edward L. Robinson

Oct. 20, 2013

Signature

Date

Daytime Telephone: 512-550-5652

Comments: I strongly object to the proposed zoning change.

While I am comfortable with ordinary bars on Burnet Road, the requested zoning change would allow much noise, and would harm owners of properties near (and not so near) the proposed bar. The conditional use permit should not be granted without stringent constraints on noise.

Specifically: No live music, no outdoor amplified sound, 1:00 AM closing time for Friday and Saturday, all other outdoor noise-generating activity terminates by 8:00 PM.

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

City of Austin

Planning and Development Review – 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

---

**From:** Andrea <apully@sbcglobal.net>  
**Sent:** Sunday, October 20, 2013 6:44 PM  
**To:** Barton-Holmes, Christine; apully@sbcglobal.net; Alfonso.Hernandez@austintexas.gov; Jean.Stevens@austintexas.gov  
**Cc:** Dave.Anderson@austintexas.gov; Danette.Chimenti@austintexas.gov; JeffJack@austintexas.gov; James.Nortey@austintexas.gov; Stephen.Oliver@austintexas.gov; Brian.Roark@austintexas.gov; Myron.Smith@austintexas.gov  
**Subject:** Case# SPC - 2013 - 0196C

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Case Manager and Commission Members,

This mail is to ask that several conditions be placed on the project related to the above mentioned case that will be discussed at the hearing Tuesday evening Oct. 22nd.

These conditions include:

- 1). 1am closing time Friday and Saturday evening, not 2am closing.
- 2). Prohibit all amplified outdoor sound.
- 3). Move any outdoor noise generating activity inside by 8pm.
- 4). No live music on premises.
- 5). Keep all exterior openings like doors and windows closed.

Thank you for your attention to this matter of the potential negative impact of this project on residents of Brentwood and Allendale.

Sincerely,  
Andrea Pully

Sent from my iPad





**Barton-Holmes, Christine**

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**From:** Anne Young <anne.young@aysite.net>  
**Sent:** Sunday, October 20, 2013 6:15 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Fwd: SPC-2013-0196C, October 22nd agenda

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please forward this message to Commissioner Hatfield. The web site does not include an email address for him.

Anne Young

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

**Subject:**SPC-2013-0196C, October 22nd agenda  
**Date:**Sun, 20 Oct 2013 18:12:42 -0500

**From:**Anne Young <Anne.Young@AYsite.net>

**To:**bc-Dave.Anderson@autintexas.gov, bc-Alfonso.Hernandez@autintexas.gov, bc-

Jean.Stevens@autintexas.gov, bc-Danette.Chimentit@autintexas.gov, bc-

Jeff.Jack@autintexas.gov, bc-James.Nortey@autintexas.gov, bc-Stephen.Oliver@autintexas.gov,

bc-Brian.Roark@autintexas.gov, bc-Myron.Smith@autintexas.gov

Case Number: SPC-2013-0196C

Dear Planning Commission Chair and Commissioners:

The purpose of this message is to urge you to vote AGAINST the referenced project in its current form.

My neighbors and I have tried to carefully review the Conditional Use Permit site plan and proposed floor plan for this project. We have also asked many questions of the bar owner. And after evaluating all of the compiled information, we believe that the project in its current form will have a significant and extremely negative impact on us.

This property already has CS-1 zoning, though it is a site that is obviously ill suited for a bar. This section of Burnet Road has residential properties immediately adjacent to very shallow commercial properties. The properties have historically been used by businesses that are needed and supported by the surrounding community. And many of the businesses were owned by residents of our own neighborhoods. In fact, the subject property housed a longstanding Austin real estate company that was a solid and welcome part of the surrounding community.

The applicant has been successful in his drive to secure CS-1 zoning for a portion of the property included in his project. But that does not mean that he has the right to negatively impact a major

portion of the properties around his. And CS-1 zoning in this instance requires a Conditional use Permit -- for the specific purpose of placing conditions on the project.

I am confident that you are well aware of the many conflicts between bars and nearby residents, so I won't belabor them here. And many of the conflicts will be created simply by the establishment of a bar in this location. But it is not necessary to *enlarge* the disruption by thrusting a portion of the bar and its activities beyond the confines of the structure itself. And that is what the proposed deck areas of this project accomplish -- all within the area where we raise our families.

There will be no way of avoiding this project in its current condition. As we walk along Burnet Road with our kids to other family friendly businesses such as Hat Creek Burgers, how will we be able to avoid this bar? As we garden in our yards, how will we not jump at the deck crowd's roar for every football score? As we entertain at our homes, must our music choices be theirs? Should we have to listen to each and every amazing drum solo?

These are just examples of what we'll have to deal with... all day and into each night... every day and every night of each week. For we **WILL** hear the activities on these decks unless you help us. Unlike the bar patrons, we don't have the ability to simply leave. **WE LIVE HERE.**

This is your chance to stand-up for the Austin residents that live near this property. Please support us in our request to have the following conditions placed on this project.

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
- Definitively close all exterior openings by 10:00 p.m. each night

I would be happy to answer questions regarding this request, and we look forward to hearing of your support for our position. We are relying on you.

Anne Young  
Shoalmont Drive, Austin

**Barton-Holmes, Christine**

---

**From:** wiki schmidt <wiki.schmidt@gmail.com>  
**Sent:** Sunday, October 20, 2013 5:57 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Fwd: SPC-2013-0196C, Planning Commission hearing October 22nd PROTEST  
**Attachments:** PROTEST form for SPC-2013-0196C, Planning Commission hearing October 22nd.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Barton-Holmes,

My protest form is attached.

Thank you.  
Viki Schmidt



### PUBLIC HEARING INFORMATION

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- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Victoria (Viki) Schmidt

Your Name (please print)

☐ I am in favor  
☒ I object

5421 Montview St. 78756

Your address(es) affected by this application

Victoria Schmidt

Signature

10/20/13

Date

Daytime Telephone: (512) 453-1691

Comments:

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

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**From:** wiki schmidt <wiki.schmidt@gmail.com>  
**Sent:** Sunday, October 20, 2013 5:55 PM  
**To:** Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC; Barton-Holmes, Christine  
**Subject:** SPC-2013-0196C, Planning Commission hearing October 22nd PROTEST  
**Attachments:** PROTEST form for SPC-2013-0196C, Planning Commission hearing October 22nd.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Planning Commission member,  
I live very close to the proposed Little Woodrows on Burnel. I am not happy with the prospect of this late night, noisy business being so close to my home. I strongly urge you to support the following changes to the plan which will decrease some of the negative effects of the business on the neighborhood

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
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I strongly believe that these conditions must be required for this project to lessen the negative impact of the project on surrounding neighborhoods. There are families with children and working people that live close by who need to have protection from late night noise from this project.

My protest form is attached.

Thank you.  
Viki Schmidt





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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Victoria (Viki) Schmidt

Your Name (please print)

☐ I am in favor  
☒ I object

5421 Montview St. 78756

Your address(es) affected by this application

Victoria Schmidt

Signature

10/20/13

Date

Daytime Telephone: (512) 453-1691

Comments:

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City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

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<b>From:</b>	Anne Young <anne.young@aysite.net>
<b>Sent:</b>	Sunday, October 20, 2013 12:00 PM
<b>To:</b>	Barton-Holmes, Christine
<b>Subject:</b>	SPC-2013-0196C, Planning Commission hearing October 22nd
<b>Attachments:</b>	SPC-2013-0196C -- PROTEST -- form.pdf
<b>Follow Up Flag:</b>	Follow up
<b>Flag Status:</b>	Flagged

RE: SPC-2013-0196C

Dear Christine:

Several weeks ago I contacted you regarding the Little Woodrow's project on Burnet Road. At that time, the applicant had not submitted a recent update and no public hearing was scheduled. Since that time, I have received a Notice from the City of Austin regarding the project's public hearing before the Planning Commission on October 22nd.

In order to make sure that my neighbors and I were evaluating the project on its current merits, we contacted the engineering firm and the owner to secure further information. Based on our evaluation of that information, we have decided to **protest the project in its current form** and ask you to place the following conditions on the project. They are:

- Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
- Prohibit all outdoor amplified sound
- Prohibit all live music
- Move any outdoor noise-generating activity inside by 8:00 p.m. each night
- Try to keep all exterior openings closed (such as doors, windows, etc.)
- Definitively close all exterior openings by 10:00 p.m. each night

Please contact me if you have questions regarding our request.

Anne Young  
Shoalmont Drive, Austin  
512.657.5323

attachment: PROTEST form



### PUBLIC HEARING INFORMATION

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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

Anne Young  
Your Name (please print)

2112 Shoalmont Dr.

Your address(es) affected by this application

Anne Young  
Signature

10/20/13  
Date

Daytime Telephone: 512.657.5323

Comments: see email



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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



**Barton-Holmes, Christine**

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**From:** Cheney Crow <cheney@uts.cc.utexas.edu>  
**Sent:** Saturday, October 19, 2013 11:30 PM  
**To:** Barton-Holmes, Christine  
Myron.Smith@austintexas.gov; Brian.Roark@austintexas.gov;  
Stephen.Oliver@austintexas.gov; James.Norrey@austintexas.gov;  
**Cc:** Jeff.Jack@austintexas.gov  
**Subject:** Little Woodrows application, Burnet Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear All,

As a resident of Shoalmont Drive, I am very interested in the proposals made by Little Woodrows regarding their outdoor bar plans, and the sound that will generate.

I've lived on this street for many years, and am thrilled to hear that the new management of Ginny's Little Longhorn, which we could hear when the doors were open at night and even when they were closed if the bands controlled the sound level, has already insulated the building and, in a meeting this week, agreed to make a contract with our neighborhood association to keep doors closed after a certain time of night, and to control the sound level of all bands to mitigate the sound impact in our neighborhood, where school-age children reside within less than 100 feet of Burnet Road and Shoalmont intersection.

It is my hope that Little Woodrows will be equally respectful of residents of the established neighborhoods that surround it. What would be most helpful would be the following accommodations to the current Site Plan Note 24, who Revise Site Plan Note 24, to a 1:00 a.m. outdoor closing time (moving last call indoors) for Friday and Saturday. It would also be critical to limit any outdoor sound (no amplified sound), and to keep all exterior openings (doors and windows) closed after 10 p.m. daily, remembering the school children and many working adults who chose our neighborhood for its schools and quiet streets. As the site plan stipulates there will be no live music (and there is no stage), I suppose that will be the case; I would strongly object to live music outdoors.

If Little Woodrows is to join our neighborhood, I hope the owners will cooperate with the Allendale Neighborhood Association to make the transition to having a new bar in our area agreeable to all parties, and not a disruption. We could hear music at night (a problem Ginny's has addressed in our agreement) as far as 4 blocks down Shoalmont (towards Shoal Creek) when the door was left ajar at night.

We look forward to being good neighbors, and will be happy to bring our business your way if the attitude is mutual.

Respectfully,





**Barton-Holmes, Christine**

From:

Sent:

To:

Subject:

Steven Zettner <zettner@snaustin.org>

Saturday, October 19, 2013 7:18 PM

Barton-Holmes, Christine

Protest of Little Woodrow's, SPC-2013-0196C

Follow Up Flag:

Flag Status:

Follow up

Flagged

October 19, 2013  
SPC-2013-0196C  
Little Woodrow's on Burnet Rd

Dear Christine,

I am writing to protest the Little Woodrow's project in its current form and ask for the following conditions:

- **Revise Site Plan Note 24 (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated**
- **Prohibit all outdoor amplified sound**
- **Prohibit all live music**
- **Move any outdoor noise-generating activity inside by 8:00 p.m. each night**
- **Try to keep all exterior openings closed (such as doors, windows, etc.)**
- **Definitively close all exterior openings by 10:00 p.m. each night**

These conditions are important, for the following reasons:

- **Our community has a child-friendly growth vision for Burnet Rd.** We call it 'live-work-play-sleep.' Neighborhood associations along Burnet endorse this vision. Both Burnet itself at this location, and the streets behind it, should be part of a 'transition zone' with housing suited to families, seniors, or anyone else.
- **The City of Austin Comprehensive Plan endorses our child-friendly vision.** Imagine Austin calls repeatedly for mixed use infill suitable to all ages. Growth along Burnet is intended to integrate seamlessly into our existing community, indeed become the pedestrian center of our community.
- **We are engaged in implementing this vision.** Area residents have planted over 100 trees on Burnet and obtained funding for child-safe pedestrian amenities. We have widely communicated our vision, including to Mr. Engel.
- **We are engaged in getting age-diverse housing.** Right now, mainly efficiency and one-bedroom units that exclude families are getting built on Burnet, due to short-term market pressure and inadequate zoning rules. The resulting concentration of young adults draws services suited to young adults. These same trends near downtown are pushing children out. We are working with city planners to develop age-diverse zoning and other policies for areas several miles from downtown.
- **Not bars, but late-night bar districts, undermine a child-friendly environment.** Experience on corridors like South Congress suggest that a concentration of several bars or restaurants that serve alcohol late at night leads to noise and behavioral problems for adjacent residents. These are problems especially challenging for children and seniors, who perform poorly when constantly over-stimulated or deprived of a good night's sleep.
- **Multiple late-night alcohol venues constitute a bar district.** Ginny's Little Longhorn Saloon, across from the Little Woodrow's site, already has a late night liquor license. Another new venue across Burnet, Taco Flats, requested one. When Little Woodrow's obtained its CS-1 zoning in January, we expressed concern with this part of Burnet becoming a bar district that would create a permanent risk of late night noise and behavioral problems, disruptive to children and other long-term residents. City Council rejected this argument because they didn't see one late-night bar as constituting a district. With multiple venues seeking late-night liquor sales, it becomes harder to ignore the trend.
- **There are better places for bar districts nearby.** Anderson Ln west of Burnet is buffered from age-diverse neighborhoods. Other better-suited areas include Highland Mall, North Burnet Gateway, and Downtown itself.

Our child-friendly vision for Burnet Rd is an exciting and credible one. It adds diversity to Austin's urban core. It serves middle managers, generally in their child-rearing years, who are needed throughout our knowledge-based economy. It works well for seniors and young adults too. Other successful cities like Boston, Dallas or Seattle have child-friendly neighborhoods 3-7 miles from downtown. Momentum is building for this vision. But we need time. Please help us to achieve our positive vision for our community. Safeguard a future Burnet that works for residents of all ages.

Thank you,

Steven Zettner  
President, Sustainable Neighborhoods of North Central Austin  
[www.snaustin.org](http://www.snaustin.org)  
512-344-1672

--

Steven Zettner  
Sustainable Neighborhoods of North Central Austin  
[www.snaustin.org](http://www.snaustin.org)

**Barton-Holmes, Christine**

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**From:** Donna Beth McCormick <dbmc@texas.net>  
**Sent:** Saturday, October 19, 2013 5:33 PM  
**To:** Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC; Barton-Holmes, Christine  
**Subject:** Little Woodrow's on Burnet Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Little Woodrow's on Burnet Road is coming up this Tuesday for a hearing. The owners are not exactly what they say they are.

More than a year ago when I was President of Allandale Neighborhood Association, I met with the owners and other neighborhoods about this property. They assured us they worked with neighbors in their other locations and would do the same for us.

- there is little parking and Next to New is not giving them additional parking so it will be on the street by homes
- they would be good neighbors and cooperate with noise and hours - well, that's debatable since they will have outside music - amplified. And late hours, with doors open so the inside people can hear.

Listed below are requests by the neighbors and the Little Woodrow owners seem to be slightly tone deaf on the issues!

- Revise Site Plan Note 24 to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
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The neighborhoods are working and cooperating with other bars in the area to be neighborhood friendly - people are working, kids are in school - and not up until 1 and 2 AM. This should be true on weeknights for other people that work during the day and need to be at home at a reasonable hour. Burnet Road is not the next 6th Street - we already have one in town. We also do not want to see people who have had too much to drink end up at the hospital or the morgue from our neighborhood.

Donna Beth McCormick  
Shoalwood Ave.



**Barton-Holmes, Christine**

**From:** Anne Rogers <anrogers1111@gmail.com>  
**Sent:** Tuesday, October 22, 2013 1:25 PM  
**To:** Danette.Chimentit@austintexas.gov; Dave.Anderson@austintexas.gov; Alfonso.Hernandez@austintexas.gov; Jean.Stevens@austintexas.gov; JeffJack@austintexas.gov; James.Nortey@austintexas.gov; Stephen.Oliver@austintexas.gov; Brian.Roark@austintexas.gov; Myron.Smith@austintexas.gov; Barton-Holmes, Christine  
**Subject:** SPC-2013-0196C, Little Woodrow's on Burnet Rd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear City Planning Commission:

I am writing to protest the Little Woodrow's project in its current form and ask for the following conditions:

- **Revise Site Plan Note 24** (file attached again) to indicate a 1:00 a.m. closing time for Friday and Saturday, versus the 2:00 a.m. closing time that is currently indicated
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Thank you,

Anne Rogers, Brentwood resident

5314 Roosevelt Ave., 787856

**Barton-Holmes, Christine**

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**From:** Greg Chico <greg1austin@yahoo.com>  
**Sent:** Wednesday, November 06, 2013 4:28 PM  
**To:** Barton-Holmes, Christine  
**Subject:** SPC-2013-0196C  
**Attachments:** Case Number SPC-2013-0196C.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Christine:

Per our conversation, please see the attached statement regarding the Planning Commission case referenced above, for the planned "Little Woodrows" bar that is working to open -- with a conditional use permit to allow public outdoor spaces (deck and patio), as well as a [ridiculous request, given that this is a for profit, non-charitable entity] variance from Section 25-5-146(B) parking restrictions.

As I mentioned, I have a family emergency (brother's death) that will preclude my attendance at the Planning Commission meeting on November 12, 2013. Thank you for your assurance that opposition to the applicant's requests will be given attention as is appropriate.

Sincerely,  
Greg Chico





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Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Nov 12, 2013

FAX: 512-  
974-  
3010

GREG CHICO for The CHAVIS  
Your Name (please print) TRUST

☐ I am in favor  
☒ I object

1700 HOUSTON ST. (6 APARTMENT  
Your address(es) affected by this application UNITS)

[Signature] 11/6/13  
Signature Date

Daytime Telephone: (512) 854-4659

Comments: CITY OF AUSTIN TRACK RECORD  
ON THIS LAND USE & ZONING CHANGE/  
ACCOMMODATION OF APPLICANT'S DESIRES  
FOR INCOMPATIBLE LAND USE ADJACENT  
TO RESIDENTIAL AREA HAS MADE A  
COMPLETE MOCKERY OF THE ENTIRE  
(WASTED!) EFFORTS FOR NEIGHBORHOOD  
PLANNING & CITIZEN/RESIDENT INPUT.  
THIS USER IS NOT A HARDSHIP CASE!

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

City of Austin  
Planning and Development Review - 4<sup>th</sup> floor  
Christine Barton-Holmes  
P. O. Box 1088  
Austin, TX 78767-8810

MY TENANTS  
WILL SUFFER  
& I AM  
DISGUSTED W/  
THE "PROCESS"



## PUBLIC HEARING INFORMATION

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and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
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Case Number: SPC-2013-0196C

Contact: Christinae Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Oct 22, 2013

FAX 974-3010

CHAUS TRUST / GREG CHICO

Your Name (please print)

1700 HOUSTON ST. AUSTIN 78756

Your address(es) affected by this application

*[Signature]*

Signature

10/17/13

Date

Daytime Telephone: (512) 854-4659

Comments:

Continued effects of COA to  
accommodate a for profit bar  
(alcohol sales) against neighbor  
wishes (Bogus w/ zoning change)  
ARE WRONG & UNJUST.

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810

*Thank you*



**Barton-Holmes, Christine**

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**From:** Joe Reynolds <joe-rey@texas.net>  
**Sent:** Thursday, November 07, 2013 10:17 PM  
**To:** Barton-Holmes, Christine  
**Subject:** Opposition to SPC--2013--0196C – Little Woodrow's on Burnet Road  
**Attachments:** Neighborhood Impact.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Christine,  
Please include the attached PDF document in the Commissioners File for the hearing on Nov 12.

Thank You.

--  
Joe Reynolds  
2611 West 49th  
Austin, Texas 78731  
512-454-8880



**A Look at Little Woodrow’s Neighborhood Parking Impact**

**Summary:**

We present a discussion of the parking disruption the Little Woodrow’s will cause, based on a straightforward business-case analysis. We compute the minimal sales each month required to cover the basics; depreciated renovation, lease, and utilities. We expand that, with uncertainty, to include some assumed labor for bar service. Then we calculate the number of patrons needed, based on a drink limit that gets each to the BAC for DWI threshold. Then we get per-session patron count using some time-of-day and day-of-week allocation of the total patron count. Finally we estimate parking for the patron load.

From this business model we estimate 125 cars parked in front of residences beginning at 4pm and 75 being recovered at midnight. This utilizes all the road margins in 2100 and 2200 blocks of Shoalmont, 5400 and 5500 blocks of Montview, and 5500 and 5600 blocks of Clay.

This disruption is sufficient to deny the parking variance and deny the CUP.

**Analysis:**

It is instructive to examine the neighborhood impact of the proposed Little Woodrow’s from the business case. By doing some simple financials one can estimate many things about a business, including numbers of customers and parking requirements.

Simple spreadsheet business-school modeling tells a lot. Some assumptions have to be made, but ranges and averages lead to numbers which bankers and others use in deciding business cases. The capital costs, lease costs, and utilities give a floor for how much business must be conducted each month, and these are reasonably straightforward to surmise. Labor is a more volatile item, but estimates achievable. For a bar, supplies are not entered. Keg beer is about \$0.15 each 12oz serving.

**Cost Base:**

There are about 5000sqft of establishment. At \$120 per foot, the remodel is \$600,000. Depreciated over 5 years is \$10,000 per month. This is commercial construction with components like a walk-in cooler, bar, simple [but brand new] kitchen, and completely revised floor plan.

Similarly, lease and utilities can be estimated. The lease is a little work since there are three areas, the bar/restaurant, parking, and the two re-purposed office buildings that will be classed as “warehouses.” Using the “going” rate applied to 10,000sqft was my approach. I get \$20,000/mo. Utilities are at commercial rates, include ovens, big cooler, but not much A/C as this is an indoors-is-outdoors sort of design. I’ve assumed \$2000/mo. This process leads to a monthly estimated capital expense of \$32,000, not considering staff/wages or insurance or supplies. In some



cases I'll estimate labor effects, but recognize that they are variable and are best used to have the capital expense be best case, with actuals higher.

**Drink Count:**

So, a first question is how many drinks are needed to pay the basic bills. Top line, any revenue, and not reduced by the intangibles. A first estimate would be to use a \$5 drink, but Little Woodrow's publishes Drink Specials on the Internet. \$3.20 is maybe a better price. And that would be for a 'double beer' a 24oz drink. That means that 10,000 drinks/mo have to be sold just to cover the capitol expenses of the bar. What about the higher expense including labor? Each employee, making some assumptions, will need to sell about 950 drinks/month to cover their wages/taxes/medical. Assuming the number of servers matches the customer load, but always more than 2, labor could run the number of drinks to 14,000 or 15,000 per month.

**Patron Count: -Experience**

So, how many customers are needed to buy the drinks, because that's the biggest factor in estimating parking. Experience with existing bars and restaurants can be used. The closest bar is Little Longhorn, directly across Burnet from the proposed Little Woodrow's. Ginny's has seating for 80 and 50 parking spaces, and patrons regularly park down Shoalmont and Clay, and at adjacent businesses. Little Woodrow's estimated occupancy of 110 - 80 bar + 30 food [plus deck]; with 47 parking spaces. The Lucy's Fried Chicken has about 30 places and patrons park in the neighborhood. So, it's easy to expect the bar to result in residents having cars along the curb. How many?

To get the number of cars it is necessary to estimate how many drinks per customer are needed to meet the financials, and then estimate how many customers per car.

**Patron Count: - Calculation**

To estimate drinks per customer, we need to look at the constraint of how many drinks make a drunk. An easy place to get guidance is Colleges. They have young people needing guidance, and many have ongoing issues of drunkenness. What keeps being presented is two 12oz beers the first hour will raise BAC to the DWI threshold; then roughly one beer/hr maintains that level, with variation for gender, weight, etc. Any estimate of patrons that assumes more drinks per hour would reflect a business plan based on "over-serving." So, if Little Woodrow's is selling their advertised double beers, one drink the first hour get the patron to DWI level and another double in 2 hours maintains that. A patron is in the bar 4 hours and consumes 2 of the 330 to 500 drinks per day needed for business. More drinks than that and they are "over served." Simple math shows that to cash flow there needs to be 150 to 250 customers per day.

**Patron Count: -Load Cycle**

What about occupancy, not all hours and days are equal. There are three 4-hour periods from noon to midnight. Assume 15% of the patrons start at lunch, 50%

start at 4pm, and the last 35% start at 8pm, we get 25 to 40 folks in the bar starting at noon, 75 to 125 from 4pm to 8pm, and 50 to 90 from 8pm to midnight. The bar may be over the 112 fire occupancy limit, but there's the deck. And, 50 to 90 cars are trying to park. This all assumes even demand day-day.

What about weekend effect? It's not hard to assume that 70% of business is weekend, with Sunday just a little lighter than Friday and Saturday. Allocating for business cycles dramatically alters the patron load. Instead of the average 330 to 500 drinks per day with uniform business, these calculate to 625 to 975 drinks per day on weekend peaks. If the same 15%, 50%, 35% levels are assumed for these numbers then the model shows 242 drinkers in the bar from 4pm to 8pm; 170 from 8pm to midnight. This is for the assumption that each buys 2 "specials" - they have to stay for 4 hrs or they can't drink 2 without being "over served". Remember, the "Specials" are drinks like 24oz beers, and that's the amount needed to get a person to the DWI threshold.

**Parking:**

The next effort is to estimate parking. A widely used number is 1.4 passengers/vehicle. That means that from 4pm-8pm roughly 175 cars have to park and from 8pm to midnight 121 cars. If 50 cars park on-site, about 125 cars park in front of residences, and 75 cars being recovered at midnight.

Parallel parking a car takes about 20ft of curb. So, a residential lot can place 2 cars and leave 10ft for the driveway. Looking at Shoalmont, the E-W street just North of the proposed Little Woodrow's, and where there will soon be a traffic signal, the 2100 block has 8 lots, 4 each side. The 2200 block has 9, but the distance is comparable. Clay, just East of the site, has about 8 houses per side per block. Montview, parallel to Burnet and west has about 8 houses per side per block.

With 125 cars to park and 25 per block; all the residences are "parked out" for the 2100 and 2200 blocks of Shoalmont, 5400 and 5500 blocks of Montview, and 5500 and 5600 blocks of Clay. This is an impact that ruins neighborhoods. Experience with South Congress should indicate what this will be like. The distance restriction for parking is intended to protect residents from the intrusion and disruption of bar traffic. That protection is clearly needed here. Otherwise, at late hours, residents are subjected to couples arguing and 'fighting' about "Give me the keys, you're not driving," or, "You were flirting with him," and with car alarms, and squealing tires. If only 6% of patrons cause these disturbances, each residential block will get a wake-up event.

**Patrons not local:**

An argument will be made that the bar customer base is locals, those living in near-by apartments, who will walk not drive. The basic, just expenses, business analysis shows that 450 patrons per Saturday are needed. The local patrons are not there. The applicant can not demonstrate a "walk-up" clientele. Experience with Little Longhorn and with Lucy's Chicken is for cars and parking. Experience at Little

Woodrow's other Austin and Houston locations is cars. SoCo experience is cars. The applicant has argued that keeping the extra late hours is needed "So when people are planning how to spend their evening, they'll want to come to Little Woodrow's". That's an argument for a City-wide draw, not a neighborhood "let's go get a beer" discussion. It's a drive-over business model. The devastation caused in the neighborhood by the parking is such that simple assertions and hope by an applicant are insufficient to protect the rights of existing residents.

**Reject the CUP:**

No addenda to the CUP can remedy this imposition on the neighbors. People living for years in their houses, who have chairs on their porches, who use their yards socially, with kids swings on front yard tree limbs, are being deprived of the enjoyment of their homes so that bar cars can park. This is wrong. Deny the variance. Deny the CUP.

Joe Reynolds  
512-297-4841

**Barton-Holmes, Christine**

---

<b>From:</b>	Joe Reynolds <joe-rey@texas.net>
<b>Sent:</b>	Friday, November 08, 2013 9:11 AM
<b>To:</b>	Barton-Holmes, Christine
<b>Subject:</b>	SPC--2013--0196C – Little Woodrow's Site Plan Floor Size
<b>Attachments:</b>	Office.pdf
<b>Follow Up Flag:</b>	Follow up
<b>Flag Status:</b>	Flagged

Christine, would you please include this in the Commissioner's packet for Tuesday. Thanks.

Joe Reynolds  
2611 West 49th  
Austin, Texas 78731  
512-454-8880



Office/Storage and Little Woodrow's Floor Plan

The draft floor plans for Little Woodrow's show an area of Office/Storage adjacent to the bar, across from the restrooms, but is not allocated to the bar. It is in a place one would customarily expect on-site functions.

In a meeting the afternoon of Nov 1, Staff and Neighbors were told that this was "Corporate Office & Storage." This clearly sounds like fiction. That Chinese-wall must be very high and is easily breached. Any local functions require that the space be counted against the bar size. Workforce rules require that employee time records be kept on-site, so if any time clock or time sheets kept there during the week before submitting to pay-roll, they are local bar activity and the office is not "corporate." Employee lockers in that space are local not corporate activities. Employment decisions for this bar are not corporate functions. The room is just across from the restrooms, storage of extra hand towels or tissue is a local not corporate function. Storage of clean/soiled aprons and bar towels is a local function. The list of possible activities is long and the Corporate/Bar characterization has a big impact in triggering extra parking.

Recognizing that uses claimed now may not be those that are implemented, the Commissioners should vigorously examine the claim that this is Office/Storage not under the Bar floor space allocation.

Joe Reynolds  
512-454-8880



Pls mail Little Wood rd 5

PUBLIC HEARING INFORMATION

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Case Number: SPC-2013-0196C  
Contact: Christine Barton-Holmes, 512-974-2788  
Rosemary Ramos, 512-974-2784  
Public Hearing: Planning Commission, Oct 22, 2013

☐ I am in favor  
☒ I object

Your Name (please print) DAVID DOLIMBOY

Your address(es) affected by this application 2113 Shoalmon Dr

Signature [Signature]

Date

10-12-13

Daytime Telephone: 512-423-8863

Comments:

This is too much (noise, traffic, late night, pattern) for a residential neighborhood

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

City of Austin  
Planning and Development Review - 4th floor  
Christine Barton-Holmes  
P. O. Box 1088  
Austin, TX 78767-8810





RING INFORMATION

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the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2013-0196C

Contact: Christine Barton-Holmes, 512-974-2788

Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Nov 12, 2013

Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application



Signature

Date

Daytime Telephone:

Comments:

I am ~~ag~~ against

this happening.

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

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Planning and Development Review – 4<sup>th</sup> floor

Christine Barton-Holmes

P. O. Box 1088

Austin, TX 78767-8810



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Case Number: SPC-2013-0196C  
Contact: Christine Barton-Holmes, 512-974-2788  
Rosemary Ramos, 512-974-2784

Public Hearing: Planning Commission, Nov 12, 2013

Your Name (please print) DAVID F. OWEN

☐ I am in favor  
☒ I object

Your address(es) affected by this application

5305 CLAY

Signature

[Signature]

Date

11/6/13

Daytime Telephone: 512 687 3456

Comments: Why is the city breaking the rules for approval? Clearly there is not enough information for yet another bad decision. What if the city is correct and taking a risk to push this through? Little would be established. Are they anti-gay. Why would the city allow yet another hate-motivated to get special treatment?

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

City of Austin  
Planning and Development Review - 4<sup>th</sup> floor  
Christine Barton-Holmes  
P.O. Box 1088  
Austin, TX 78767-8810

