

PLANNING COMMISSION

~~ORDINANCE~~ HANDOUTS

JANUARY 14, 2014

116.90

C-3

Subject: Cascades MUD - Agenda Item 5

From: Justin Spillmann (jaspillmann@yahoo.com)

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: jaspillmann@yahoo.com; dora.anguiano@austintexas.gov;

Date: Tuesday, December 10, 2013 1:51 PM

Dear Planning Commission Members:

I represent and am a part owner of Spillmann Properties, Ltd, which owns land next to the proposed Cascades MUD (Agenda Item #5 tonight). My family thinks it is vitally important for all decision makers at the city to have knowledge of the history of this development. This is the same developer that filled the floodplain along Onion Creek without first obtaining the required permits. We feel it took satellite imagery that showed the fill being placed for the city to take action years ago. During the process to determine the amount of the fill, the developer provided the depths and test pit locations used by Terracon to create a report on which the city relied. Terracon specifically stated that they didn't make those determinations (See Exhibit #3-B). The LIDAR data and the on the ground survey differed by numerous feet in areas, but the Terracon report showed "No Fill" in some of these same areas (See Exhibit 4). How can this be, especially considering the satellite imagery that showed work being done in these areas (look at Exhibits #2 and #3 attached)? One possible answer is that the test holes were not dug deep enough. After the Halloween 2013 Onion Creek flood, I met with two city of Austin engineers and showed them this documentation. Before I could even finish outlining my thought, one of the engineers stated that the test holes possibly didn't go deep enough.

Additionally, I also witnessed the fill being conducted, and personally farmed some of the land in question to know how it drained prior to the developer's actions.

Once the city and the developer agreed to an amount of fill that needed to be mitigated (an amount I'm still not sure is correct based on the above), a plan was put in place to complete the mitigation. However, at the beginning of the mitigation the workers started putting the "spoils" back on the ground where they originally came from, instead of in the "Spoils Disposal Area" that had been agreed upon. This shows that even when the developer puts something in writing, that it sometimes takes more severe action for the developer to comply with agreements that were previously made.

The fact that the developer's prior law firm, Brown McCarroll, had to file suit to collect attorneys fees is another indication of this (See Exhibit D).

Additionally, back in late 2005/early 2006, Marc Knutsen was going through personal bankruptcy (Exhibit B) at close to the same time as his fiance Joyce Porter was involved in obtaining an interest in the property in Austin's full purpose jurisdiction (the green property on the attached map).

In the 2005 bankruptcy, Marc Knutsen listed \$710 in assets and \$1,889,989.59 in liabilities (see Exhibit F) . In a 2010 bankruptcy filed by Onion Associates, Marc Knutsen was listed as a creditor in the amount

of \$592,279 (see Exhibit H).

Note that Mr. Knutsen was listed as a caretaker for Porter Ranch in 2004 and 2005 showing income of \$20000 each year (see Exhibits E and G).

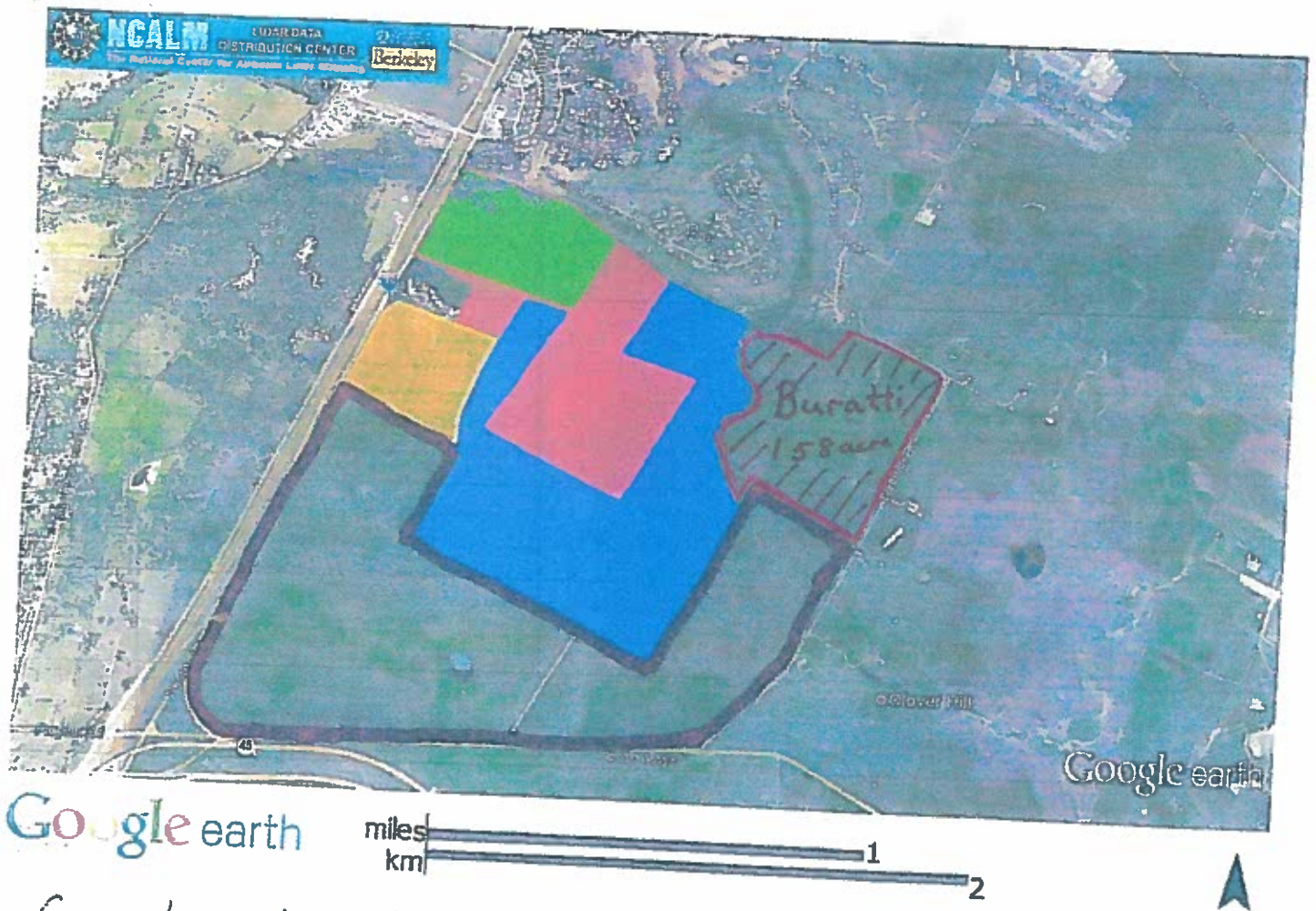
My family is concerned about many aspects of the proposed MUD. In the legislative process, we were told that we could see the consent agreement to be signed off on by the city prior to the city's approval. However, it now appears that the city might sign off on a concept without having the actual language in place. This is troubling to me, because in this instance I believe exact language should be voted on instead of a general agreement. Even with an exact agreement, the developer has shown that he is not willing to always perform his duties without court or other additional enforcement action.

My family encourages all city staff, commissions, and decision makers to fully consider the future impact of approving this MUD. We do not feel that this MUD is a benefit to the community.

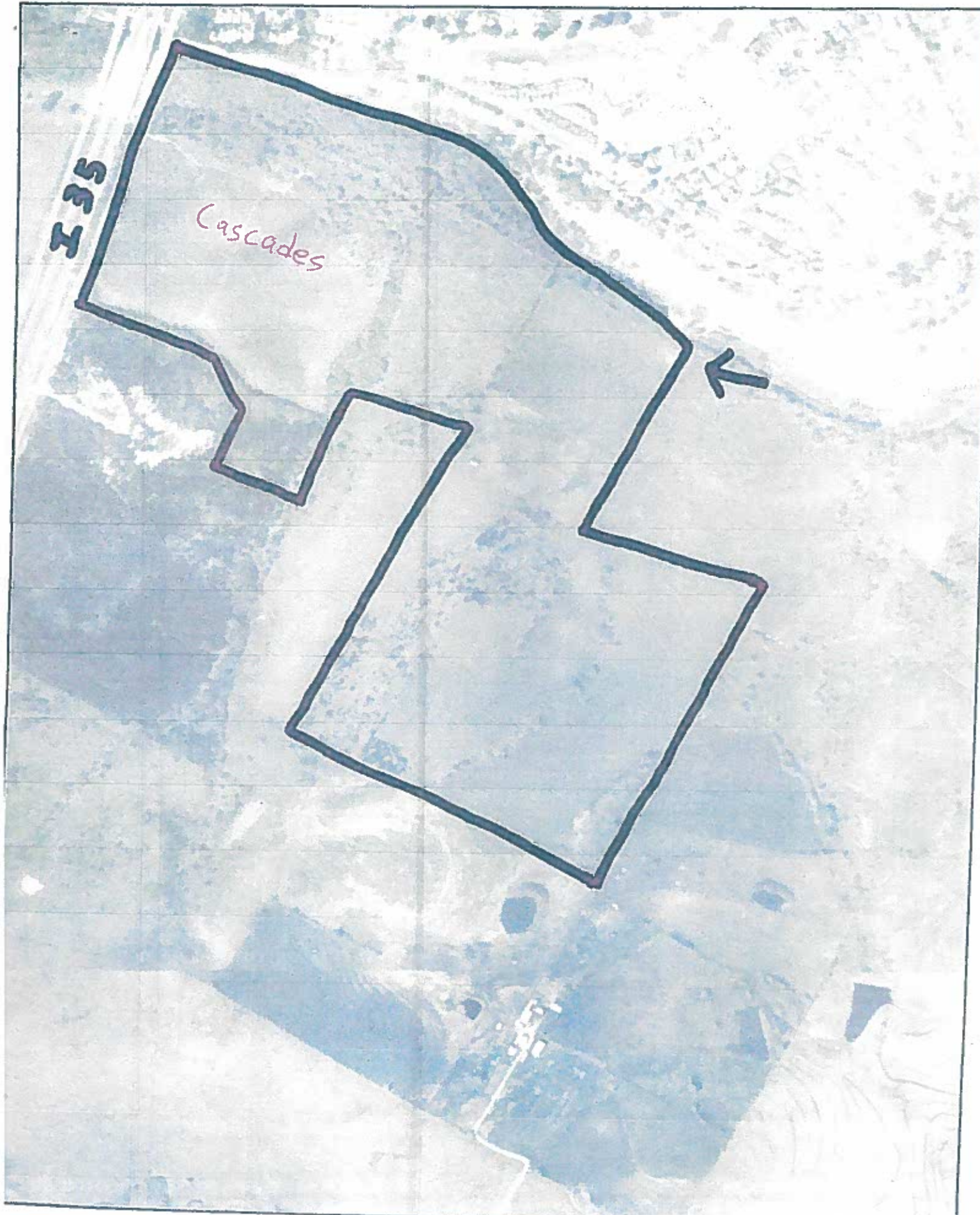
We encourage you to deny this request for a MUD. Please contact me if you have any questions.

Sincerely,
Justin Spillmann
Attorney for Spillmann Properties LTD.

512-551-9999



- Cascades - within City of Austin city limits - Green
- 140 - Cascades - outside City of Austin but inside Austin ETJ - Red
- Hetherly - Yellow
- Spillmann - Purple
- Urban - Outlined in Black
- Buratti - 158 acre Proposed MUD expansion area
(possible) Outlined in Red w/ Cross Hatch

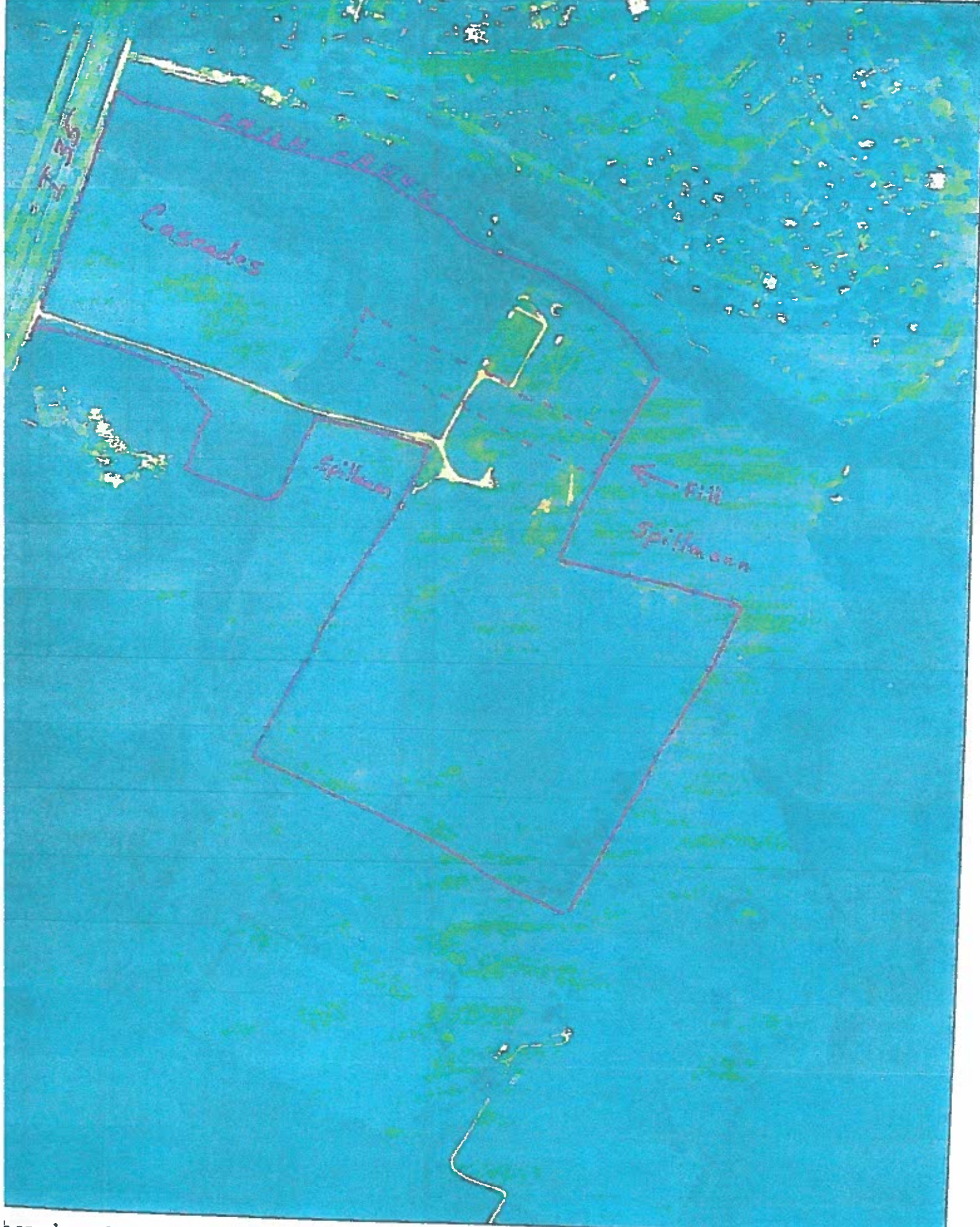


inch equals 720 feet

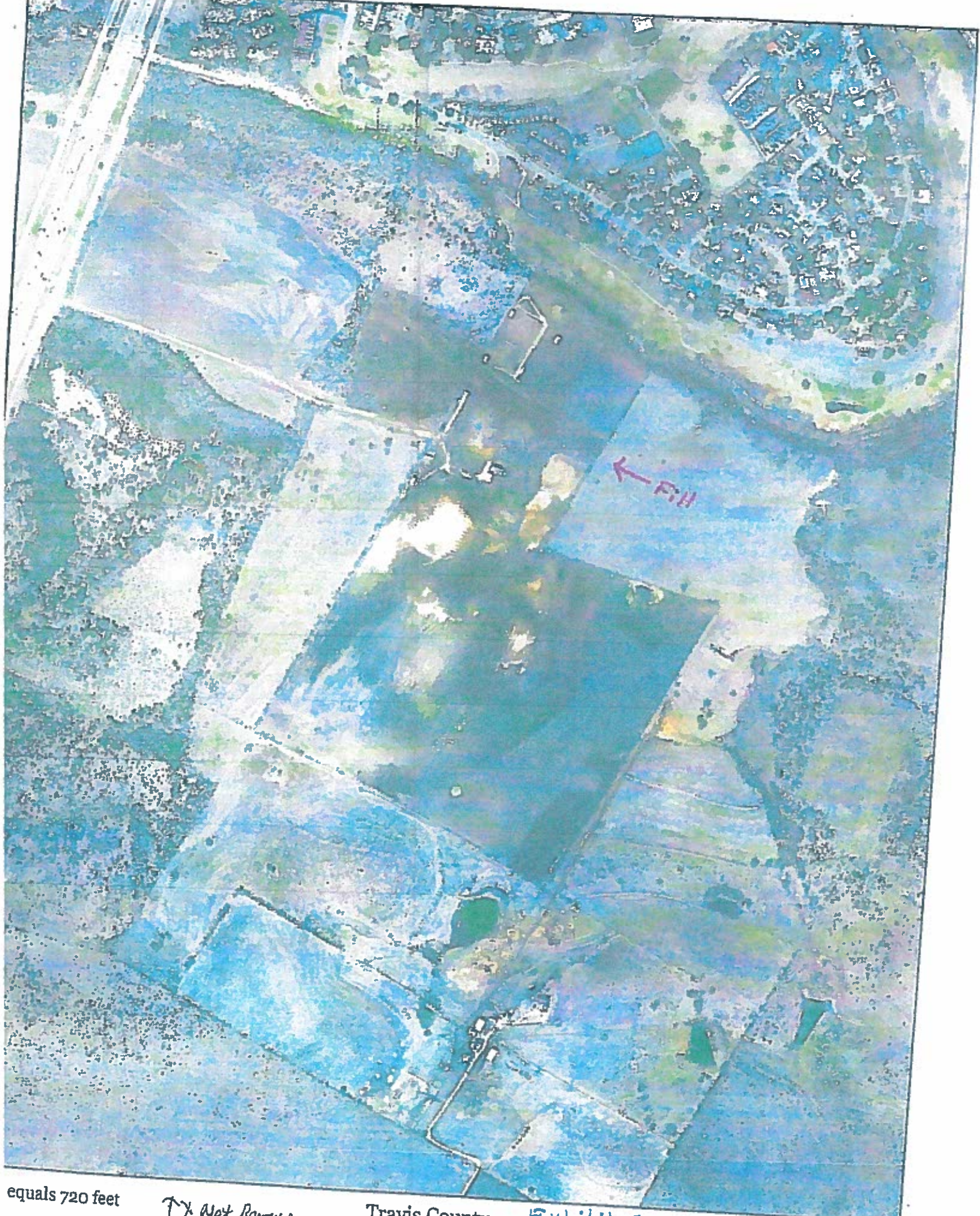
Travis County

Exhibit 1

TXDOT 1993
Frame: 2-16-543



h equals 720 feet



equals 720 feet

*TX Nat Resources
Encounter Systems*

Travis County

Exhibit 3

CAPCOG 2006

May 21, 2008



Mr. Richard W. Vaughn, A.P.A., C.E.T.
Vaughn & Associates
707 West 10th Street
Austin, Texas 78701

Terracon Consultants, Inc.
5307 Industrial Oaks Boulevard
Suite 160
Austin, Texas 78735
Phone 512.442.1122
Fax 512.442.1181
www.terracon.com

Phone: (512) 708-8891
Fax: (512) 708-8895
Mobile: (512) 619-7159
E-mail: rick@rvaughn.com

Re: Fill Depth Evaluation
IH-35, north of Mayall Trail
Austin, Texas
Terracon Project No. 96085097

Dear Mr. Vaughn:

This letter provides approximate depths and an estimated volume of the existing fill material at the above referenced project site. This project was authorized by Mr. Richard Vaughn of Vaughn & Associates through signature of our "Agreement for Services" on April 28, 2008. The scope of services for this project was performed as generally outlined in Terracon Proposal No. 9608G1558 dated April 25, 2008.

Project Summary

The project involves the proposed development of a tract located on the east side of Interstate Highway 35, north of Mayall Trail and south of Onion Creek Parkway in Austin, Texas. Based on information provided to us, the site was filled in late 2005. Our scope of services for this project consists of providing an estimate of the amount of fill at the site, based on test pit excavations and plans provided to us.

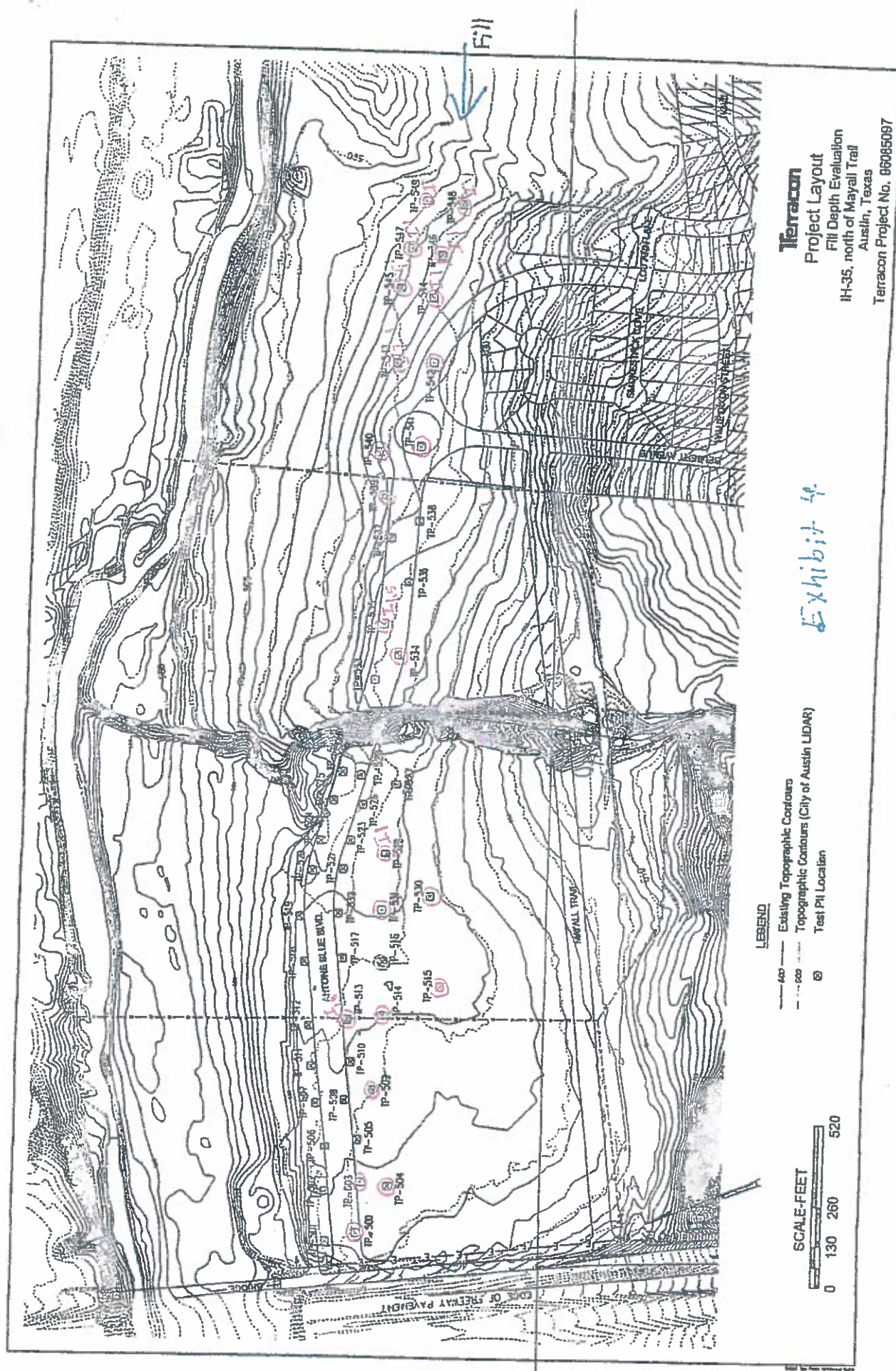
Field Exploration

An approximate limit of the filled area was provided to Terracon by Winkley Engineering, Inc. Based on the limits, the study area is approximately 26 acres. On May 3, 2008, a Terracon field technician observed the excavation of 17 test pits (TP-533 through TP-549). The test pit locations were provided by the client. On May 13, 2008, the Terracon field technician observed 33 test pits (TP-500 through TP-532) after they were excavated by the land owner to predetermined depths. These test pit locations (TP-500 through TP-532) were marked in the field by Winkley Engineering Inc.'s surveying firm. The depths of the excavation were estimated by Winkley Engineering based on their comparison of the topographies from the City of Austin LIDAR (Light Detection and Ranging) and on the ground survey data (current topography). The approximate test pit locations are shown on the project layout presented on Figure 2. The figure also shows the current topography of the site as well as the topography from the City of Austin LIDAR..

N:\Projects\2008\96085097\96085097.doc

Exhibit 3-B

Inconclusive & I test
 No Fill Test Holes





NOTICE OF FILING OF APPLICATION FOR CONSENT TO CREATION OF A WATER DISTRICT

Exhibit A

Mailing Date: 01/16/2013

Case Number: C12M-2013-0001

Please be advised that the City of Austin has received an application for consent to create a water district. You are being notified in accordance with Section 25-9-153 of the City Code.

Name of Water District: Cascades Municipal Utility District (MUD)

Applicant: Onion Associates, Ltd. (T. Marc Knutsen)

Project Location: Approximately 223 acres of land located along the south side of Onion Creek east of IH 35 South in Travis County, Texas.

Project Description: The applicant is proposing the creation of a municipal utility district. A portion of the area is in the City's full purpose jurisdiction and the remainder is in the City's extraterritorial jurisdiction (ETJ). The site is undeveloped and proposed future development includes single-family and multi-family residential land uses.

Procedure: The City Council may recommend creation of a water district after it is reviewed by staff, the Water and Wastewater Commission, the Planning Commission, the Environmental Board, the Parks and Recreation Board, and the Urban Transportation Commission. The City Council must hold a public hearing on the application and then may take action to recommend or deny consent to creation of the water district. Normally, City Council action takes place within 90 days.

After City Council action, the district may be created by the Texas Commission on Environmental Quality. At any time, the district may be created by act of the Texas Legislature.

If you have any questions concerning this application, please contact Virginia Collier at (512) 974-2022 or by email: Virginia.collier@austintexas.gov, and refer to the case number at the top right of this notice. The case manager is located at the Planning and Development Review Department at the One Texas Center Building, 505 Barton Springs Road, Austin, Texas.

**U.S. Bankruptcy Court
Western District of Texas (Austin)
Bankruptcy Petition #: 05-18471-fm**

Exhibit B

Assigned to: Bankruptcy Judge Frank R. Monroe
Chapter 7
Voluntary
No asset

Date filed: 10/14/2005
Date reopened: 06/08/2006
Date terminated: 02/01/2007
Date discharged: 02/08/2006

Show Associated Cases

Debtor

Timothy Marc Knutsen
PO Box 850
Buda, TX
TRAVIS-TX
SSN / ITIN: xxx-xx-1149
aka T. Marc Knutsen
aka Marc T. Knutsen
aka Marc Knutsen
aka Timonthy M. Knutsen

represented by **William T. Peckham**

Law Office of William T. Peckham
1104 Nueces Street, Suite 104
Austin, TX 78701-2106
(512)472-8126
Fax : 512-47801790
Email: wpeckham@swbell.net

Trustee

Ronald E Ingalls
12898 High Sierra
Austin, TX 78737
(512)708-9188
TERMINATED: 06/08/2006

Exhibit C

**U.S. Bankruptcy Court
Western District of Texas (Austin)
Bankruptcy Petition #: 10-11253-cag**

Debtor

represented William T. Peckham

ONION
ASSOCIATES,
LTD

by Law Office of William
T. Peckham
1104 Nueces Street,
Suite 104

P. O. Box 850
Buda, TX
78610

Austin, TX 78701-2106
(512)472-8126
Fax : 512-47801790

Tax ID / EIN:
20-4943349

email:
wpeckham@swbell.net

ONION ASSOCIATES LTD Texas Western Bankruptcy Court Deb Case 10-11253



TRV
1 PG

2011071617

Return to: **BROWN MCCARROL**
111 CONGRESS AVENUE, SUITE 1400
AUSTIN, TX 78701-4043

Exhibit D

Abstract of Judgment

The State of Texas
The County of Travis

Cause No. C-1-CV-09-010653

**BROWN MCCARROLL, L.L.P., Plaintiff vs. UNION ASSOCIATES, LTD. AND
UNION ASGP, INC., Defendants**

I, Dana DeBeauvoir, Clerk of the County Court at Law No. 1 of Travis County, Texas, do hereby certify that in Cause No. C-1-CV-09-010653 in said Court, **BROWN MCCARROLL, L.L.P.**, whose address is in care of

BROWN MCCARROL
111 CONGRESS AVENUE, SUITE 1400
AUSTIN, TX 78701-4043

Plaintiff recovered judgment on March 26, 2010, against Defendants **UNION ASSOCIATES, LTD. AND UNION ASGP, INC**

(DOB-unknown; TDL-unknown; SSN unknown; last known address both defendants-C/O WILLIAM T. PECKHAM, 1104 NUECES STREET, SUITE 104, AUSTIN, TEXAS 78701)

Jointly and severally, in the amount of \$49,344.94, plus prejudgment interest in the amount of \$4,387.67, attorneys' fees in the amount of \$4,250.00 and expenses in the amount of \$400.00, all taxable costs of court, and post-judgment interest on the total amount of judgment as the highest rate per annum allowed by law from the date of entry of this judgment until satisfied, together with all costs of suit as of the date of this Abstract of Judgment.

Credits to judgment: NONE.

There is now still due on said judgment the amount hereinabove set out, less any stated credits.
Issued and given under my hand and seal of said court at Austin, Texas, on May 5, 2010.

Dana DeBeauvoir, County Clerk
Travis County, Texas,

A. Hagan
A. HAGAN, Deputy

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

May 18, 2011 08:48 AM
MACHADOP: \$16.00

Dana DeBeauvoir, County Clerk
Travis County TEXAS

2011071617

SEAL

Exhibit E

IN RE: Timothy Marc Knutsen

CASE NO 05-18471

CHAPTER 7

SCHEDULE I (CURRENT INCOME OF INDIVIDUAL DEBTOR(S))

Debtor's Marital Status	Dependents of Debtor and Spouse (Names, Ages and Relationships)					
	Name	Age	Relationship	Name	Age	Relationship
Single						
Employment	Debtor			Spouse		
Occupation	Caretaker					
Name of Employer	Porter Ranch					
How Long Employed	10 years					
Address of Employer	PO Box 850 Buda, TX 78610					

Income: (Estimate of average monthly income)

Current monthly gross wages, salary, and commissions (prorate if not paid monthly)

Estimated monthly overtime

DEBTOR

SPOUSE

\$0.00

\$0.00

SUBTOTAL

\$0.00

LESS PAYROLL DEDUCTIONS

A. Payroll taxes (includes social security tax if B is zero)

B. Social Security Tax

C. Medicare

D. Insurance

E. Union dues

F. Retirement

G. Other (specify)

H. Other (specify)

I. Other (specify)

J. Other (specify)

K. Other (specify)

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

SUBTOTAL OF PAYROLL DEDUCTIONS

\$0.00

TOTAL NET MONTHLY TAKE HOME PAY

\$0.00

Regular income from operation of business or profession or farm (attach detailed stmt)

Income from real property

Interest and dividends

Alimony, maintenance or support payments payable to debtor for the debtor's use or that of the dependents listed above

Social Security or other government assistance (specify)

Pension or retirement income

Other monthly income (specify below)

Indirect payments made directly by Joyce

Porter for food, clothing, expenses of

Debtor

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$1,700.00

TOTAL MONTHLY INCOME

\$1,700.00

TOTAL COMBINED MONTHLY INCOME \$1,700.00

(Report 2 so on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE: Timothy Marc Knutsen

CASE NO 05-18471

CHAPTER 7

Exhibit F

SUMMARY OF SCHEDULES

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	No	1	\$0.00		
B - Personal Property	No	4	\$710.00		
C - Property Claimed as Exempt	No	1			
D - Creditors Holding Secured Claims	No	1		\$0.00	
E - Creditors Holding Unsecured Priority Claims	No	2		\$160,000.00	
F - Creditors Holding Unsecured Nonpriority Claims	No	10		\$1,729,989.59	
G - Executory Contracts and Unexpired Leases	No	1			
H - Codebtors	No	1			
I - Current Income of Individual Debtor(s)	No	1			\$1,700.00
J - Current Expenditures of Individual Debtor(s)	No	1			\$1,700.00
Total Number of Sheets of ALL Schedules >		23			
Total Assets >			\$710.00		
				Total Liabilities >	\$1,889,989.59

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE: Timothy Marc Knutsen

CASE NO 05-18471

CHAPTER 7

Exhibit G

STATEMENT OF FINANCIAL AFFAIRS

1. Income from employment or operation of business

☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE (if more than one)
\$0.00	2004 income
\$0.00	2005 income

2. Income other than from employment or operation of business

☐ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$20,000.00	2004 living expenses paid directly by Porter Ranch/Joyce Porter
\$20,000.00	2005 living expenses paid directly by Porter Ranch/Joyce Porter

3. Payments to creditors

☒ a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

4. Suits and administrative proceedings, executions, garnishments and attachments

☒ a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

☒ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

5. Repossessions, foreclosures and returns

☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE: ONION ASSOCIATES, LTD

Case No. 10-11253

Chapter 11

Exhibit H

AMENDED 5/5/2010

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 (or chapter 9) case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

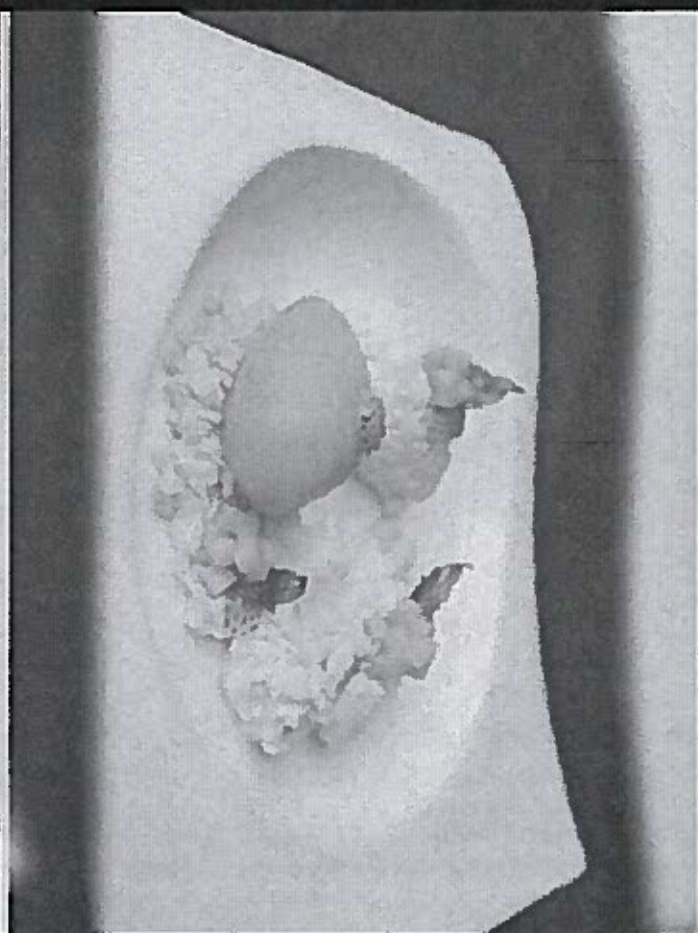
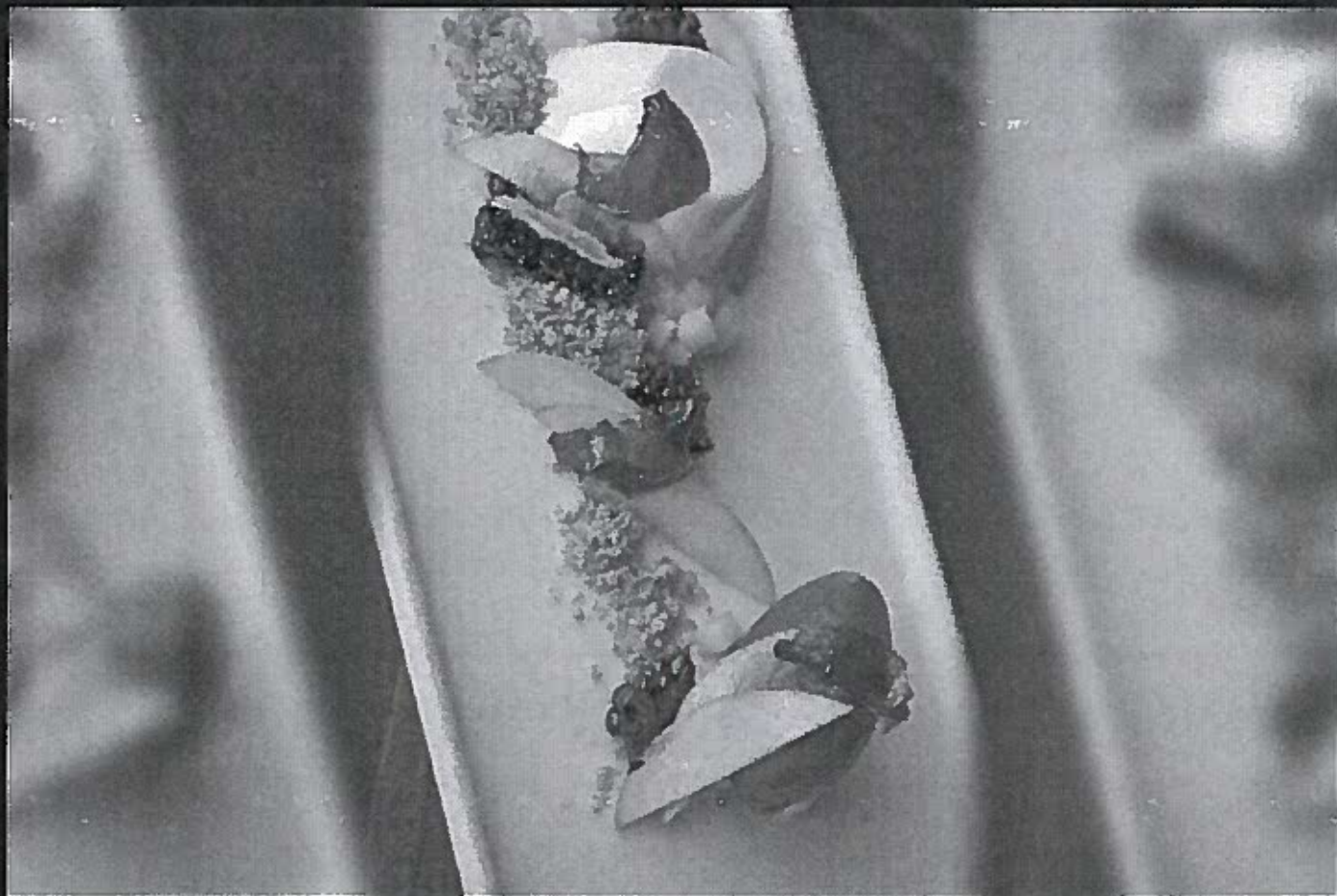
(1) Name of creditor and complete mailing address, including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	(5) Amount of claim (if secured also state value of security)
Capital Pacific Homes c/o Todd Brown MCI Financial Group, Ltd. 4809 North 44th Street Phoenix, AZ 85018		Loan	Disputed	\$800,000.00
Onion Capital, Ltd 2110 Boca Raton Dr., #205 Austin, TX 78747		Loan		\$640,000.00
Marc Knutsen P. O. Box 852 Buda, TX 78610		Loan		\$592,279.00
Kenneth and Nathalie Hardie 10866 Wolfe Hill Lane Great Falls, VA 22066		Lender to prior land owner	Disputed	\$653,205.00 Value: \$288,446.00
Brown, McCorrell Attorneys At Law 111 Congress Ave., #1400 Austin, TX 78701		Attorney Fees	Disputed	\$60,000.00

C19



nightcap

a dessert lounge





Lillian & Kirby Lane
& OSTERMEYER

(coming soon)



clark's



mopac

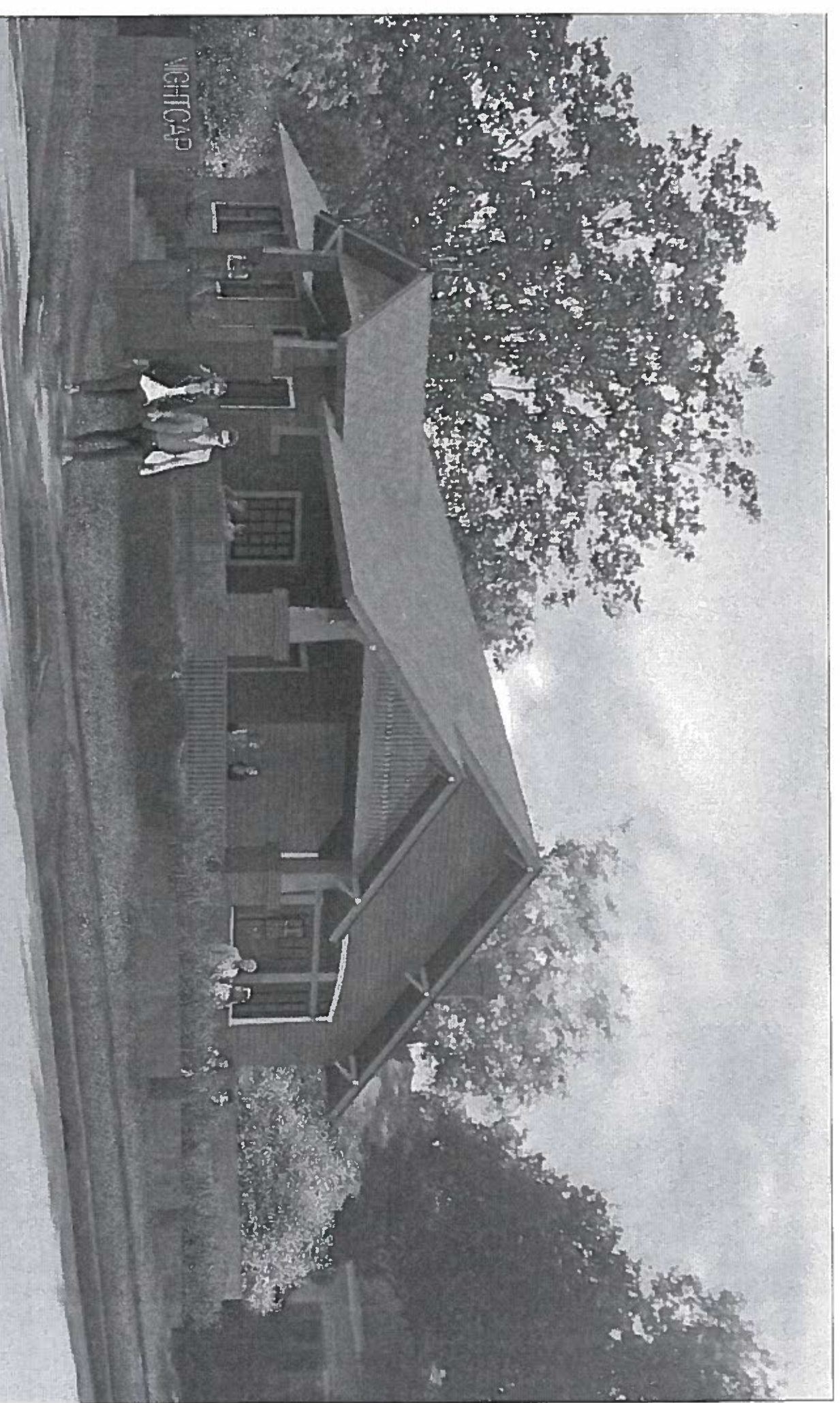
west 6th street

lamar street

town lake

corner of west 6th street and pressler
was home to inner sun chiropractic





NIGHTCAP

nightcap

designed by dick clark
architecture



1/9/2014

Re: *The Night Cap* – 1401 West 6th Street

We are located two doors down to the east of the subject property & are very supportive of *The Night Cap* receiving the necessary approvals and variances necessary to open up in this location.

We welcome the addition of *The Night Cap* to the neighborhood as a complimentary restaurant, and believe many residents of the area will appreciate this added amenity that contributes to their quality of life, by allowing them to walk to a restaurant, versus having to leave the neighborhood.

We have been humbled by, and are greatly appreciative of the support that we have received from area residents & businesses – and anticipate that *The Night Cap* will receive a similar warm welcome to the neighborhood.

With the best of good wishes

Sincerely,

Chris K. Horne

Managing Partner, Winflo Osteria

Winflo Osteria

1315 West 6th Street Austin, TX 78703
Phone: 512-587-1027 E-Mail: info@winflosteria.com

Old West Austin Neighborhood Association

Have support of OWANA



December 2013 GENERAL MEMBERSHIP MEETING
Tuesday, September 3, 2013 - 6:45 PM to 9:00 PM
Matthews School Cafeteria (906 West Lynn at West 9th)

VI Nightcap Dessert Lounge (7:15-8p)

Discussion of the project, location, and the concept of Nightcap Dessert Lounge.

Discussion of parking coverage, location of valet, and required ratios from COA.
Motion made to object to object to the upzoning from LO to GR. Motion failed.

Motion made to support the project. Motion passed. 32-1. Abstain 6.

Private Restrictive Covenant from OWMANA

1. The property owner will not object to the city initiating a rollback in zoning to LO in the event any loss of required off-site parking is not replaced within 90 days.
2. Uses will be limited to those allowed in LO, Limited Office and the only GR use is restaurant general.
3. Limit Restaurant General use to 2,500 square feet, including outdoor seating.
4. Outdoor amplified sound is prohibited.
5. The restaurant use will close at midnight, Monday – Sunday.
6. The owner agrees not to seek a late hours permit.

Nightcap Dessert Lounge				
	Parking			
	sqft	parking ratio	# of parking spaces	
Indoor Restaurant Space	2102	100	21.3	21
Outdoor Covered Seating	164	100	2.23	2
Outdoor Uncovered Seating	138	100	3.29	3
Total	2404		26.82	26
		20% reduction		21

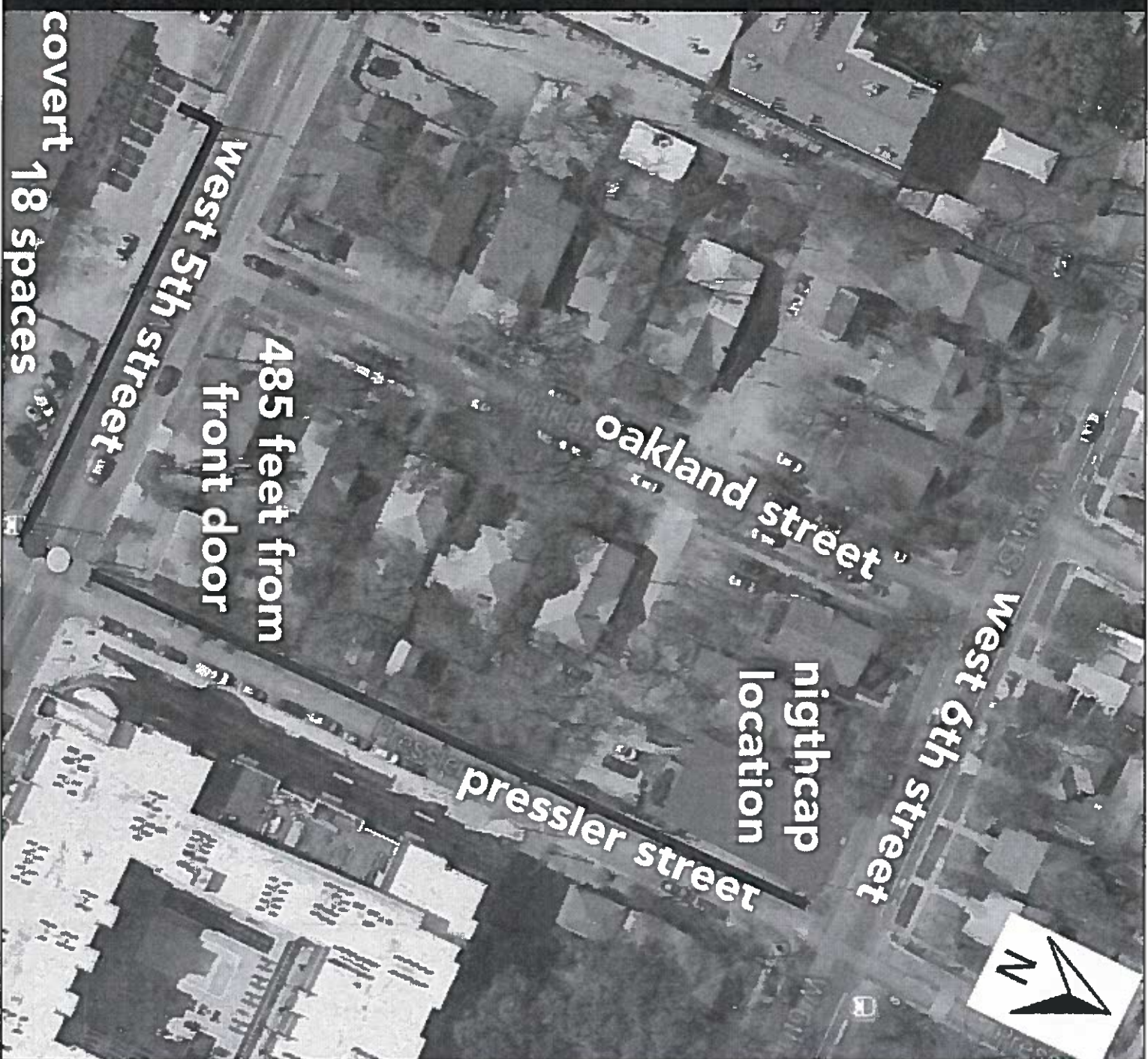


CITY OF AUSTIN OFF-SITE PARKING REQUIREMENTS



21 SPACES WITHIN 1,000 FEET FROM FRONT DOOR

additional
parking spaces to
be parked by
valet



covert
18 spaces

485 feet from
front door

West 5th street

Oakland street

West 6th street

nighthcap
location

Pressler street

LETTER OF INTENT FOR COVERT COLLISION

----- Forwarded Message

From: Elvin Pool <elvinpool@covertauto.com>

Date: Wed, 5 Jun 2013 12:29:44 -0500

To: Christin <christinrowan@gmail.com>

Subject: Re: Parking Spaces

Thank you Christin,

Please feel free to print out this email to use as proof of our agreement, that your company may use our front parking spaces at 1407 W. 5th street for your parking areas after 5:30 each evening for the rate you offered when you visited our office.

As discussed, Covert Collision will need a document from you relieving us from any type of liability that any of your staff or patrons might encounter on our parking lot.

And please note that occasionally during an event such as SXSW and other like events we find a vehicle parked here that we know nothing about. I cannot do anything about that, and again it is rather rare.

Although I do have complete management authority of this facility, due to the fact that we have not done this in the past, I did run it by one of the owners, Brad Elliot. Brad is a Covert family member and also General Manager of the Cadillac store. This location is a part of the Cadillac store specifically. He gave me the complete go ahead to make this agreement.

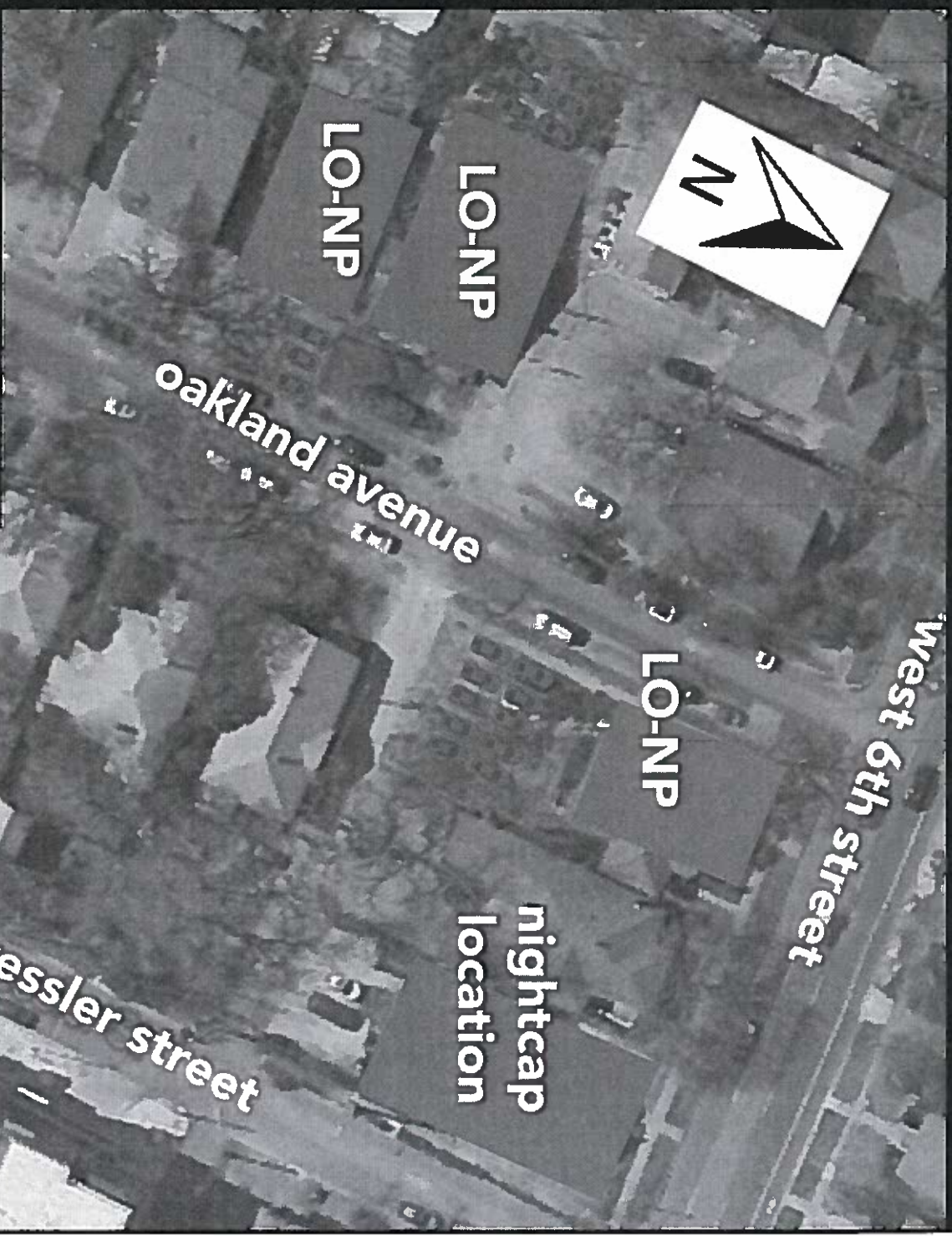
Regards,

Elvin Pool

Manager, Covert Collision
Office 512-476-4101
Cell 512-801-8683

1407 W 5TH STREET

NIGHTCAP
ADDITIONAL
PARKING
to be parked
by valet



1405 W 6TH STREET - 10 SPACES
508 OAKLAND - 6 SPACES
506 OAKLAND - 3 SPACES

VALET STAND

LOCATION

east corner of 6th
and pressler

VALET STAND SIGNAGE

west corner of 6th
and pressler
6th and oakland
oakland and alley

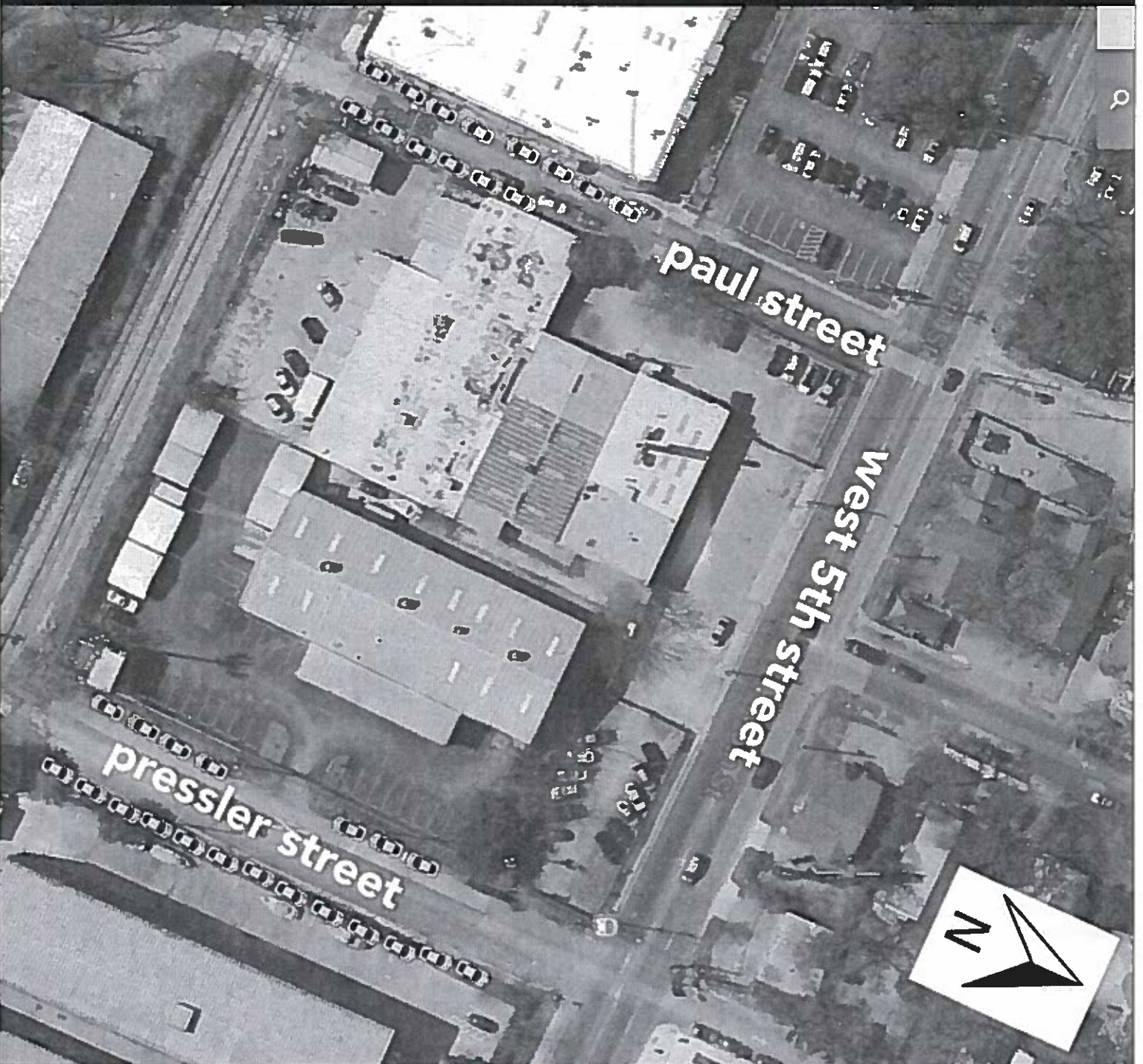
4 spaces to be leased from the city of

austin



COMMERCIAL
AREA FREE
PARKING

pressler street
south of 5th
21 SPACES
paul street
south of 5th
12 SPACES

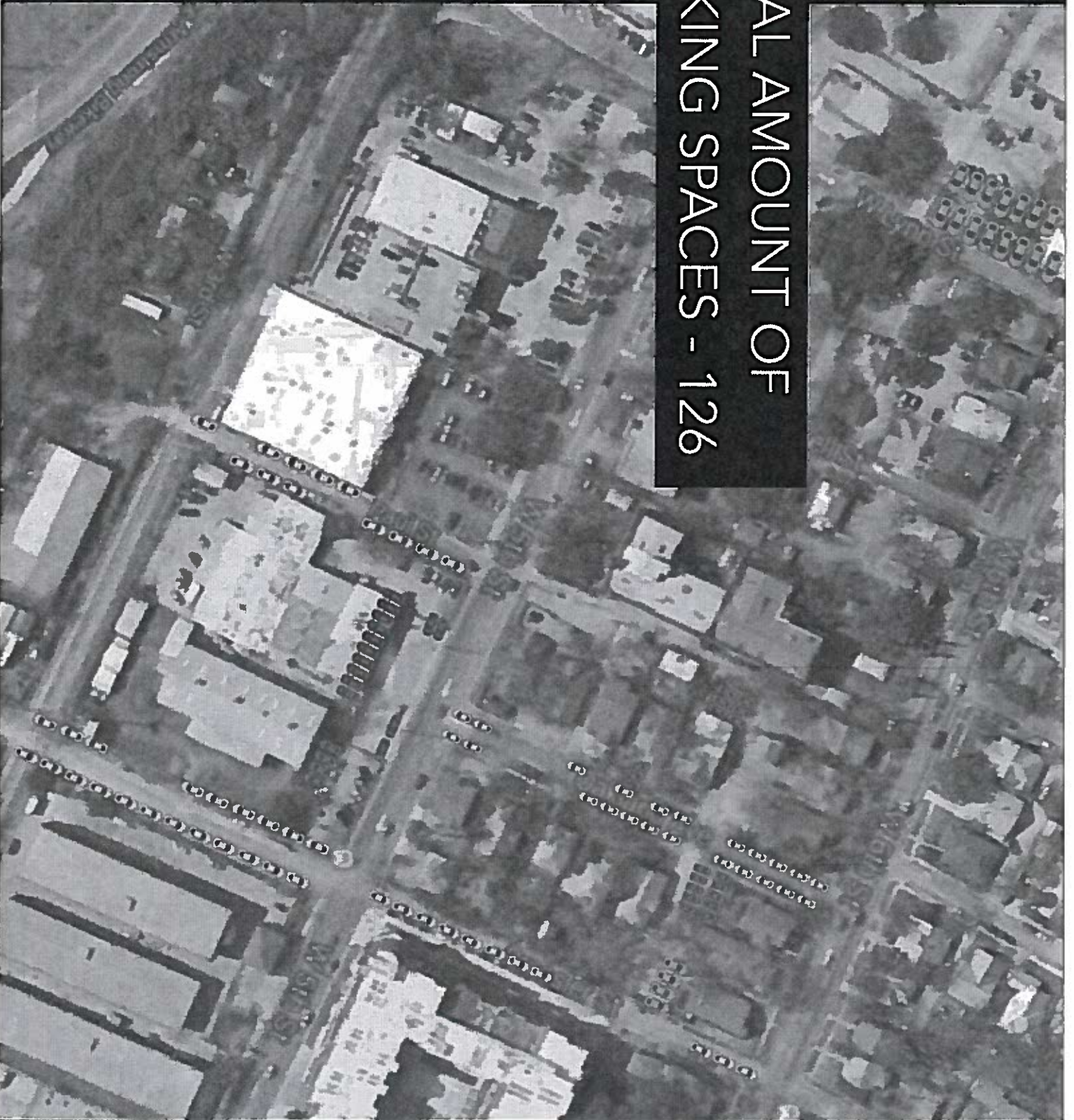


OAKLAND and
PRESSLER AREA
FREE PARKING

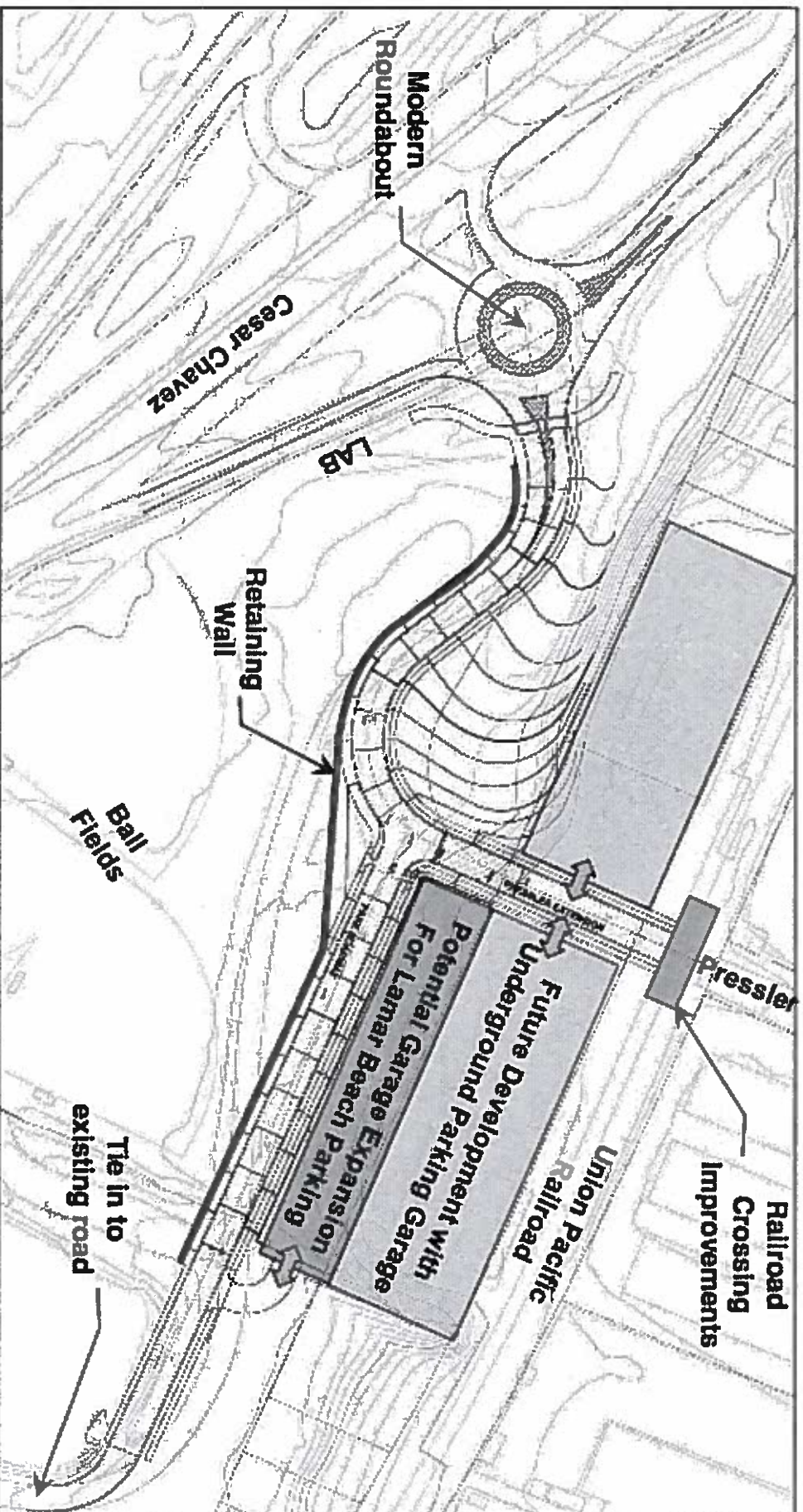
pressler street
south of 6th street
11 SPACES
oakland avenue
south of 6th street
14 SPACES



TOTAL AMOUNT OF
PARKING SPACES - 126



Pressler Road Improvements



THANK YOU FOR YOUR
ATTENTION

C.28

Bartley Harrison
8406 Red Willow Dr.
Austin, TX 78736
ph. 979-571-3589
January 7, 2014

Sylvia Limon & Cindy Casillas
City of Austin – Planning & Development Review Dept.
P.O. Box 1088
Austin, TX 78735

Re: Case Number C8-2013-0074
For: Planning Commission Public Hearing – January 14, 2014

To Whom It May Concern,

I am writing to object to the planned development at Covered Bridge Drive at Nandas Trail. My property abuts the proposed development, and I have concerns about the project. My apologies if these concerns have been addressed in the planning documents, but only "Update 3 Master Report" is available on the City of Austin website concerning this subdivision plan. All other documents (including the initial proposal, which I assume would have maps and environmental information) give an "Error from display: \\coacd.org\dfs\amanda\attachments\2013\3650378.pdf (The specified network name is no longer available)" message, which makes it rather hard to evaluate information on the proposal.

My concerns cover multiple areas, as follows:

- 1) My reading of C14-2007-0065 Bassford 44, which re-zoned this property from RR to SF-2-CO, says the the development of the property may not have more than 90 units. The current proposal exceeds this number. The current subject tract is larger than the one approved at that time, but I cannot find any information on this expansion or revisions to the initial zoning approval for the address of 8437 W State Hwy 71, Austin, TX 78735.
- 2) At the zoning hearing, funds were promised to implement traffic easing on Moccasin Path due to concerns about a significant increase in traffic on a relatively small road. I have seen no proposals addressing this concern.
- 3) Generally speaking, traffic in this area is a mess. The 290/71 intersection and the intersection nearby at William Cannon Drive are already far overloaded, and the continuous flow measures currently being implemented are already acknowledged as an inadequate stop-gap measure. More expansion is not needed until our current traffic issues are resolved
- 4) On a personal note, I am a night worker. I am very concerned that noise throughout the day from grading and home construction directly behind my house will severely affect my ability to function in my life and in my job.

Thank you for your consideration.

Sincerely,



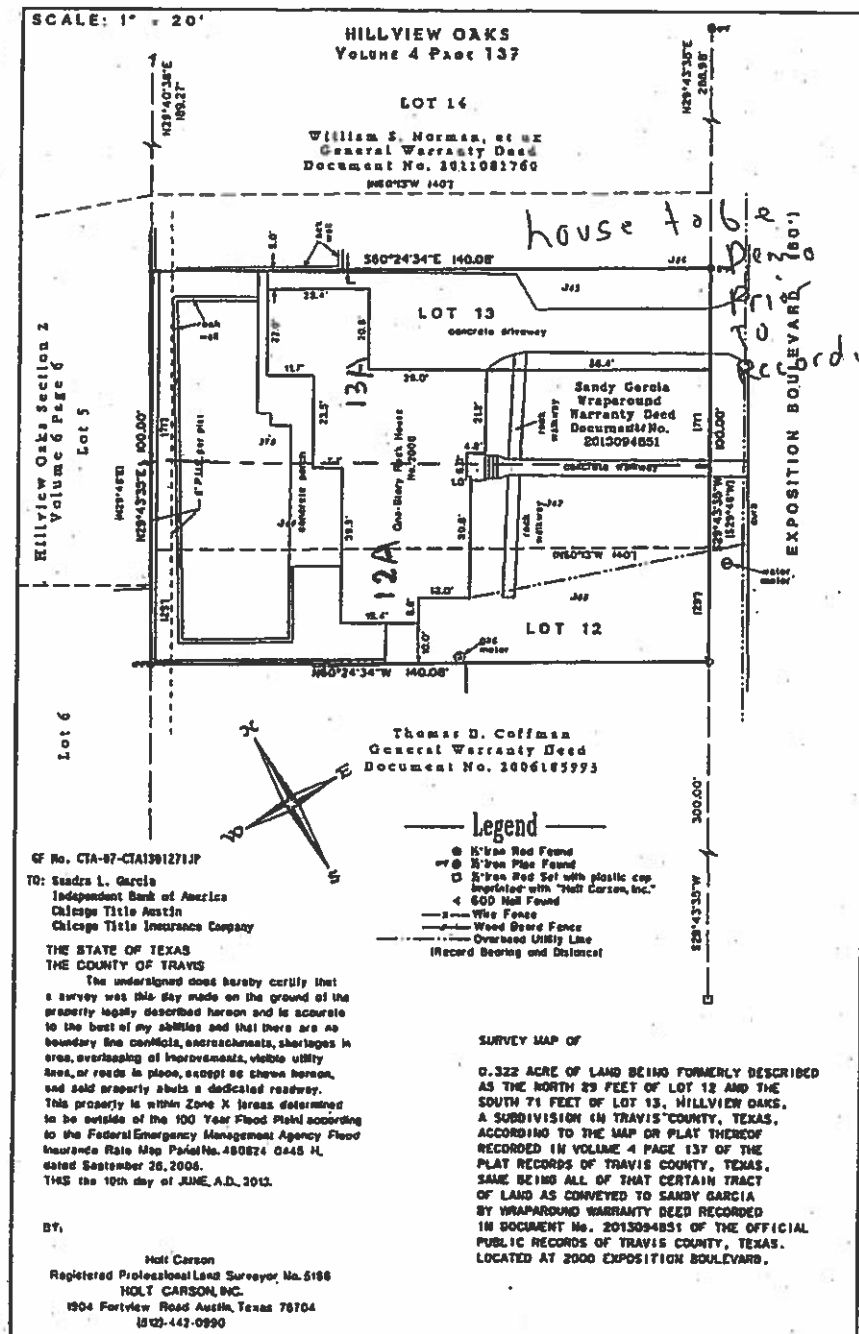
Bartley Harrison

C.30

SUBDIVISION REVIEW SHEET (Addendum)

Case No. C8-2013-0113.0A

DEPARTMENT COMMENTS: There is an existing house on this site that will be removed/demolished prior to the plat being recorded. A demolition permit has been applied for on December 2, 2013 that is currently under review. The applicant/owner is aware that documentation must be provided to the Case Manager clearly showing the site is vacant/cleared prior to the plat being recorded.



Limon, Sylvia

C. 30

From: Julie Douglass [REDACTED]
Sent: Friday, January 10, 2014 1:38 PM
To: Limon, Sylvia; Garza, Elsa
Subject: Case number C8-2013-0113.0A

Hello,

We recently mailed in a form opposing the request to re-subdivide the lot at 2000 Exposition Blvd, but the envelope was returned to us.

We live at 1900 Exposition Blvd and we do oppose re-subdividing the lot.

Thank you,
Julie and Brent Douglass

PUBLIC HEARING INFORMATION

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Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance 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 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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- 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 person 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.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

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Case Number: C8-2013-0113.0A

Contact: Sylvia Limon, 512-974-2767

Elsa Garza, 512-974-2308

Public Hearing: Planning Commission, Jan 14, 2014

Tim Wecklure

Your Name (please print)

1907 Hill Oaks Court

Your address(es) affected by this application

Tim Wecklure

Signature

1/9/2014
Date

Daytime Telephone: (512) 242-4515

Comments: We strongly object to this subdivision based on (1) the threat of increased drainage problems from the Sugar House hill; (2) inadequate space/setbacks for the structure(s) proposed; (3) parking issues on busy Exposition; (4) increased traffic on Exposition. Lots across the street on East Exposition would lend themselves more to this type of building.

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

City of Austin - Planning & Development Review Dept. /4th Fl

Sylvia Limon

P. O. Box 1088

Austin, TX 78767-8810



PUBLIC HEARING INFORMATION

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Case Number: C8-2013-0113.0A

Contact: Sylvia Limon, 512-974-2767

Elsa Garza, 512-974-2308

Public Hearing: Planning Commission, Jan 14, 2014

Eric LeBlanc

Your Name (please print)

☐ I am in favor
☒ object

2102 Exposition Blvd, Austin, TX 78703

Your address(es) affected by this application

[Signature] *7/7/14*

Signature

Date

Daytime Telephone: *972-333-3435*

Comments: *The new structures + lot sizes will reduce the look & feel of the streetscape and may devalue other structures to lot value. We needed variances for construction would cause a number of changes to the lot for construction*

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

City of Austin - Planning & Development Review Dept. /4th Fl

Sylvia Limon

P. O. Box 1088

Austin, TX 78767-8810



C21

MEMORANDUM

TO: Planning Commission Members

FROM: Brad Jackson, Land Use Review
Planning and Development Review Department

DATE: January 14, 2014

SUBJECT: SPC-2013-0405A, Weather Up
Item #C-21, 1-14-2014 PC Agenda

The neighborhood has requested a postponement of this case from the Planning Commission meeting on January 14, 2014. They would like a postponement to the Planning Commission meeting on February 11, 2014. The applicant is not in agreement with the postponement request.

City of Austin staff is in agreement with this postponement request.

Please contact me at (512) 974-3410 if you require any additional information.

Jackson, Brad

From: today <razagavino1@grandecom.net>
Sent: Tuesday, January 14, 2014 1:06 PM
To: Jackson, Brad; Ramos, Rosemary
Subject: postpone case spc-m 2013-0405A request

Dear Chair,

I would like to officially request a postponement of case number spc-2013-0405A

to give our neighborhood association East Town lake Citizens neighborhood an

opportunity to meet with the operator of said business. I am also joined in

this request by Gavino Fernandez, jr., former chair and member of the holly

neighborhood planning area and Frances Martinez, President barrio unido neighborhood Association

Thanks

Marcos De Leon, President East Town Lake Citizens neighborhood association

Gavino Fernandez, jr. - Former Chair Holly neighborhood Plan

Frances Martinez, President barrio unido neighborhood Association

Jackson, Brad

From: today <razagavino1@grandecom.net>
Sent: Tuesday, January 14, 2014 2:12 PM
To: Jackson, Brad
Cc: Ramos, Rosemary
Subject: RE: postpone case spc-m 2013-0405A request

brad, thank you for your response. Please add to our request for postponement of case spc-2013-0405A, to the following scheduled planning commission meeting February 2014. Please advise

Marcos de leon, president East Town lake Citizens neighborhood association
(512) 576-7805

Gavino Fernandez, jr. Holly neighborhood Planning area former chair

Frances Martinez, President Barrio Unido

Jackson, Brad

From: Lori C-Renteria <lorirenteria@grandecom.net>
Sent: Friday, January 10, 2014 3:32 PM
To: Ramos, Rosemary; Jackson, Brad
Cc: Guernsey, Greg; holly-neighborhood-coalition@googlegroups.com; 'Al Moser'; 'Amy Thompson'; Autumn Deuel; 'Cesar Sylva'; 'Chris Kanipe'; 'Cristina Valdes'; Edie Cassell; 'farah rivera'; Jayme Mathias; 'Jeff Thompson'; 'Jo Staton'; 'Julio Perez'; 'Kathy Setzer'; 'Ken Johnson'; Kris Potrafka; 'Lori'; 'Molly O'Halloran'; 'Patience Worrel'; 'Pilar Sanchez'; 'Ricardo Zavala'; 'richard roberts'; 'Sabino Renteria'; 'Susan Benz, AIA'
Subject: UEAC's Opposition to Weather Up case #SPC-2013-0405A
Attachments: ECCNPT cocktail lounge policy.pdf
Importance: High

Dear case managers:

We are officers representing the members of the United East Austin Coalition (UEAC) and we want to be involved as an interested party in opposition of WeatherUp getting any kind of alcohol permits, late night hours permits, or parking variances. We don't oppose restaurants serving alcohol but do not support new CS-1 uses in the East Cesar Chavez or Holly Neighborhood Planning Areas. The WeatherUp location is too close to single family homes and the driveway to the business on Chicon Street is very awkward to navigate into/out-of even without being intoxicated at 2 am.

Our group has been continually involved in land use and zoning issues through the East Cesar Chavez Neighborhood Planning Team in which our United East Austin Coalition members helped co-found way back in 1999. Our chair, Sabino Renteria, is also current vice-chair and past chairman of the East Cesar Chavez Team. We are part of the East Cesar Chavez Neighborhood Planning Team which has adopted a standing policy regarding new cocktail lounges that our Coalition fully supports. I've attached that policy in hopes that you will add it to the case file along with our opposition. I also copy below an email from the current treasurer and Resident Sector 8 rep for the ECC Team, Ms. Susan Benz, who is our resident expert on special events, bars, and outdoor music venues. Her note below raises additional concerns about the proper permits being in place despite the fact that the business has been operating mainly as a cocktail lounge for at least a year.

The owners have never reached out to our group or met with the ECC Team, both of which are duly registered on the City Registry and on the City's Neighborhood Planning website. Please help our neighborhood maintain mixed uses that enhance the quality of life for native Austinites. More uses that are late night and rely on alcohol sales doesn't add to quality of life for the many families adjacent to and nearby this very congested intersection. A traffic study is in order should your department be inclined to increase parking or number of tables allowed at this establishment. We fear that granting this conditional use permit for these owners would not prevent future owners from turning the use into strictly a cocktail bar. We are already suffering from an abundance of bars on E. 6th Street due to an oversight by our Planning Team when the city planners prepared and pushed through our FLUM back in 2000 when every single lot on E. 6th was changed to CS-1/MU. That was not our intention because our assigned planners, Gina Copic and Andy Alarcon, told us we had more than enough CS-1 zoning on E. 6th and E. Cesar Chavez Streets. Our intention was to put MU on all E. 6th Street lots and leave the lots with existing CS-1 as is. Ya basta! Enough bars already.

Sincerely,

United East Austin Coalition
1511 Haskell Street, 78702
512-478-6770

Sabino Pio Renteria, chair
Lori C-Renteria, secretary

From: Susan Benz [<mailto:benz@benzresourcegroup.com>]

Sent: Friday, January 10, 2014 2:09 PM

To: Edie Cassell; Dani Little (CE CEN); Lori Renteria; Pilar Sanchez; Rev. Jayme Mathias; Alex Sylva; Ken Johnson; Kris Potrafka; Jeff Thompson; Richard Roberts; kathy setzer; Germaine Keller; Lisa McTiernan; Amy Thompson; Molly O'Halloran; Sabino Renteria; Cristina Valdes; Farah Rivera; Ricardo Zavala; Patience Worrel; Chris Kanipe; Susan Benz; Jo Staton; Kathy McWhorter; Matthew Lutz; SolAna Renteria; Cesar Aguilar; Al Moser

Subject: more info re Weather Up

I called TABC and asked about the mixed beverage permit and restaurants.

The mixed beverage permit applies whether or not they sell food. If they sell food, they also have to either obtain a food and beverage permit (hold both permits) OR post a bond. If they don't have food or a small amount of food then they must display the 51% sign that states that weapons are not allowed.

Weather Up has posted their mixed beverage permit. I did not see a food and beverage permit but it could be there (it's rather dark) but they definitely are not posting the 51% sign.

By the way, I did leave my card with the waitress and encouraged her to let the owners know I had been by and would be happy to speak with them.

Susan

Susan Benz

Benz Resource Group

1101 E 6th St, #B

Austin, TX 78702

512-220-9542

benz@benzresourcegroup.com

January 19, 2010

**Re: Cocktail Lounge Policy in the East Cesar Chavez
Neighborhood**

To Austin City Council, Planning and Zoning, and all concerned:

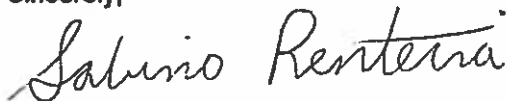
Numerous requests for new "cocktail lounge" conditional use permits within the East Cesar Chavez Neighborhood have given us, the East Cesar Chavez Neighborhood Planning Team, occasion to discuss this issue during the past several monthly Team meetings. We would like to take this opportunity to clarify our position regarding new cocktail lounges.

While we support existing CS-1 zoning and new businesses in existing CS-1 zoning, we are opposed to conditional use permits that create new cocktail lounges, for the following reasons:

- The ECC Neighborhood Plan envisions a mix of "businesses which serve neighborhood residents and residents that support local businesses". We do not want to become a drinking destination for the city.
- Many existing businesses in the ECC Neighborhood serve the neighborhood's and city's demand for cocktail lounges. We do not support making exceptions to existing zoning in order to create additional cocktail lounges.
- The ECC Neighborhood Plan and the Plaza Saltillo TOD Station Area Plan both envision, and the Team supports, dense mixed use including residential, commercial and civic elements. Cocktail lounges in addition to the existing CS-1 businesses are counter to this desired mix.
- We have found no support in "The East Cesar Chavez Neighborhood Plan" (1999) nor in the Regulating Plan for the Plaza Saltillo TOD for an increase in cocktail lounges. We work to maintain the vision that our neighborhood and the City created together and adopted as our Neighborhood Plan.

Thank you for the opportunity for us to clarify our opposition to conditional use permits for new cocktail lounges. We look forward to hearing from you with any questions or concerns.

Sincerely,



Sabino Renteria

Chair

East Cesar Chavez Neighborhood Planning Team

1511 Haskell St.

Jackson, Brad

From: Christine Vasquez <totalbodyharmony@gmail.com>
Sent: Sunday, January 12, 2014 8:58 PM
To: Ramos, Rosemary; Jackson, Brad
Subject: Weather Up project

Ms Ramos, Mr Jackson

I, Christine Vasquez resident of 1808 E 2nd st @ Chicon would like to object the planning efforts of Weather Up obtaining permits for the sales of alcohol after 12am.

We repeatedly have parking issues amongst others with the businesses at this location

Best regards,

CHRISTINE
512 698 004

Jackson, Brad

From: GNDC <gndc@sbcglobal.net>
Sent: Thursday, January 09, 2014 6:04 PM
To: Jackson, Brad; Ramos, Rosemary
Cc: Lori C-Renteria; Sabino Renteria
Subject: Weather Up case #SPC-2013-0405A
Attachments: GNDC_Weather_Up_late_hours_Objection0001.pdf

Dear Mr. Jackson & Ms. Ramos:

I have attached an objection on behalf of the Guadalupe Neighborhood Development Corporation, which owns a duplex at 110 Chicon Street. I believe that the residents of the duplex will be negatively impacted if a late hours permit and a variance to parking requirements is granted for Weather Up at 1808 East Cesar Chavez Street. Our tenants at 110 Chicon live approximately 125 feet from the parking lot of 1808 E. Cesar Chavez Street. If the late hours permit and variance are granted, it can be absolutely guaranteed that some people, on various occasions, leaving Weather Up in the early morning (12AM to 2AM is early morning, not late night) will, because they have been drinking, have loud conversations, boisterous exchanges, occasional arguments, and the occasional fight. Sometimes these will be in the parking lot or elsewhere on the premises of Weather Up and sometimes these will be near or even on the adjacent residential properties. There also can be absolutely no doubt that there will be patrons who decide they best empty their bladder after leaving Weather Up and or perhaps vomit up those last drinks and snack food. That too will sometimes be on the Weather Up property and, at other times, on the residential property nearby.

I do not say this because I think Weather Up will be a bad business or because I think it will do things that are worse than other establishments that serve alcohol into the early morning hours. On the contrary, I have every reason to believe Weather Up will be run just like those other businesses serving alcohol into the early morning hours. Simply put, "It's the nature of the beast." I drink alcohol and, in my younger days, closed down many an establishment here in Austin. I also have lived for 28 years around the corner from a bar that has a late hours permit. It is no mystery to me that people who are out drinking until 2:00 AM are doing so to "have a good time". That is fine, as long as they don't drive and as long as their good time *does not harm the health and well-being of others*.

The very reason a late hours permit and parking variance should not be granted at 1808 E. Cesar Chavez is because it is too close to single-family homes to be able to avoid harming the peace, safety, and well-being of the nearby community. That is not a debatable matter. It is a fact of life that sooner or later and from time to time, patrons leaving Weather Up between 12:00AM and 2:30AM will be a disruptive element to the lives of nearby residents. Anyone who denies that is crazy, ignorant, naive or a liar.

Please share my sentiments with the Planning Commission and, if it is in your purview, recommend that they do not grant the late hours permit or the parking variance for Weather Up.

Mark C. Rogers, Executive Director
Guadalupe Neighborhood Development Corporation
p 512-479-6275 x3
guadalupendc.org

PUBLIC HEARING INFORMATION

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Case Number: SP-2013-0219D

Contact: Brad Jackson, 512-974-3410

Rosemary Ramos, 512-974-2784

Public Hearing: Zoning and Platting Commission, Jan 21, 2014

Mark C. Rogers

Your Name (please print)

1104 B Chicon Street

Your address(es) affected by this application

Mrs. Ryan

Signature

1/9/2014

Date

Daytime Telephone: 512 479 6275

Comments: 1808 E.C. Court is too close to single family homes to serve alcohol after midnight. The parking lot (not legally in place yet) will have people talking loudly, the occasional argument and the occasional fight because that is the common result of people drinking into early evening hours. The residents living nearby should not have to be subjected to that and that is why late hours alcohol sales with patrons within 200' is considered incompatible. Do NOT GRANT THE VARIANCE PLEASE! Thank you

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

City of Austin

Planning and Development Review - 4th floor

Brad Jackson

P. O. Box 1088

Austin, TX 78767-1088



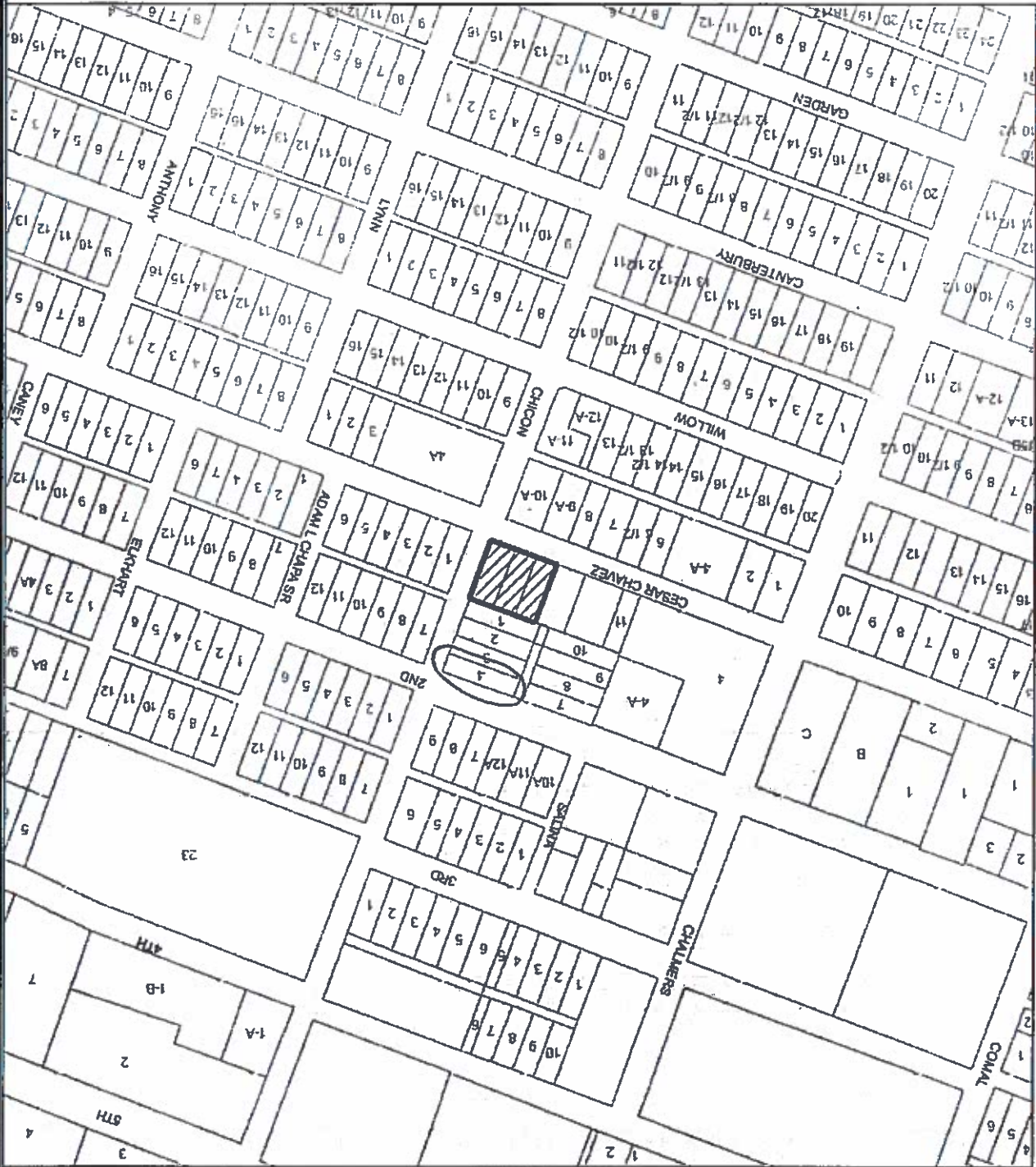


CASE#: SPC-2013-0405A
ADDRESS: 1808 E. Cesar Chavez Street

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-the-ground 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 specific accuracy or completeness.



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Case Number: ~~SP2013-0210D~~ WCA 2013-0405A
 Contact: Brad Jackson, 512-974-3410
 Rosemary Ramos, 512-974-2784
 Public Hearing: ~~Zoning and Planning Commission, Jan 21, 2014~~

Jennifer Kaseman

Your Name (please print)

1903 E 2nd St.

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 512-627-2596

Date

1-10-13

Comments:

This Bar is located next to a neighborhood. Having patrons at the bar making a rowdy scene on my lawn, throwing beer bottles in my lawn, talking loudly as they stumble to their cars is ~~is~~ something a residents living in this neighborhood should have to put up with - and certainly not if you use this form to comment, it may be returned to:

City of Austin

Planning and Development Review - 4th floor

Brad Jackson

P. O. Box 1088

Austin, TX 78767-1088

J.M.

CA I DID live here b4

this property became a Bar!

INFORMACION DE AUDIENCIA PÚBLICA

Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo o cambio. Usted también puede contactar a una organización de protección al medio ambiente o organización de vecinos que ha expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o recomendar aprobar o negar la aplicación. Si la comisión anuncia fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

La decisión de la Comisión puede ser apelada por una persona con pie de recurso o por una persona que ha sido identificado como una parte interesada. El organismo obteniendo la audiencia pública determinara si una persona esta legitimada para apelar una decisión.

Una enmienda de la ordenanza de zonificación puede incluir una superposición condicional que incluiría las condiciones aprobadas por la Comisión de Uso de la Tierra o el Ayuntamiento. Si la aprobación final es por la acción del Consejo de la Ciudad, no hay apelación de la acción de la Comisión de Uso de la Tierra.

Una parte interesada, se define como una persona que es el solicitante o el titular de registro de la propiedad en cuestión o que se comunica el interés de una junta o comisión por:

- la entrega de una declaración por escrito a la junta o comisión, antes o durante la audiencia pública que generalmente se identifica los temas de interés (que puede ser entregado al contacto que aparece en un anuncio), o
- que aparecen y hablan por el registro en la audiencia pública, y
- ocupa una residencia principal que se encuentra dentro de 500 pies de la propiedad en cuestión o el desarrollo propuesto,
- es el registro dueño de la propiedad dentro de 500 pies de la propiedad en cuestión o desarrollo propuesto,
- es un funcionario de medio ambiente o la organización de la vecindad que tiene un interés o cuyos límites declarados son de 500 pies de la propiedad en cuestión o el desarrollo propuesto.

Un aviso de apelación debe ser presentada con el director del departamento responsable, a más tardar 14 días después de la decisión. Un formulario de apelación puede estar disponible en el departamento responsable.

Para obtener información adicional sobre el proceso de desarrollo de la ciudad de Austin, visite nuestro sitio Web: www.austintexas.gov/development.

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, el número de caso, y el nombre de la persona designada en la noticia oficial.

Numero de caso: SPC-2013-0405A

Persona designada: Brad Jackson, 512-974-3410,

Rosemary Ramos, 512-974-2784

Audiencia Pública: Planning Commission, Jan 14, 2014

Su Nombre (en letra de molde)

Su domicilio(s) afectado(s) por esta solicitud

Firma

Fecha

Comentarios:

Si usted usa esta forma para proveer comentarios, puede retornarlos a:
City of Austin / Planning and Development Review Dept., 4th Fl

Brad Jackson

P. O. Box 1088

Austin, TX 78767-8810



C-22

MEMORANDUM

TO: Planning Commission Members

FROM: Michael Simmons-Smith, Land Use Review
Planning and Development Review Department

DATE: January 14, 2014

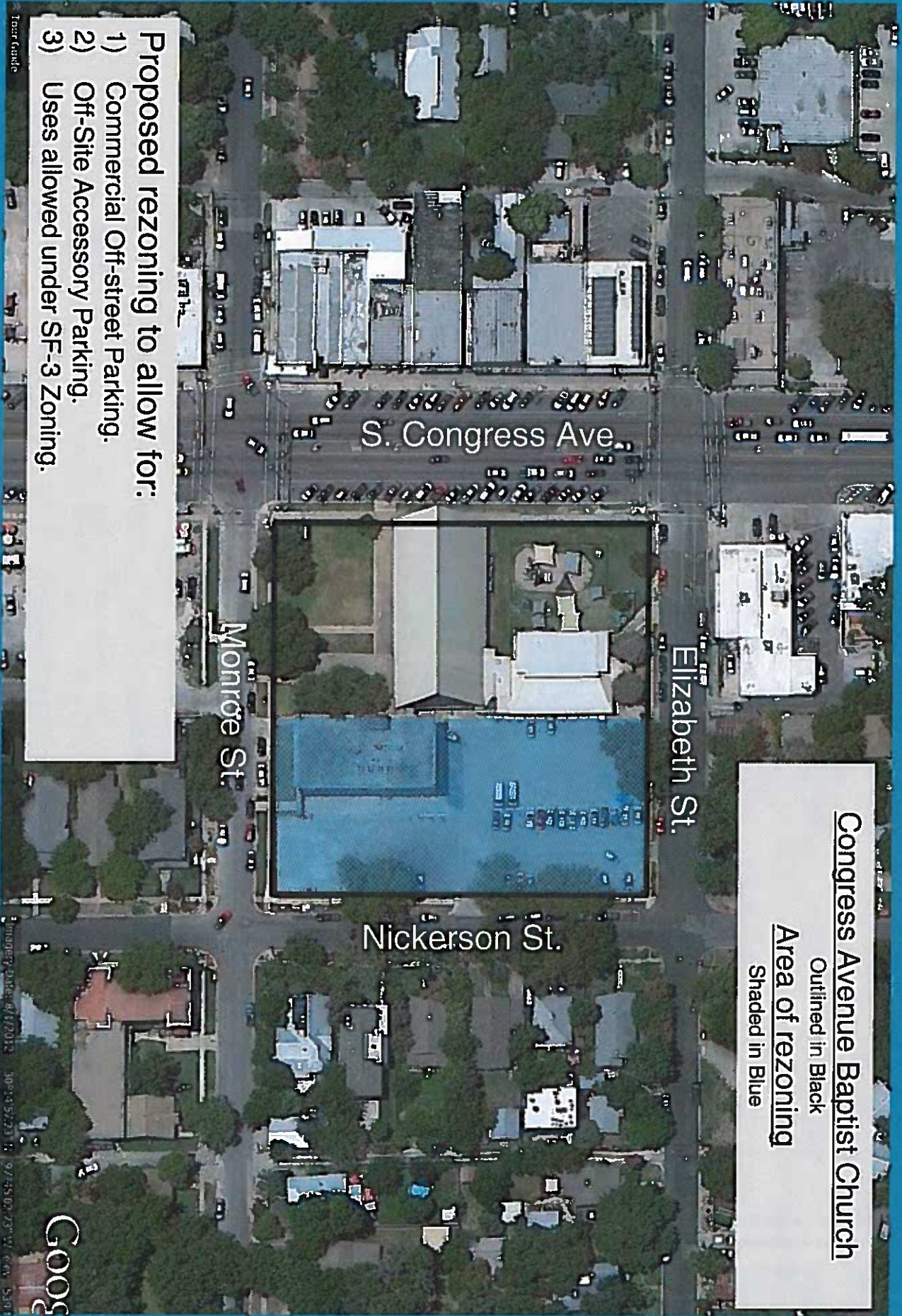
SUBJECT: SP-2013-0133D, Boat Dock for 5 Humboldt Lane
Item #C-22, 1-14-2014 PC Agenda

The neighborhood has requested a postponement of this case from the Planning Commission meeting on January 14, 2014. Their original request was to postpone to the February 11 meeting, but will agree to a postponement to the meeting on January 28, 2014, as is preferred by the applicant.

City of Austin staff is in agreement with this postponement request.

Please contact me at (512) 974-1225 if you require any additional information.





Congress Avenue Baptist Church

Outlined in Black

Area of rezoning

Shaded in Blue

Proposed rezoning to allow for:

- 1) Commercial Off-street Parking.
- 2) Off-Site Accessory Parking.
- 3) Uses allowed under SF-3 Zoning.

C14-2013-0022 – Congress Avenue Baptist Church

Existing -

- Zoning – “SF-3”
- Land Use Designation – Civic

Proposed –

- Zoning – “GR”, Community Commercial
- Land Use Designation - Mixed Use

Off-site Accessory Parking – (Requires a minimum of “GO” Zoning)

Use of a site for the provision of parking spaces, together with driveways, aisles, turning & maneuvering areas, clearances, and similar features, located on a different site from the principal use.

Commercial Off-street Parking – (Requires a minimum of “GR” Zoning)

Use of a site for the parking of motor vehicles on a temporary basis within a privately owned off-street parking facility. This use includes commercial parking lots and garages and excludes parking as an accessory use.

C14-2013-0022 – Congress Avenue Baptist Church

- CABC has been at this location for over 110 years.
- The area of rezoning has been used as an open parking lot for decades. Until recently, CABC never charged for parking in the facility.
- CABC must have revenue to maintain the parking uses of the paved areas if the parking lot is to remain available to commercial parking.
- The parking lot is being used for commercial parking today, albeit, illegal.
- The parking lot is excessively underutilized if commercial parking cannot become a Permitted Use. Think about a church parking lot forever being used for 6 hours a week.

C14-2013-0022 – Congress Avenue Baptist Church

June 9, 2011

Memorandum from Robert Spillar, P.E..



MEMORANDUM

TO: Mayor and Council

CC: Marc A. Olt, City Manager
Robert D. Goode, Assistant City Manager
Sue Edwards, Assistant City Manager
Greg Guemsey, Director, Planning & Development Review Department

FROM: Robert Spillar, P.E., Director
Austin Transportation Department

DATE: June 9, 2011

SUBJECT: CIUR 514 - South Congress Area Parking Recommendations

Staff has worked to identify issues and develop short-term solutions, as well as address and continue efforts to develop mid-term and long-term solutions. Issues identified by stakeholders include:

- Need for additional parking, both on- and off-street, for residences, businesses, churches, and parks
- Need to address spillover parking into adjacent neighborhoods
- Parking solutions should be inclusive and balance the needs of all stakeholders
- Need for parking enforcement
- Desire for parking turnover for customers

Parking garages

- Discuss permitting, location, design, and cost requirements for parking structures in the area.

C14-2013-0022 – Congress Avenue Baptist Church

March 10, 2011

Council Adopted Resolution

RESOLUTION NO. 20110310-024

WHEREAS, South Congress Avenue has become a nationally known retail district that includes shops, restaurants, music venues and food trailers; and

WHEREAS, this active commercial area borders single family residential homes; and

WHEREAS, on August 31, 2006, the Austin City Council approved a major amendment to the City of Austin's Land Development Code, codified as Subchapter E (*Design Standards and Mixed Use*) of Chapter 25-2, including expedited review of applications to establish Residential Permit Parking (RPP) districts; and

WHEREAS, both the Bouldin Creek Neighborhood Plan and the Greater South River City Neighborhood Plan name quality of residential life as well as the support and success of locally owned businesses in their vision statements; and

WHEREAS, Austin Transportation staff have been working to address a number of issues related to parking and traffic in the area; and

WHEREAS, there is currently a group of stakeholders in the process of reviewing a city wide Parking Benefit District Draft Ordinance as well as the Residential Permit Parking Program with the Transportation staff and other city staff; this parallel conversation will inform the South Congress conversation, and experience on South Congress will likewise inform the broader city wide conversation; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to:

1. Work with residents, commercial property and business owners, the City Departments of Transportation and Planning & Development Review, and other stakeholders to develop short- and long-term recommendations addressing parking issues on South Congress Avenue and in adjacent neighborhoods and present them to Council within 90 days;
2. Coordinate with all stakeholders to examine specifically for the South Congress area: (1) the probable effects on the South Congress business district should a comprehensive Residential Parking Permit program be adopted in adjacent neighborhoods; (2) the benefits and costs of increased parking enforcement in the neighborhoods surrounding South Congress Avenue, particularly during peak business periods; (3) the value of a Parking Benefits District as a potential tool for addressing on- and off-street parking; (4) possible methods for providing employees of South Congress businesses with access to on-street parking spaces that would otherwise be reserved for residents under a Residential Parking Permit program; and
3. Communicate with Council the need for a City Code amendment if, at any time during the 90-day conversation period, it becomes

C14-2013-0022 – Congress Avenue Baptist Church

January 7, 2014 –
Meeting with Gary Schatz –
Austin Transportation Department

“ We would be very supportive of any change in zoning that would allow for the maximum opportunities for parking whether it be surface or structured parking.”

Why?

Because it would be in alignment with the City Council Resolution from 2011 directing staff to explore parking opportunities for the area.

C14-2013-0022 – Congress Avenue Baptist Church

Parking Management Strategy for South Congress Area
Draft - For Discussion Purposes Only

[illegible]

April 2012
Parking
Management
Strategy for
South Congress
Area prepared by
Austin
Transportation
Department

Structured Parking

Comments:

- Build structured parking by partnering with developers.
- Fund two additional levels of Guerrero's garage
- Partner with others

[Funded by PMD, GO Bonds]

C14-2013-0022 – Congress Avenue Baptist Church

South Congress Merchants Association
Brandon Hodge, president
December 6, 2013

Greg Guernsey, Director,
Planning and Development Review
P. O. Box 1088
Austin, Texas 78767

Mr. Guernsey,

Prior to the October 8, 2013 Urban Transportation Commission meeting, South Congress merchants requested a two-month postponement for the zoning case pertaining to the Congress Avenue Baptist Church's parking lot in order to fully evaluate the scenario and study the impact proposed changes would have to the nature of parking in the South Congress shopping district.

As South Congress remains a thriving district for small businesses and home to vibrant contributions to the unique atmosphere of Austin, Texas, and customer and employee access to those businesses remains vital to their health and longevity, South Congress merchants endorse any zoning changes that create additional off-street public parking spaces to serve businesses and their customers along the Avenue.

Sincerely,
Brandon Hodge
President, South Congress Merchants Association

December 6, 2013
Letter from South Congress
Merchants Association

longevity, South Congress merchants endorse any zoning changes that create additional off-street public parking spaces to serve businesses and their customers along the Avenue.

C14-2013-0022 - Congress Avenue Baptist Church

Two days in 2013

325 Signatures on Petition

PETITION for More Public Parking for South Congress

There is an effort to restrict the public's access to parking around South Congress

We the undersigned support more public parking for South Congress Shopping district!

Name

Address

Email (optional)

Jacantha Condon

Redacted

Hickens Moore Austin, TX

Redacted

Jessiah Mosley

Redacted

Dupree Allen

4320 S. Congress Ave

Redacted

Rubii Arana

Austin 78745

Redacted

Karen Price 2302 S. 5th St Apt C Austin

Redacted

C14-2013-0022 – Congress Avenue Baptist Church



Land Use & Transportation Policies

LUT P1, LUT P3, LUT P4, LUT P5, LUT P6, LUT P7, LUT P10
LUT P11, LUT P14, LUT P15, LUT P20, LUT P22.

Urban Design Policies

UD P1, UD P2, UD P4, UD P8

Neighborhood Policies

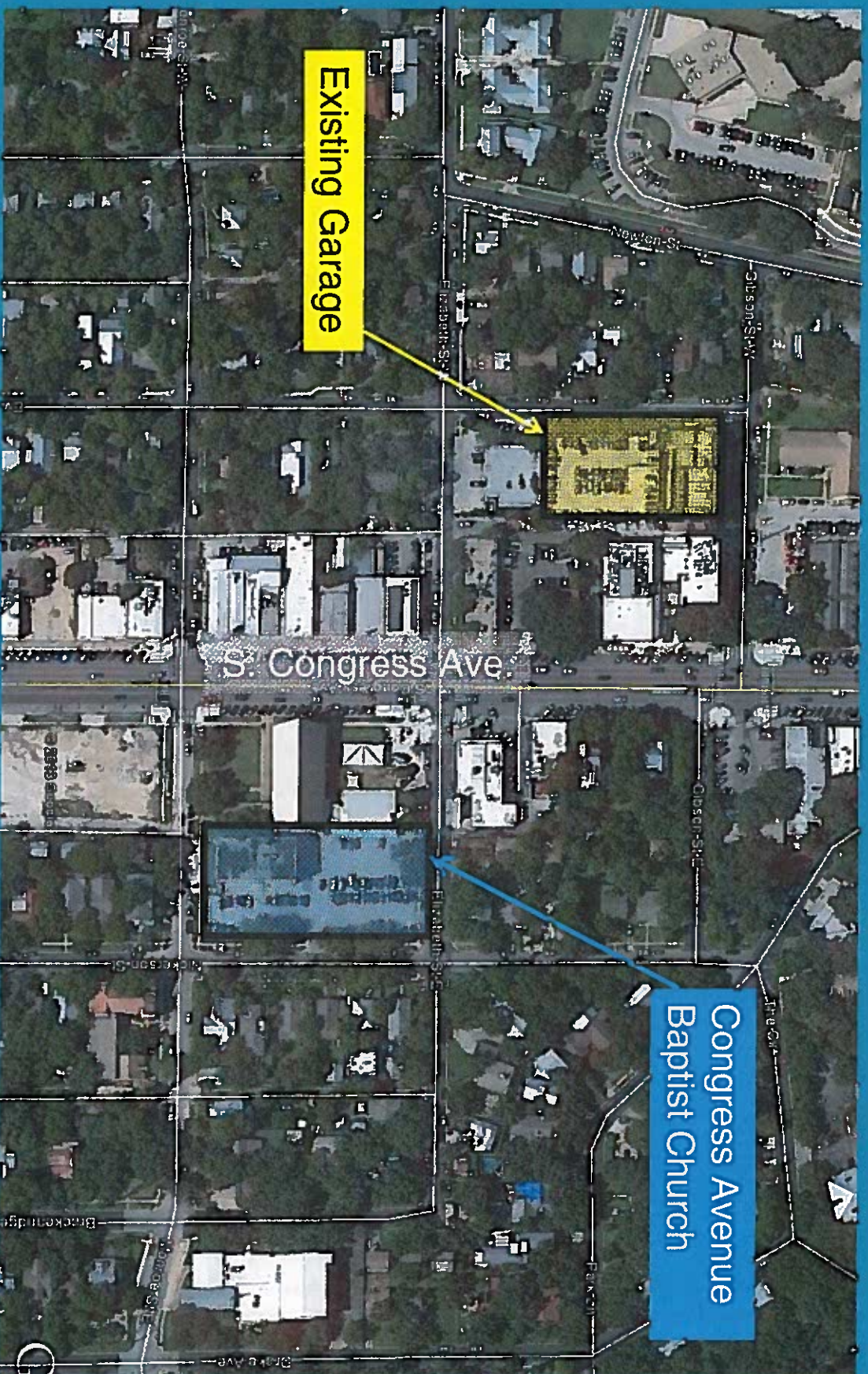
N P1, N P2, N P4, N P5, N P6

Economic Policies

EC P10, EC P11

C14-2013-0022 – Congress Avenue Baptist Church

October 31, 2013



C14-2013-0022 – Congress Avenue Baptist Church

Supportive of Zoning Change

- Planning & Development Review Staff.
- Austin Transportation Department. (Supported by Council Resolution)
- South Congress Merchants Association.
- 325 Residents of Austin
- Imagine Austin

We ask for Planning Commission support for Zoning Change to allow for Commercial Parking on a severely under utilized parking lot to better serve the area.



MEMORANDUM

TO: Planning Commission

FROM: Lee Heckman, AICP
Planning and Development Review Department

DATE: January 14, 2014

SUBJECT: Waterfront Planning Advisory Board Action and
Stakeholder Correspondence Regarding Zoning Cases C14-
2013-0144 (Crescent Tract) and C814-2008-0087.01 (South
Shore PUD Amendment)

Commissioners:

Attached please find stakeholder correspondence/comment forms relating to the Crescent Tract and South Shore PUD Amendment rezoning cases. The stakeholder correspondence regarding the Crescent Tract is in support; the additional correspondence regarding the PUD Amendment is mixed.

Both cases were considered and recommended for approval without conditions by the Waterfront Planning Advisory Board at their meeting on January 13, 2014.

Lee Heckman
Planning and Development Review Department

PUBLIC HEARING INFORMATION

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

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

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

R 1/10/14

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

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

www.austintexas.gov

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

Case Number: C14-2013-0144

Contact: Lee Heckman, 512-974-7604

Public Hearing: Jan 14, 2014, Planning Commission

Jan 30, 2014, City Council

Your Name (please print)

Karen Blackwell
5606 Cavanaugh
HSTW
7/2/14

☒ I am in favor
☐ I object

Your address(es) affected by this application

K. Blackwell 1-6-14

Signature

Daytime Telephone:

Comments:

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

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

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

R 1/13/14

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

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www.austintexas.gov

So Share

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

Case Number: C814-2008-0087.01

Contact: Lee Heckman, 512-974-7604

Public Hearing: Jan 14, 2014, Planning Commission

Feb 13, 2014, City Council

Natalia Dick

Your Name (please print)

2223 Waterloo City Ln #240

Your address (or affected by this application)

1-10-14

Signature

Date

Daytime Telephone: (512) 615-5471

Comments:

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

So Shore

From: Martina Clifton

Sent: Saturday, December 14, 2013 4:07 PM

To: Heckman, Lee

Subject: C814-2008-0087.01

Lee,

I am a condo owner at 1201 Tinnin Ford Dr. and would like to oppose the zoning change proposed to the case at 1201 Town Creek Dr. Having walkable business to our complex (Town Lake Village) is something I and other unit owners/tenants value. Please let me know how to get involved.

Thanks,

Martina Clifton

512-924-4306

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2013-023 Accessible Ramps

Description: Consider an ordinance amending Title 25 of the City Code to allow placement of accessible ramps in required yard setbacks.

Proposed Language: See attached draft language.

Background: Initiated by Council Resolution 20130808-060.

On August 8, 2013, the City Council directed the City Manager to initiate an amendment of Title 25 to exempt accessible ramps for dwelling units from rear, side, and front setback requirements.

Staff Recommendation: Staff recommends the proposed code amendment.

Board and Commission Actions

September 17, 2013: Forwarded to Planning Commission without a recommendation by Codes and Ordinances Subcommittee on a 5-0 vote.

September 24, 2013: Recommended by Planning Commission that this item return to Codes and Ordinances subcommittee for further discussion on a 7-0 vote.

November 19, 2013: Forwarded to Planning Commission without a recommendation by Codes and Ordinances Subcommittee on a 5-0 vote, with direction to staff to work on language with stakeholders and Commissioners before returning to full Planning Commission.

December 10, 2013: Postponed at Planning Commission to Planning Commission January 14, 2014.

January 14, 2014: To be reviewed by the Planning Commission.

Council Action

October 3, 2013: Postponed to City Council November 21, 2013.

November 21, 2013: Postponed to City Council December 12, 2013.

December 12, 2013: Postponed to City Council January 23, 2014.

January 23, 2014: A public hearing has been scheduled.

Ordinance Number: NA

City Staff: John McDonald **Phone:** 974-2728 **Email:** john.mcdonald@austintexas.gov

**PROPOSED AMENDMENTS TO CITY CODE CHAPTER 25-2
(ZONING) RELATING TO REGULATIONS FOR THE
CONSTRUCTION OF DISABLED ACCESS RAMPS FOR SINGLE-
FAMILY AND DUPLEX RESIDENTIAL UNITS.**

PART 1. Section 25-2-513 (*Openness of Required Yards*) of the City Code is amended by adding a new subsection (H) that reads as follows:

(H) This section applies to ramps for existing single-family and duplex residential units where a disabled individual requires disabled access from either the public right-of-way or a private drive that is connected to the public right-of-way.

- (1) In order to use the impervious cover and setback regulations of this subsection, a ramp must comply with Chapter 469 of the Texas Government Code and the federal Fair Housing Act.
- (2) To obtain additional impervious cover to build a ramp allowed by this subsection, an applicant may use new sidewalks, new ramps, and new landings as part of the new or modified ramp route.
- (3) If an applicant chooses to use previously constructed impervious cover such as preexisting sidewalks or walkways, those items will not count towards calculations regarding an increase in impervious cover.
- (4) For buildings whose proposed accessible entrance faces a front setback, the exempted impervious cover into the front setback should be minimized by the proposed ramp location.
- (5) For side yards, ramps may encroach into the side yard no more than three feet.
- (6) Rear yard accessibility should be limited except for corner lots and alley access unless another Code provision prohibits the use of the front or side yard.

- (7) An applicant may construct a ramp that complies with this subsection unless the Director determines that the ramp will violate other health and safety provisions or will interfere with easements or infrastructure.

PART 2. Subsection (B) of Section 25-2-1603 (*Impervious Cover and Parking Placement Restrictions*) of the City Code is amended to read as follows:

- (B) Except as provided in Subsection (C) of this section or Subsection (H) of Section 25-2-513 (*Openness of Required Yards*) of the City Code, impervious cover in a front yard may not exceed 40 percent.

RESOLUTION NO. 20130808-060

WHEREAS, non-profit organizations such as the Texas Ramp Project build accessible ramps that enable individuals to enter and exit their dwelling units safely; and

WHEREAS, in many cases, individuals cannot transition from institutional care to home care because they do not have ramp accessibility to their homes; and

WHEREAS, the existing permitting process for ramps can delay an individual's access to his or her home; and

WHEREAS, staff have implemented expedited review processes for certain applications, such as those related to windows and siding; and

WHEREAS, the individuals who receive assistance from the Texas Ramp Project are referred from agencies such as Meals on Wheels and Hospice Austin and have significant financial need; and

WHEREAS, the Texas Ramp Project uses volunteer teams to build ramps in Austin at no cost to the ramp recipient; and

WHEREAS, most ramps can be constructed for less than \$700, and the city permit cost represents a large percentage of the overall cost relative to other construction projects; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to consider the following revisions as they would apply to non-profit organizations that use 100% volunteer teams to construct accessible ramps at no financial cost to the ramp recipient. The revisions would only apply to existing single family and duplex residential dwelling units.

The City Manager is directed to consider a revised process that would expedite each required review so that applications to construct access ramps to dwelling units by non-profit entities could be reviewed in five business days or fewer. The City Manager is further directed to report back to Council by August 29, 2013 about the proposed process.

BE IT FURTHER RESOLVED:

The City Manager is directed to review potential amendments to the 2012-2013 Planning Development Review Department fee schedule to reduce or eliminate fees for the construction of ramps for dwelling units built by nonprofit entities for income-eligible individuals. The reduced fees will only apply to an applicant who complies with applicable City regulations. The City Manager should present staff recommendations regarding fees to the Council by August 22, 2013.

BE IT FURTHER RESOLVED:

The Council initiates an amendment of Title 25 to exempt ADA-compliant ramps for dwelling units from rear, side, and front setback requirements and directs the City Manager to process the amendment and present it to Council on or before October 3, 2013. The exemption does not apply if the director determines that ramp construction would violate health and safety provisions or interfere with easements or infrastructure.

ADOPTED: August 8, 2013

ATTEST:


Jannette S. Goodall
City Clerk

Anguiano, Dora

From: Limon, Sylvia
Sent: Tuesday, January 14, 2014 3:27 PM
To: Jack, Jeff - BC
Cc: Chris (chris.ruiz64@gmail.com); Hector Avila (hectorconsulting@earthlink.net); Anguiano, Dora; Wahlgren, David
Subject: FW: Question for tonight
Attachments: PC 2014 Jan 14 Questions.doc

Importance: High

Mr. Jack –

Regarding C27 – Colorado Crossing the Ordinance #040311-Z-2 allowed the area within the PDA to be developed with Small-Lot Residential. The preliminary plan is following this ordinance.

Regarding C29 – Keen Addition – from the BOA information – the owner had a substandard tract of land – purchased the additional land are to get closer to the minimum lot size of 5750.

Sincerely,

Sylvia Limon, Subdivision Review
C.O.A. - Planning & Development Review Department
505 Barton Spring Road, Austin, Tx. 78704
(512) 974-2767

From: Anguiano, Dora
Sent: Tuesday, January 14, 2014 3:13 PM
To: Chaffin, Heather; Heckman, Lee; Sirwaitis, Sherri; Jackson, Brad; Perryman, Don; Limon, Sylvia
Cc: Rhoades, Wendy
Subject: FW: Question for tonight
Importance: High

Hello staff,

Attached are questions from Jeff Jack on your case(s); please reply back to him at BC-Jeff.Jack@AustinTexas.gov AND at his personal email address (He has not been receiving email in City Outlook) JJack2@austin.rr.com

Thank you,
Dora Anguiano

C14

CENTRAL WEST AUSTIN NEIGHBORHOOD PLAN CONTACT TEAM

January 13, 2014

Organized 2010

"To facilitate the implementation of the Central West Austin Combined Neighborhood Plan."

OFFICERS

Michael Cannatti
Chair

August Harris
Vice Chair

Joyce Basciano
Secretary

EXECUTIVE COMMITTEE

Michael Curry
Craig Duewall
Roya Johnson
Jerry Lloyd
Mark Nixon
Blake Tollett
Betty Trent
Diane Umstead
Tina Weinberger
Vivian Wilson

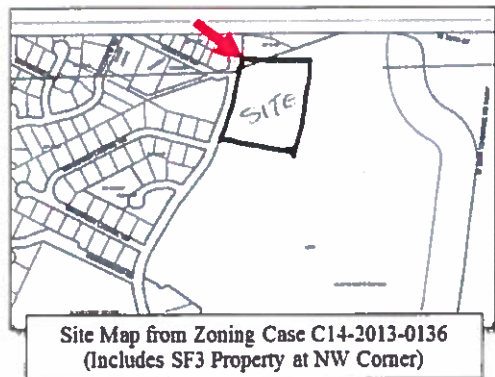
David Anderson (Chair)
City of Austin Planning Commission
505 Barton Springs Rd.
Austin, Texas 78704

Re: (Re)zoning Case No. C14-2013-0136 (3215 Exposition – Austin Elm Terrace)

Honorable Members of the Planning Commission:

On behalf of the Central West Austin Neighborhood Plan Contact Team (PCT), we are writing in opposition to the MF2 zoning being requested for 3215 Exposition (Agenda Item 14) because the request conflicts with our Future Land Use Map and our neighborhood plan. In our role as the PCT for the planning area in which the property is located, we have a number of concerns about the proposed development, and have voted to support a "Single Family" land use designation for the property at 3215 Exposition. The applicant's request for MF2 zoning is inconsistent with a Single Family land use designation.

Our first concern is that this zoning case necessitates a neighborhood plan amendment since it seeks to rezone property within our planning area to MF2.¹ In particular and as illustrated below, the zoning case will require a zoning change at the northwest portion of the property since this portion of the property was not excluded from our FLUM. Even if all or some of the property at 3215 Exposition was excluded from the FLUM, as the applicant contends, there is no support in our neighborhood plan for such an intense multi-family land use designation at this location, and we oppose any such amendment/addition to our FLUM.



¹ While City Staff does not agree that the FLUM exclusion covers only part of the proposed development, their citation of contradictory language from the City Council hearing transcript does not change the fact that the FLUM clearly shows that the excluded tract does not include the northwest corner of the subject property.

More importantly, the proposed MF2 zoning would violate numerous provisions from our neighborhood plan regarding land use goals and objectives which address the fact that “[t]here is particular interest in preserving harmony among land uses and in guarding against potential negative effects of future redevelopment of properties along ... Exposition Boulevard.” CWANP, p. 42. The relevant provisions of the neighborhood plan are briefly noted below along with comments identifying the conflicting features from the proposed development:

<u>Neighborhood Plan Guidance</u>	<u>Conflicting Features of 3215 Exposition</u>
“The Central West Austin Neighborhood Plan shall <u>preserve the existing character and integrity of single-family neighborhoods</u> to reflect the historical nature and residential character of the neighborhood.” Vision Statement.	The proposed location of MF2 zoning adjacent to existing SF3 zoning violates the character and integrity of the adjacent single-family neighborhood.
“Development of property as ... multi-family... should be <u>in accordance with the Future Land Use Map, as informed by the Plan text, and should be appropriately oriented, scaled and buffered to protect the existing single-family homes</u> from any intrusion and adverse effects from higher intensity uses.... Buffering to protect the existing single-family homes in the neighborhood is also desired.” Land Use Goal.	There is no multi-family land use designated for this location or area in the Future Land Use Map or in any plan text. In addition, the proposed three-story MF2 development adjacent to existing one-story single family SF3 homes does not provide appropriate orientation, scaling, and buffering.
As noted in the Land Use Goal, “There is particular interest in <u>preserving harmony among land uses</u> and in guarding against potential negative effects of future redevelopment of properties along Lake Austin Boulevard and Exposition Boulevard.”	According to the City of Austin’s Neighborhood Planning Zoning Guide, MF2 and SF3 are not harmonious land uses . In the Zoning Guide, MF2 zoning is not identified as a district that may be used as a transition between a single family and higher intensity uses. However, SF6 is identified as being appropriate in selected areas where a transition from single-family is appropriate.
Under the Land Use Objective 1, the neighborhood plan seeks to “preserve the existing single-family uses within the neighborhood by <u>not changing them to non-residential or multifamily uses</u> .” L1.1.	The proposed development changes the zoning in the northwest corner from SF3 to MF2, in violation of Land Use Recommendation L1.1.
Under the Land Use Objective 1, the neighborhood plan seeks to “maintain <u>low intensity, low density residential use</u> within the Drinking Water Protection Zone.” L1.2.	The proposed MF2 development in the Drinking Water Protection Zone does not maintain low intensity, low density residential use, in violation of Land Use Recommendation L1.2.
Under the Land Use Objective 3, “all redevelopment should be <u>compatible with the character of the adjacent neighborhood</u> .” Land Use Objective 3.	The proposed three-story MF2 development is not compatible with the character of the adjacent single-story single family homes on Exposition.

<u>Neighborhood Plan Guidance</u>	<u>Conflicting Features of 3215 Exposition</u>
Under the design guidelines for new multi-family development, “New and remodeled multi-family ... development should be compatible with the immediate neighborhood by having <u>similar setbacks, building scale, façades, and rooftops.</u> ”	While the proposed development meets some of the design guidelines for new multi-family, the proposed three-story MF2 development is not compatible with the immediate neighborhood because it does not have similar setbacks and building scale to the single story homes in the immediate neighborhood.

Finally, it should be noted that, throughout the neighborhood plan process, there were extensive meetings and City Council deliberations dedicated to a similar proposal to develop the same property with less intensive MF1 zoning, but it was not included in the neighborhood plan. Instead, this proposal met with strong opposition by the neighborhood stakeholders during the neighborhood plan process. At one meeting, there was “consensus” that the property should be designated Single Family, notwithstanding the property owner’s wishes for Multifamily. And in a second meeting, approximately 57 stakeholders stated their preference for SF-3 zoning and approximately 23 stakeholders preferred MF-1 zoning.

In conclusion, we respect the challenges of designing a commercially profitable development, and we commend the applicant for making efforts to address some of the potential adverse effects from the proposed higher intensity development. However, we nonetheless believe that the vision, goals, and objectives of our neighborhood plan are not being served by the proposed MF2 development at 3215 Exposition since it is not a harmonious land use with the adjacent single family homes. Instead, the neighborhood plan envisions a more gradual transitional land use to protect and buffer the existing single-family neighborhood across Exposition, as articulated in the Plan text provisions noted above. For the foregoing reasons, the Plan Contact Team (PCT) for the Central West Austin Neighborhood Plan supports a “Single Family” land use designation for the property at 3215 Exposition, and opposes an inconsistent MF2 zoning request.²

Thank you for your consideration.

Sincerely,

Michael Rocco Cannatti
Chair, Central West Austin Neighborhood Plan Contact Team

² Insofar as our NPCT jurisdiction concerns land use issues connected to our Future Land Use Map, we are not commenting upon City Staff’s recommendation to support SF-6 zoning with additional limitations, other than to note that Staff’s zoning recommendation is consistent with our support for “Single Family” land use at this site.

C/6

Anguiano, Dora

From: Heckman, Lee
Sent: Monday, January 13, 2014 4:10 PM
To: Anderson, Dave - BC; Chimenti, Danette - BC; Hatfield, Richard - BC; Hernandez, Alfonso - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC; Stevens, Jean - BC; Jack, Jeff - BC; Lazarus, Howard
Cc: PODER Austin, Texas (poder.austin@gmail.com); Reynaldo Gonzalez (RG@binkleybarfield.com); Anguiano, Dora; Zavala, Cesar; Leak, Erica; Gutshall, Caleb
Subject: RE: Item # 16 East Riverside Corridor Subdistrict Change - Postponement

Commissioners:

Staff has received a request from the applicant to postpone this item until April 22, 2014. The owners are reevaluating their options and opportunities for this site, and may be modifying their plans. The (approximate) 90-day postponement allows the owners time to explore options and the applicant an opportunity to meet with neighborhood stakeholders and provide them with the most accurate and current information. The Montopolis Neighborhood Contact Team, who had requested postponement of this item in December, supports the postponement request.

As such, staff will offer the postponement request as part of the Consent agenda at tomorrow's meeting.

Please contact me with any questions.

Respectfully,

Lee Heckman, AICP
City of Austin
Planning & Development Review Department – Current Planning
One Texas Center
505 Barton Springs Road, 5th Fl
Austin, Texas 78704

Tel: 512 – 974 – 7604
Fax: 512 – 974 – 6054
Email: lee.heckman@austintexas.gov

From: Sadowsky, Steve <Steve.Sadowsky@austintexas.gov>
Sent: Wednesday, November 20, 2013 3:36 PM
To: llimbacher@gmail.com; Terri Myers; gardens0_4@yahoo.com; aroberts318@netzero.net; Mary Jo Galindo; john@swsg.com; wolfthree@gmail.com
Cc: McGee, Alyson; Haase, Victoria (Tori)
Subject: No specially-called meeting on December 2

Dear Commissioners:

We will not have to have a specially-called meeting for the Dabney-Horne house on December 2 – we had 75 days to make a decision on this case, and December 2 will put us over the time limit, so the application for the Certificate of Appropriateness will be approved.

*Steve Sadowsky
Historic Preservation Officer
City of Austin, Texas
974-6454*

January 19, 2010

C21

Re: Cocktail Lounge Policy in the East Cesar Chavez Neighborhood

To Austin City Council, Planning and Zoning, and all concerned:

Numerous requests for new "cocktail lounge" conditional use permits within the East Cesar Chavez Neighborhood have given us, the East Cesar Chavez Neighborhood Planning Team, occasion to discuss this issue during the past several monthly Team meetings. We would like to take this opportunity to clarify our position regarding new cocktail lounges.

While we support existing CS-1 zoning and new businesses in existing CS-1 zoning, we are opposed to conditional use permits that create new cocktail lounges, for the following reasons:

- The ECC Neighborhood Plan envisions a mix of "businesses which serve neighborhood residents and residents that support local businesses". We do not want to become a drinking destination for the city.
- Many existing businesses in the ECC Neighborhood serve the neighborhood's and city's demand for cocktail lounges. We do not support making exceptions to existing zoning in order to create additional cocktail lounges.
- The ECC Neighborhood Plan and the Plaza Saltillo TOD Station Area Plan both envision, and the Team supports, dense mixed use including residential, commercial and civic elements. Cocktail lounges in addition to the existing CS-1 businesses are counter to this desired mix.
- We have found no support in "The East Cesar Chavez Neighborhood Plan" (1999) nor in the Regulating Plan for the Plaza Saltillo TOD for an increase in cocktail lounges. We work to maintain the vision that our neighborhood and the City created together and adopted as our Neighborhood Plan.

Thank you for the opportunity for us to clarify our opposition to conditional use permits for new cocktail lounges. We look forward to hearing from you with any questions or concerns.

Sincerely,



Sabino Renteria

Chair
East Cesar Chavez Neighborhood Planning Team

1511 Haskell St.

