

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Govalle/Johnston Terrace Combined

CASE#: NPA-2015-0016.01

DATE FILED: April 3, 2015 (Out-of-Cycle)

PROJECT NAME: Shady Lane Mixed Use

PC DATE: August 25, 2015
August 11, 2015
July 28, 2015
June 23, 2015

ADDRESS: 500 Shady Lane

DISTRICT AREA: 3

SITE AREA: 2.79 acres

APPLICANT/ OWNER: 600 Shady Lane, Ltd. (Jimmy Nassour)

AGENT: Alice Glasco Consulting (Alice Glasco)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Industry

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2015-0043

From: LI-CO-NP

To: CS-MU-V-NP

NEIGHBORHOOD PLAN ADOPTION DATE: March 27, 2003

PLANNING COMMISSION RECOMMENDATION:

August 25, 2015 – To grant applicant’s request for Mixed Use land use. [J. Shieh-1st; J. Thompson-2nd] Vote: 8-3 [T. Nuckols, T. White, and N. Zaragoza voted nay; J. Stevens absent; one vacancy].

August 11, 2015 – Postponed on the consent agenda to August 25 at the request of staff. [J. Stevens – 1st; J. Schissler – 2nd] Vote: 11-0 [J. Thompson absent, one vacancy].

July 28, 2015 – Postponed to August 11, 2015 on the consent agenda at the request of staff. [J. Schissler – 1st; P. Seeger- 2nd] Vote: 10-0 [J. Vela and M. Wilson absent; one vacancy]

June 23, 2015 – Postponed to July 28, 2015 on the consent agenda at the request of the applicant. [R. Hatfield- 1st; S. Oliver – 2nd] Vote: 8-0-1 [J. Shieh absent].

STAFF RECOMMENDATION: Not recommended. (*Revised recommendation, based on new information*).

BASIS FOR STAFF’S RECOMMENDATION: The applicant’s request to change the future land use map from Industry to Mixed Use is not supported by staff because new information provided by the City of Austin’s Fire Department has informed staff of flammable gas storage on industrially-zoned property directly to the west. Goal 1 of the Land Use Goals states: Adjacent land uses should be compatible. The plan says, “Non-residential development should not adversely affect existing businesses or neighborhoods, either by increases in traffic, noise, pollutants, or other safety hazards.”

Staff’s previous recommendation for support was due in large part to neighborhood plan’s recommendations that supported a mix of residential and commercial uses on properties within the planning area and the plan’s recommendation to concentrate higher density residential developments near major intersections. However, with the new information from the Fire Department regarding their safety concerns, the neighborhood planning staff has re-evaluated the initial recommendation for support and has changed the recommendation to Not Recommended. Please see the associated zoning case report C14-2015-043 for more information on the City of Austin’s Fire Department’s safety concerns.

NEIGHBORHOOD VISION

The Govalle/Johnston Terrace Neighborhood will be an affordable, family- oriented neighborhood with a strong sense of community and a place where people want and are able to live their entire life. The neighborhood will be pedestrian oriented with a well-balanced mix of residential and business uses, shops that serve neighborhood needs, and public spaces where the community comes together. The neighborhood will protect and emphasize its natural environmental features, historic character and residential areas. The neighborhood will be a safe, healthy, clean, well-maintained place with unique cultural opportunities and quality schools.

LAND USE GOALS

Goal 1: Adjacent land uses should be compatible.

Key Principles: Address the “over-zoning” of properties in the Govalle/Johnston Terrace Neighborhood Planning Area.

Non-residential development should not adversely affect existing businesses or neighborhoods, either by increases in traffic, noise, pollutants, or other safety hazards.

Goal 2: Preserve and protect current and future single-family neighborhoods.

Key Principles: Initiate appropriate rezoning to preserve and protect established and planned single-family neighborhoods.

Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts.

Goal 3: Develop a balanced and varied pattern of land use.

Key Principles: Provide a balance of land use and zoning for people to both live and work in the area.

Encourage mixed use so that residential uses are allowed on some commercial properties.

Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment.

Goal 4: Create and preserve a sense of “human scale” to the built environment of the neighborhood.

Key Principles: Ensure that new development and redevelopment respects the existing scale and character of the planning area.

ECONOMIC DEVELOPMENT

Goal 20: Improve the business climate in the neighborhood.

Goals 21: Protect and encourage development of a diversity of neighborhood-oriented businesses and employment.

Key Principles: Develop diverse economic and employment opportunities.
Maintain social and economic diversity of residents.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Industry - Areas reserved for manufacturing and related uses that provide employment but are generally not compatible with other areas with lower intensity use. Industry includes general warehousing, manufacturing, research and development, and storage of hazardous materials

Purpose

1. To confine potentially hazardous or nuisance-creating activities to defined districts;
2. To preserve areas within the city to increase employment opportunities and increased tax base;
3. To protect the City’s strategic advantage as a high tech job center; and
4. To promote manufacturing and distribution activities in areas with access to major transportation systems.

Application

1. Make non-industrial properties in areas with a dominant industrial character compatible with the prevailing land use scheme;
2. Where needed, require a buffer area for industrial property that abuts residentially used land;
3. Industry should be applied to areas that are not appropriate for residential or mixed use development, such as land within the Airport Overlay; 4. In general, mixed use and permanent residential activities are not appropriate in industrial areas. An exception may be the edge of an industrial area along the interface with an area in which residential activities are appropriate. Such exceptions should be considered case by case, with careful attention to both land use compatibility and design;
5. Industry should not be either adjacent to or across the road from single family residential or schools;
6. Use roadways and/or commercial or office uses as a buffer between residential and industry; and
7. Smaller scale “local manufacturing” districts may be appropriate in some locations to preserve employment opportunities and cottage industries of local artisans. In these areas, hazardous industrial uses (i.e. basic industry, recycling centers, and scrap yards) should be prohibited.

PROPOSED LAND USE ON THE PROPERTY

Mixed Use – An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;

4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

Application

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

IMAGINE AUSTIN PLANNING PRINCIPLES

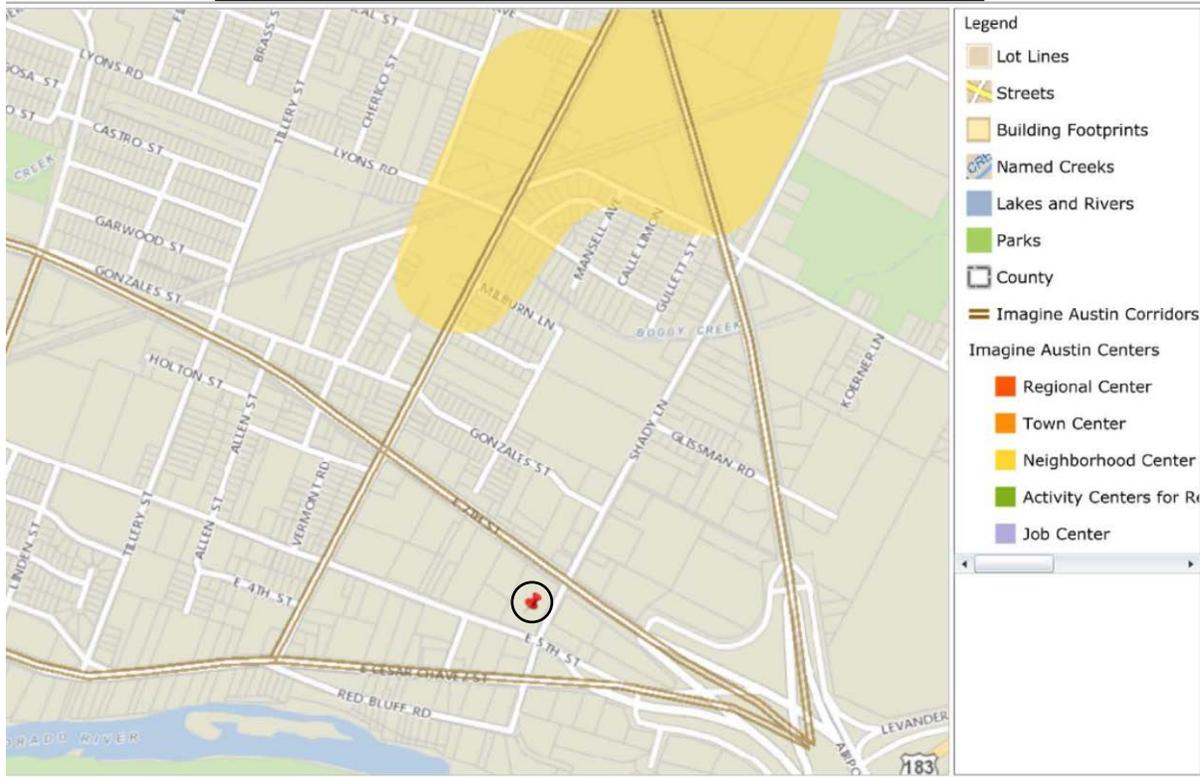
1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
 - ***The proposed development will be a mix of apartment (some affordable to low-income people) and retail uses. It is near Capital Metro Bus lines and walking distance from Allan Elementary School. Along E. 7th Street, E. 5th Street and E. Cesar Chavez Street are numerous businesses. However, the property is located next to a trucking company that has flammable gas storage on the property, which makes a proposed high-density residential development at this location not supported by staff.***
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.

- ***The proposed mixed use development is located between two activity corridor and near Capital Metro bus lines.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***The property is near two activity corridors and could be considered an infill development.***
 4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***The proposed development is for apartments with some retail uses. A portion of the dwelling units will be priced in an affordable range. However, the property is located next to a trucking company that has flammable gas storage on the property, which makes a proposed high-density residential development at this location a use not supported by staff.***
 5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***The property is located near a mix of commercial, industrial, and mixed use properties. However, directly to the west is industrially zoned property with flammable gas storage, which does not make for a harmonious transition between land uses.***
 6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
 - ***The proposed development is not located in an environmentally sensitive area.***
 7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
 - ***Not applicable.***
 8. Protect, preserve and promote historically and culturally significant areas.
 - ***The property does not have a historic building.***
 9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
 - ***There are bike lanes on adjacent streets near the proposed development.***
 10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - ***Not applicable.***
 11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
 - ***Not applicable.***

12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.

- *Not applicable*

Imagine Austin Comprehensive Plan Activity Corridor and Centers (Approx. location)



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IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the

addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

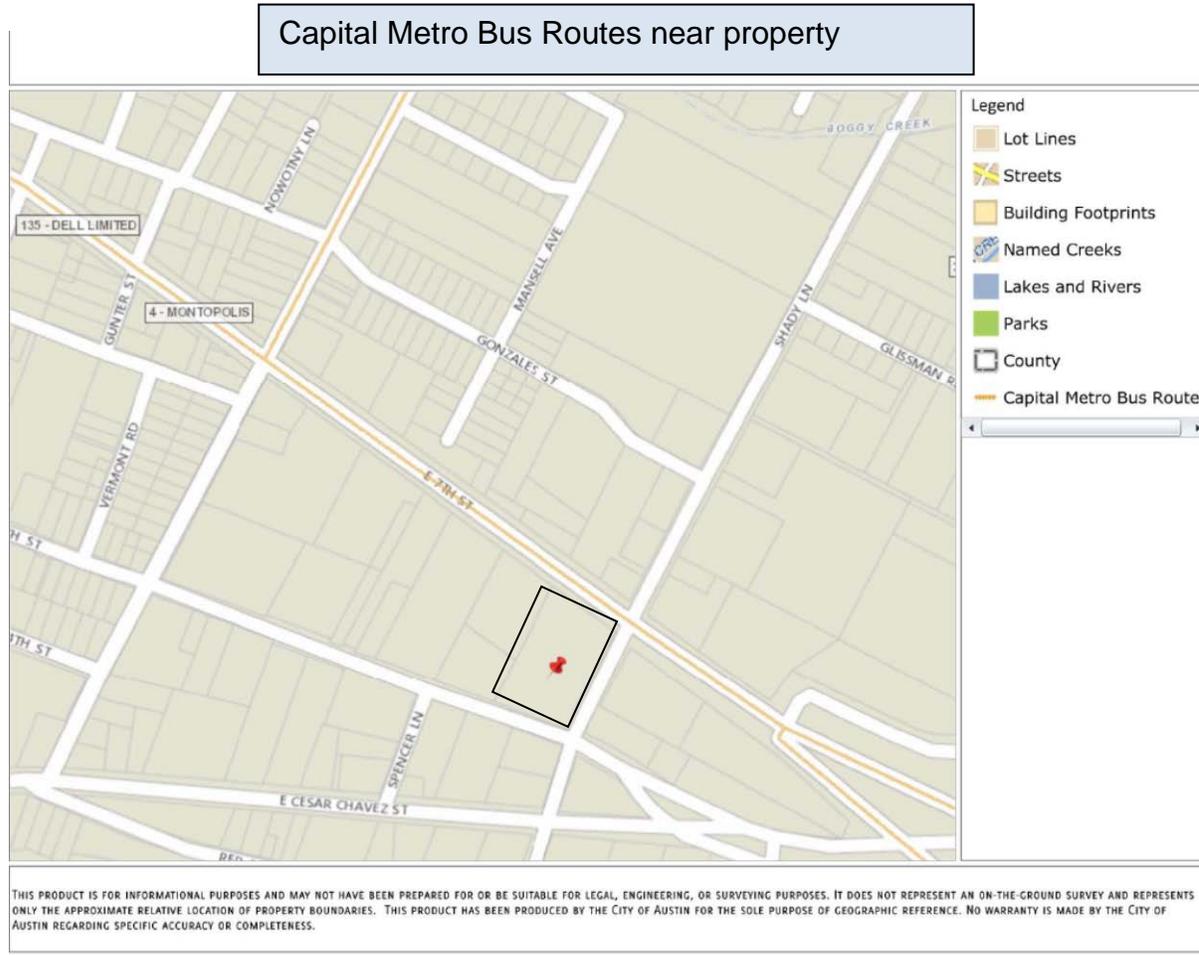
The Mueller redevelopment in Central Austin is an example of an emerging town center. Presently at Mueller, there are local and regional-serving retail establishments, the Dell Children’s medical Center of Central Texas, and Seton Healthcare Family offices. Upon build-out, Mueller expects to include 4.2 million square feet of retail, offices, medical space, and film production, as well as 10,000 residents.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

Job Centers

Job centers accommodate those businesses not well-suited for residential or environmentally-sensitive areas. These centers take advantage of existing transportation infrastructure such as

arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bi-cycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.



BACKGROUND: The plan amendment application was filed on April 3, 2015, which is out-of-cycle for neighborhood planning areas located on the east side of I.H.-35. The Govalle/Johnson Terrace Planning Contact Team submitted a letter which allowed the out-of-cycle application.

The applicant requests a plan amendment change from Industry to Mixed Use to develop a mixed use building with apartments, café, retail, and gym.

The applicant requests a zoning change from LI-NP (Limited Industrial District – Neighborhood Plan) to CS-MU-V-NP (Commercial Services District-Mixed Use-Vertical Mixed Use-Neighborhood Plan) for a mixed use building. Please see the zoning case report C14-2015-0043 for more information on the proposed zoning request.

PUBLIC MEETINGS: The ordinance required community meeting was held on May 6, 2015. Seventy-nine meeting notices were mailed to property owners and utility account holders who live within 500 feet, in addition to neighborhood associations and environmental groups registered on the Community Registry who has requested notification for the area. Seven people attended the meeting.

After city staff gave a brief presentation on the planning process and the applicant’s plan amendment request, Alice Glasco, the applicant’s agent, made the following presentation.

Alice Glasco, the owner’s agent, told the attendees that the property is being downzoned from LI – Limited Industrial District to CS-MU-V-CO-NP. She noted that some of the properties near 500 Shady Lane have VMU zoning which was added by the Govalle/Johnson Terrace planning contact team during the VMU Opt-in/Opt-out process.

The CS-MU-V-NP zoning request is to increase the density because no set back is required. The trade-off for added density is 10% of the dwelling units will be affordable to 60% of the medium family income (MFI), which is around \$30,000 to \$40,000 year for a family of two. The units will be affordable for 99 years.

She said they are proposing to keep the MU-Mixed Use in the zoning string just in case the VMU doesn’t work out. They need at least 252 dwelling units to make the project viable.

Note: The attendees had few questions.

Q. Did the property used to be a slaughter house?

A. Yes.

Q. How tall will the building be?

A. 60 feet.

Comment from attendee: What is being proposed is much better than what is there now.

The Govalle/Johnson Terrace Combined Planning Contact Team does not support the proposed plan amendment and zoning change request, see page 13.

The Red Bluff Neighborhood Association does not support the proposed plan amendment and zoning change request, see page 14.

CITY COUNCIL DATE:

August 13, 2015

ACTION: Postponed to September 10, 2015 at the request of staff. [L. Pool – 1st; D. Zimmerman – 2nd] Vote: 11-0.

September 10, 2015

ACTION: Postponed to October 8, 2015 at the request of the neighborhood. [A. Kitchen – 1st; D. Garza – 2nd] Vote 11-0.

October 8, 2015

ACTION: Postponed to November 12, 2015 at the request of staff. [D. Zimmerman – 1st; L. Gallo – 2nd] Vote: 10-0 [L. Pool absent]

November 12, 2015

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

EMAIL: maureen.meredith@austintexas.gov

Out-of-Cycle Letter from the
Planning Contact Team

Govalle/Johnston Terrace Neighborhood Plan Contact Team
"Strength Through Unity"

To: Alice Glasco and COA Planning Staff

From: Daniel Llanes

RE: 500 Shady Lane

Ms. Glasco,

Thank you for your presentation to the Contact Team. Please accept this letter as **confirmation** that the Govalle/Johnston Terrace Neighborhood Contact Team will **support an out of cycle plan amendment application** for the property at **500 Shady Lane**.

The Committee's recommendation is as follows:

Support **out of cycle request to apply** for proposed zoning change from LI-CO-NP to CS-MU-V-NP at **500 Shady Lane**. **Support is for the out of cycle request only**. It is understood that the Contact Team will consider an actual zoning change recommendation once applicant comes back with a proposal.

Please feel free to contact me with any questions or comments you may have regarding this case.

Thank You,



Daniel Llanes, Coordinator
Govalle/Johnston Terrace Neighborhood Plan Contact Team
512-431-9665

Summary Letter submitted with Application

ALICE GLASCO CONSULTING

alice@agconsultingcompany.com* Tel. 512-231-8110 *Cell 512-626-4461

April 3rd, 2015

Greg Guernsey, Director
Neighborhood Planning and Zoning Department
505 Barton Spring Road, Suite 500
Austin, Texas 78704

RE: Rezoning and Plan Amendment for 500 Shady Lane

Dear Greg:

I represent the owner of 500 Shady Lane in a request to rezone the property and amend the future land use map (FLUM). The property is currently zoned LI-CO--NP. The site has a structure that is currently vacant. Our request is to change the zoning to CS-MU-V-NP and change the FLUM from industrial to mixed use. The intended use is a mixed use development.

JUSTIFICATION FOR REZONING AND PLAN AMENDMENT

1. The subject property is bounded by East 7th Street, an entry way into the city from the airport, East 5th Street and Shady Lane.
2. The request for CS-MU-V-NP zoning and a FLUM change to mixed use is consistent with the surrounding zoning.

We look forward to a positive staff recommendation. Please let me know if you have any questions or need additional information.

Sincerely,


Alice Glasco

Cc: Heather Chaffin, Zoning Planner
Maureen Meredith, Neighborhood Planner

Letter from the Govalle/Johnson Terrace Planning
Contact Team

From: Daniel Llanes [mailto:dllanesrb@]
Sent: Tuesday, July 21, 2015 4:41 PM
To: Meredith, Maureen; Chaffin, Heather
Subject: Planning Commission case # C14-2015-0043, NPA-2015-0016.001 - 500 Shady Lane

Dear Ms. Meredith and Ms. Chaffin,

I am writing to you on behalf of the Govalle/Johnston Terrace Neighborhood Contact Team regarding the zoning case application at

500 Shady, case # c14-2015-0043 , NPA-2015-0016.01

The Contact Team has met twice with the applicant in an attempt to find common ground on their application, but the applicant was unwilling to compromise.

Consequently, after review and discussion, and given that there is a valid petition in place opposing the zoning change, the

Govalle/Johnston Terrace Neighborhood Contact Team is

OPPOSED to the zoning change application for 500 Shady, case # c14-2015-0043, NPA-2015-0016.001

Please do not hesitate to contact me regarding this case if you have any questions or comments.

Thank you,

Daniel Llanes, Corrdinator for the Review Committee
Govalle/Johnston Terrace Neighborhood Contact Team
512-431-9665

Letter from the Red Bluff Neighborhood Assn.

From: Daniel Llanes [mailto:dllanesrb@]
Sent: Tuesday, July 21, 2015 4:42 PM
To: Meredith, Maureen; Chaffin, Heather
Subject: Planning Commission case # C14-2015-0043, NPA-2015-0016.001 - 500 Shady Lane

Dear Ms. Meredith and Ms. Chaffin,

I am writing to you on behalf of the **River Bluff Neighborhood Association** regarding the zoning case application at

500 Shady, case # c14-2015-0043 , NPA-2015-0016.01

The Association, along with the Contact Team, has met twice with the applicant in an attempt to find common ground on their application, but the applicant was unwilling to compromise. Consequently, after review and discussion, and given that there is a valid petition in place opposing the zoning change, the

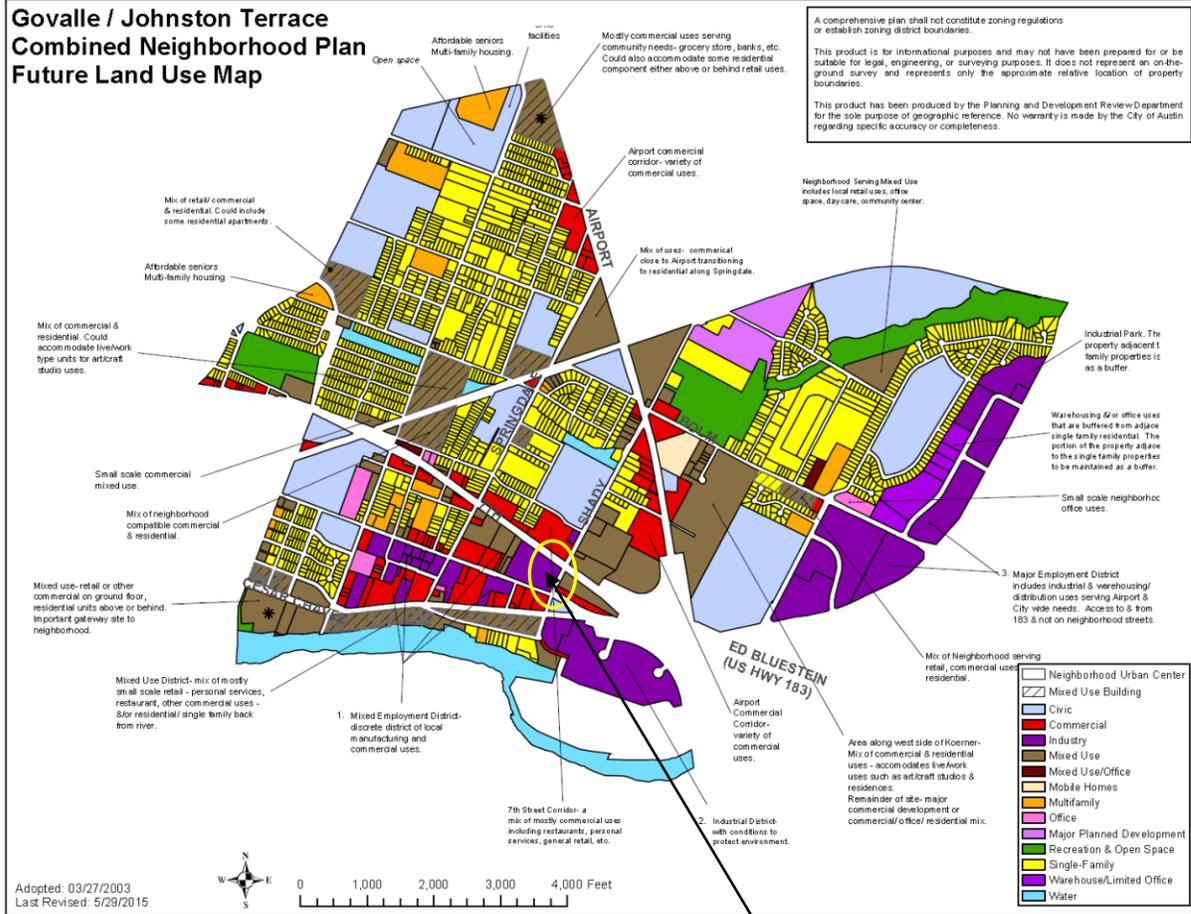
River Bluff Neighborhood Association is

OPPOSED to the zoning change application for 500 Shady, case # c14-2015-0043, NPA-2015-0016.001

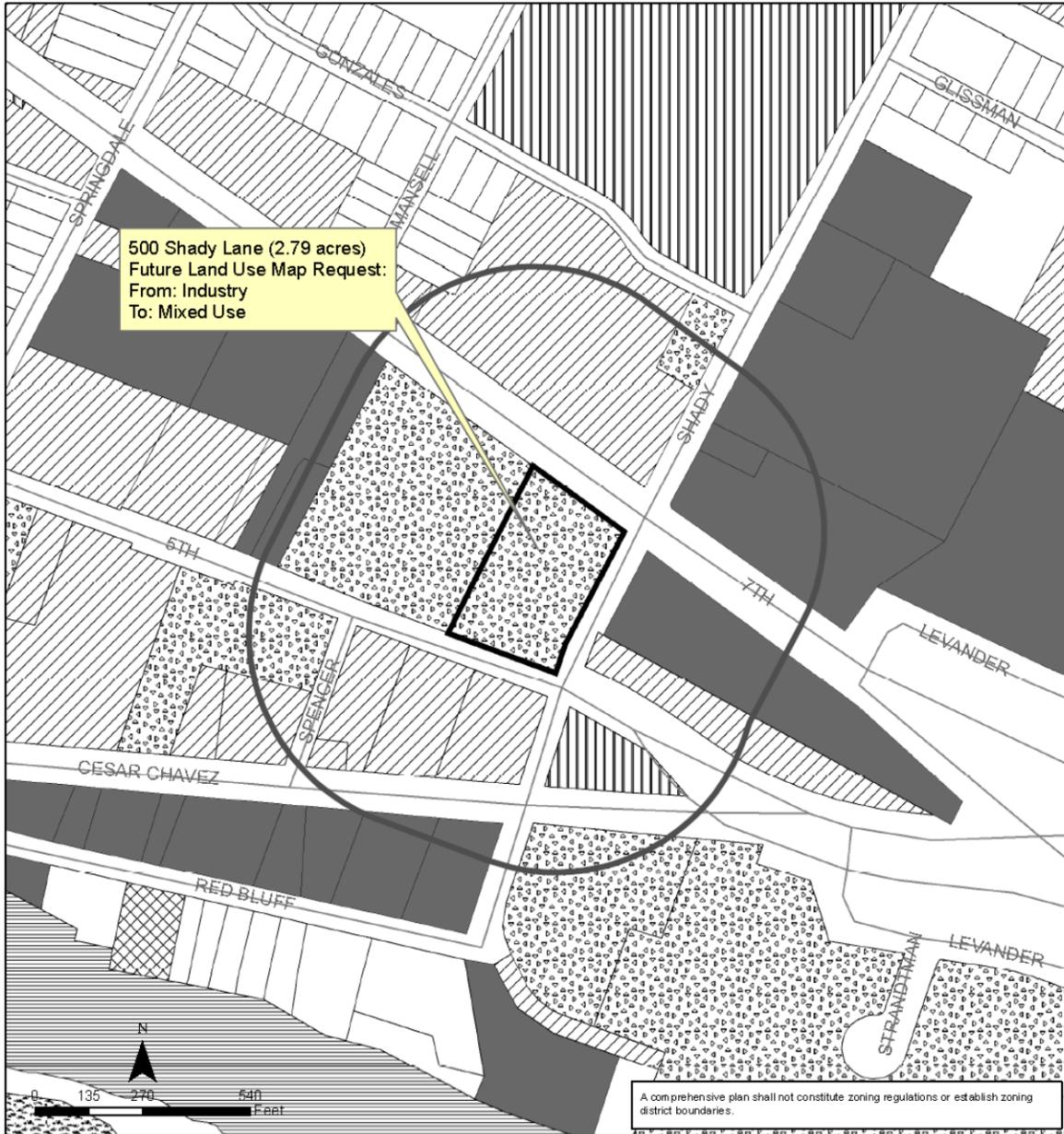
Please do not hesitate to contact me regarding this case if you have any questions or comments.

Thank you,

Daniel Llanes, Chair
River Bluff Neighborhood Association
512-431-9665



Site



**Govalle/Johnston Terrace Combined Neighborhood Planning Area
 NPA-2015-0016.01**

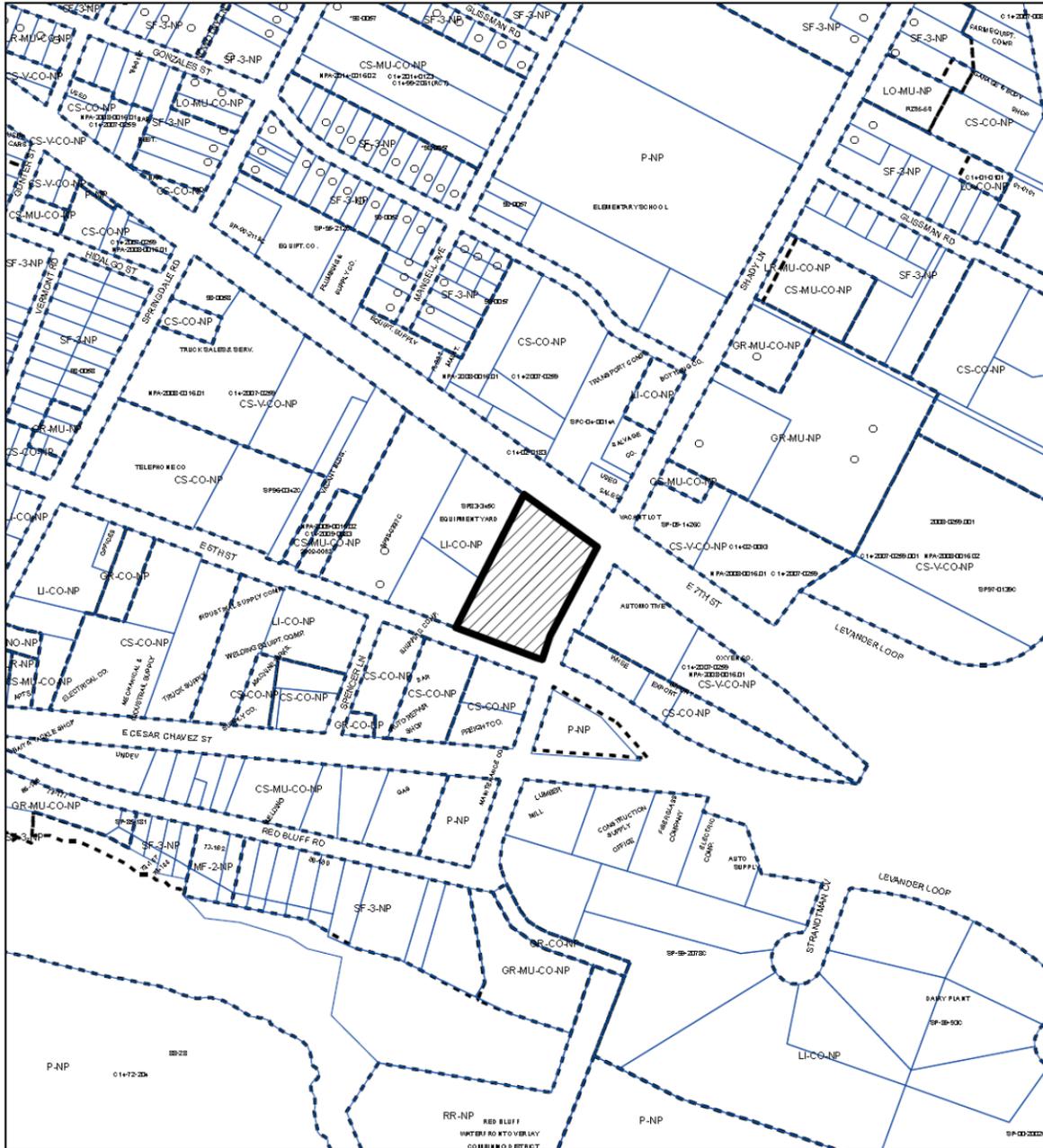
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City of Austin
 Planning and Development Review Department
 Created on 4/7/2015, by: meredithm

Future Land Use

	500 ft notification boundary		Office
	Subject Property		Industry
	Single-Family		Civic
	Multi-Family		Recreation & Open Space
	Commercial		Transportation
	Mixed Use		Water



ZONING

ZONING CASE#: C14-2015-0043

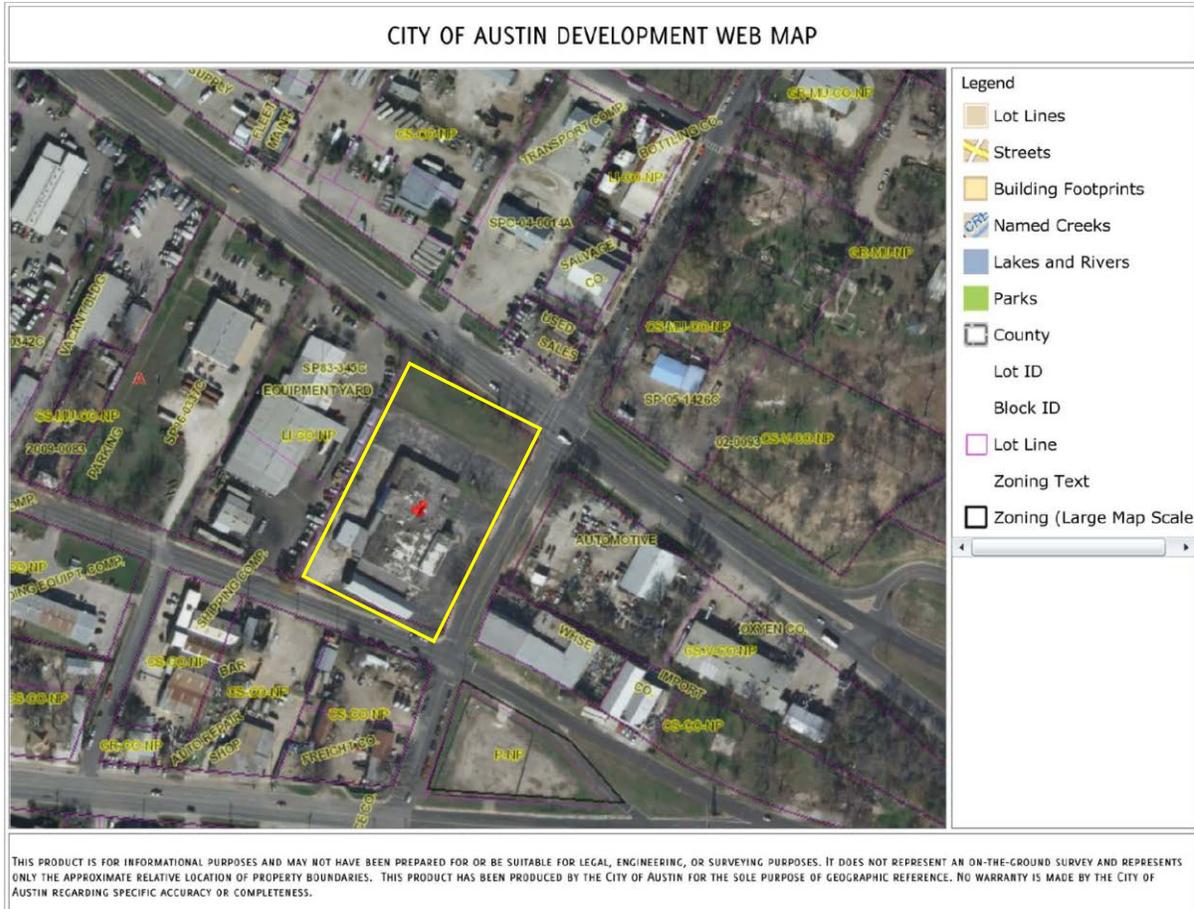

 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

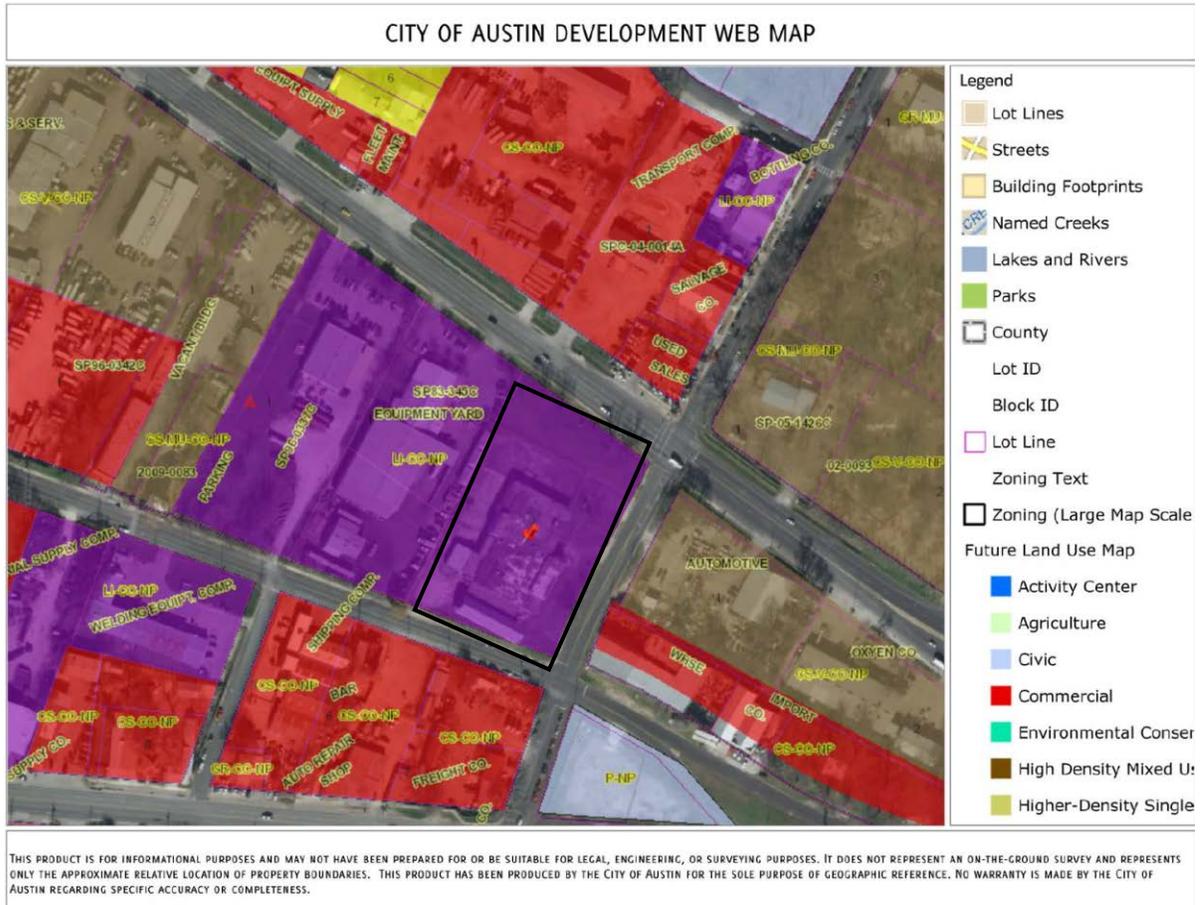
1" = 400'

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View North - Towards E. 7th Street



View northeast: Towards E. 7th St & Shady Lane





View southeast: Towards E. Cesar Chavez St.



View south



Concept Plan

DEVELOPMENT SUMMARY
 5 story VMU Wrap building with 6 level garage

Total Impervious Cover: 84.5% (proposed)
 Total Bldg. Coverage: 60.8%
 Existing Impervious Cover: 72.8%

Total Gross Bldg. Area: 225,574 sf
 FAR: 1.84
 Total DU: 252 DU
 Residential Density: 90.3 DU/AC

Total Residential Area: 171,080 sf

Coffee / Cafe: 2,040 sf
 Retail: 1,520 sf
 Gym Amenity: 2,280 sf
 Leasing Office: 3,660 sf

6 Level Garage: 361 sp.
 Surface Parking: 20 sp.
 On Street Parking: 17 sp.

Total Parking Provided: 398 sp.
 Total Parking Required: 359 sp. (at 80% standard)

UNIT MIX

Unit S1	1 BR Studio	500 sf	34 DU
Unit A1	1 BR Studio	614 sf	36 DU
Unit A2	1 BR	720 sf	37 DU
Unit A3	1 BR	770 sf	40 DU
Unit A4	1 BR	800 sf	5 DU
Unit B1	2 BR	1080 sf	38 DU
Unit B2	2 BR	1124 sf	5 DU
Unit B3	2 BR	1200 sf	18 DU
Total 1 BR units:			76%
Total 2 BR units:			24%

VMU BUILDING REQUIREMENTS FOR DENSITY BONUS

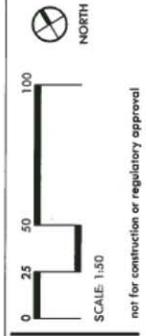
- No min. site area requirements, FAR, or building setbacks with affordability
- 7.5% of building frontage on principal street must be commercial use
- 10% of units to be affordable at 60% MFI (proposed)
- Parking requirements at 60% of standard per land use
- Allows for a variety of land uses including multifamily



500 Shady Lane
 Austin, Texas
 Mixed Use Development Concept Plan

06.16.2015

A1
ground floor plan



Hailey Studio
 architecture + planning
 401 Congress Avenue, Suite 1100
 Austin, Texas 78701
 www.haileystudio.com

Site Area: 121,584 sf / 2.7912 acres
 Zoning: CS-V-CO-NP (proposed new VMU zoning overlay)
 Max. FAR: No limit (with affordability)
 Max. Impervious Cover: 95%
 Max. Building Coverage: No limit (with affordability)
 Max. Building Height: 5 stories
 *Compatibility Standards do not apply
 Site area requirements: no limit (with affordability)
 Max. Density: no regulatory limit

Information submitted by Alice Glasco, applicant's agent

ALICE GLASCO CONSULTING

Responses to Contact Team and Stakeholder Comments on preliminary site plan for 500 Shady: from the May 30, 2015 meeting. Responses were presented at the July 18th contact team follow-up meeting.

1. General : Will only support zoning change with specific site plan that is attached to zoning change request and illustrates what will actually be built (not a general concept just to get the zoning change and does not represent what will actually be built).

Response:

Section 25-5 283 (G) prohibits the city council from requiring a site plan as a condition of zoning or rezoning.

2. More mixed use

Too much residential, not enough commercial
Retail along street sides, 7th, Shady & 5th
No residential at all, keep 5th/7th Streets commercial corridors.

Response:

CS-MU-V is consistent with the city's commercial design standards that REQUIRE all mixed use buildings that are along core transit corridors have a minimum of 75% of the street frontage as commercial. According to city code, East 7th Street is a Core Transit Corridor. Also, too much commercial cannot be absorbed easily – which means space will remain vacant for a long time as has been evidenced in other parts of the city.

3. Residential

No more than 50-75 residential units

Response:

It is not financially feasible to limit the site to 50-75 units. Additionally, limiting the number of units means that there would not be any affordable units as called out by the VMU regulations.

4. Height

No more than 3 stories

Response:

Current zoning of LI allows 60 feet and the site is not subject to compatibility standards. Under state law, for a developer to provide affordable housing, density bonus must be received, in return, not taken away.

ALICE GLASCO CONSULTING

5. Parking garage: There should be no more than 2 levels above ground.

Response:

We would like to keep the current height of 60 feet in order to be able to provide adequate parking onsite for a mixed use project and as a result, keep parking out of adjoining neighborhoods.

6. Traffic

Traffic impact study for all scenarios
Provide on-site parking for entire project

Response:

The city code – section 25-6-8-113 requires a TIA if the projected traffic exceeds 2,000 trips. A TIA will be submitted per city code, if the proposed mix of uses, at the time of site plan submittal, generates more than 2,000 vehicle trips per day.

Parking will be provided on site for the entire project.

7. Added Suggestion - Produce Market, pharmacy

Response:

These uses can and will be considered at the time of site plan submittal to the city. Market demand and viability of uses are essential in attracting uses to any area of town.

From: Ford Smith, Jr.
Sent: Wednesday, July 22, 2015 1:07 PM
To: Meredith, Maureen; Chaffin, Heather
Subject: Planning Commission case# C14-2015-0043- 500 Shady Lane

Dear Ms. Meredith and Ms. Chaffin,

I am writing you as the representative of KAF Development Co, landowner of approximately 6 acres that joins the subject property to the west. We are OPPOSED to the applicant's zoning change application.

The immediate area around the subject property consists of low density commercial businesses and single family neighborhoods. This area has historically been very stable both from the low density businesses that have been in the area for decades and the single family residences that border the area bounded by Caesar Chavez to the south, Springdale to the west, Seventh Street to the north and the Montopolis Bridge to the east. Our business, Allied Sales Company has been in the area for over 50 years!

The applicant proposes the MU-V zoning designation that would allow the building of a very high density development consisting of 5 stories with 252 condos and mixed use retail. The density and traffic generated (2800 trips per day) will create numerous long term conflicts with our existing business Allied Sales Co. that adjoins the subject and the other existing businesses and single family residences in the immediate neighborhood. Of paramount concern is the safety of mixing commercial truck traffic with a significant amount of residential traffic. Our business typically starts operations in the morning at 5:30 with truck loading and movements creating a noise conflict with the project as well. There are few sidewalks currently so pedestrian traffic would also conflict.

There is no development or business that comes close to the density of the proposed project in the immediate area. This project should be denied as it is inconsistent with the existing businesses and neighborhood and would have a very negative long term impact on the future stability of the area.

Please feel free to call if you have any questions.

Sincerely,
Ford Smith
Ford Smith, Jr., President
O: (512) 385-2020, M: (512) 422-2224
[Allied Sales Co](#) | [Golden West Oil](#)
[United Oil and Grease](#) | [Triple S Fuels](#)
We Care. You Matter. **We Deliver!**

From: Ford Smith
Sent: Wednesday, July 22, 2015 1:49 PM
To: Meredith, Maureen; Chaffin, Heather
Subject: Planning Commission CASE #C14-2015-0043- 500 Shady Lane

Dear Ms. Meredith

I am writing as the representative of Texas Enterprises, Inc., the landowner at 5001 East Fifth St., to express our opposition to the zoning change at 500 Shady Lane. Our property is located within 200 feet of the subject property. Texas Enterprises, Inc. operates Mighty Distributing of Austin on the property and TEI has owned the property for over 50 years. The zoning change is completely out of character with the immediate area and will have a very negative impact on our existing business. The density allowed by changing the zoning to MU-V is too great at 252 condos and 2800 trips per day for the stability of the immediate area and poses numerous safety concerns. I urge you to help preserve our immediate neighborhood and DENY the zoning request.

Please feel free to call if you have any questions.

Sincerely,

Ford Smith, Jr.

Texas Enterprises, Inc.
Mighty Distributing of Austin
512-385-2020

From: Charlie Henderson
Sent: Wednesday, July 22, 2015 4:28 PM
To: Meredith, Maureen; Chaffin, Heather
Subject: Planning Commission CASE #C14-2015-0043- 500 Shady Lane

Dear Ms. Meredith and Ms. Chaffin,

I am writing as the representative of Matoka, Inc., a neighboring business , to express our opposition to the zoning change at 500 Shady Lane. Our property is located within 200 feet of the subject property, in fact we are directly across the street. Matoka, Inc. operates a commercial business that has been in this location for over 20 years. The zoning change is completely out of character with the immediate area and will have a very negative impact on our existing business. The density allowed by changing the zoning to MU-V is too great at 252 condos and 2800 trips per day for the stability of the immediate area and poses numerous safety concerns. I urge you to help preserve our immediate neighborhood and DENY the zoning request.

Please feel free to call if you have any questions.

Sincerely,

Charlie Henderson


ENVIRONMENTAL CONTRACTORS
CHARLIE HENDERSON
512-385-1202 (O)
512-385-9344 (F)
www.matoka.com



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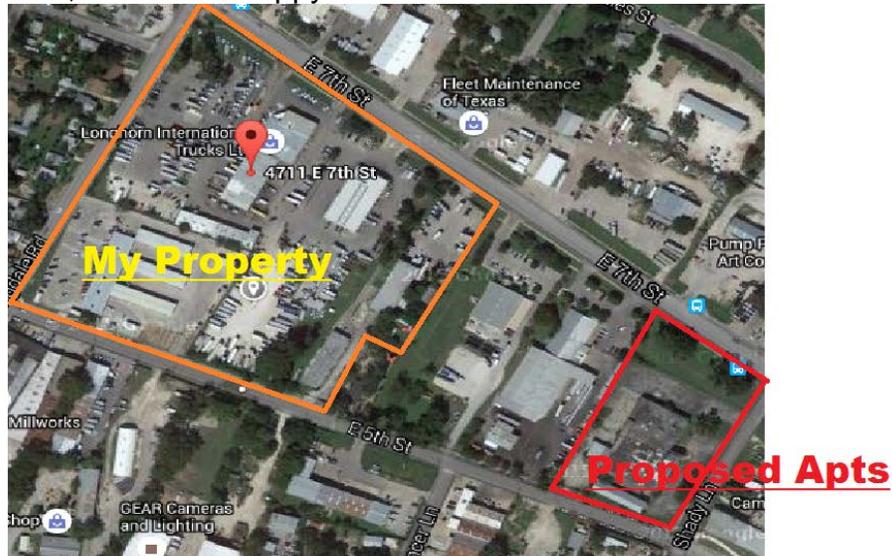
4711 East 7th Street • P.O. Box 6260 • Austin, Texas 78702
(512) 389-1111 • (800) 779-5631 • Fax: (512) 389-3871



Dear Ms. Meredith and Ms. Chaffin,

I am writing on behalf of Longhorn International Trucks, LTD, we own roughly 11 acres from the corner of 7th and Springdale on the west to where Allied Sales property connects on the east and from Justine's on 5th street to where ATT is located at 5th and Springdale. I have enclosed a map below.

We are opposed to the zoning change on the property in question at the corner of 7th and Shady Ln. We are a large commercial truck dealership representing the International Brand and the IC school bus brand. Commercial trucks are very large and noisy, although we try to be as accommodating as possible to our neighbors I fear that the addition of 250+ apartments would cause issues. We have trucks that come in and out of our location starting at 5:00 AM and are open until 11:00 PM daily. We have been at this location since 1976. One of the primary concerns I have is the safety and quality of life that these new residents could encounter. I think that adding a large number of residential vehicles thereby increasing traffic to the already busy industrial and commercial traffic on 7th street would be a mistake. I think that this project should be denied. There are no other high density properties (of this volume) anywhere around the proposed location. Please let me know if you have any questions, I would be happy to answer them.



Jeff Kyrish
Regional Vice President



**David Dacy
Wayne Louis LLC
3135 Honey Tree Lane
Austin, TX 78746**

July 27, 2015

ATTN: City of Austin

RE: 500 Shady Lane

Future Land Use Map Amendment: NPA-2015-0016.01

Zoning Case No: C14-2015-0043

Our family has owned the property on E. 5th St., across the street from the subject property, for over 50 years. I attended the Govalle/Johnston Terrace Neighborhood Plan meeting regarding this case, held at the Willie May Kirk Public Library on May 6, 2015. I fully understand the applicant's request for a change to the FLUM and the companion zoning change from "LI-CO-NP" to "CS-MU-V-NP" and support the applicant's request. This area is undergoing change and the transition from the industrial uses allowed under "LI" zoning to this more moderate and flexible down-zoned category is in my opinion a benefit to surrounding neighbors.

It is our understanding that the applicant has no objection to the transition taking place on our property which includes the rebuilding of a bar and restaurant/bar and that these changes will be not only mutually beneficial but also beneficial to the neighborhood. I urge your approval. Thank you for your consideration.

Sincerely,


David Dacy