

**Haase, Victoria [Tori]**

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**Subject:** FW: 2801 Hancock, rezoning case # C14-2016-0060

**From:** Jeff Shindler

**Sent:** Friday, July 15, 2016 2:41 PM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC

**Cc:** Haase, Victoria [Tori]; Rob Stern

**Subject:** 2801 Hancock, rezoning case # C14-2016-0060

Commissioners:

I believe you are in receipt of an email from Ms. Caroline Reynolds expressing concern about the zoning case at 2801 Hancock (Case # C14-2016-0060). I am a civil engineer and owner's agent for this case. As I believe they may be some misunderstanding regarding our project on the part of Ms. Reynolds, I wanted to take a moment to address some of her concerns.

First, I would like to point out that we proactively reached out to the Allandale Neighborhood Association in an attempt to open dialogue and prevent any misunderstanding about the project. We met with Ms. Jean Latsha, who is the zoning committee chair for NA. As a result of that meeting we also had conversations with Ms. Kata Carbone, who I believe is a past president of the NA and actively involved in the NA. Both indicated support for mixed use designation at this location. While Ms. Reynold's email indicates that the case was discussed at an NA meeting, she never reached out to us regarding any concerns about the project. Had she done so, we would have been happy to address those with her.

While I appreciate Ms. Reynolds concern that CS zoning is intended for uses generally incompatible with residential environments (as CS is described in the City of Austin Zoning Ordinance), as Ms. Reynolds herself notes, this is a condition that been in place since the 1950's. We are not seeking to change zoning to allow an incompatible use to a residential environment. In fact, the opposite is true. We are seeking to add a residential component to the site, which IMPROVES the site's compatibility with the residential properties in the neighborhood. Further, any residential uses added to this site deduct from potential commercial development, in that the limitations of parking, floor-to-area ratio, etc. do not change. Every square foot of residential use we add deducts from the allowable commercial square footage of the site. In this regard I respectfully disagree with Ms. Reynolds contention that this request represents an "up-zoning" of the site. The site already has CS zoning. There is no up-zoning from that. This request allows the option to add more compatible uses to the site.

The second item I would like to address is Ms. Reynolds discussion of a purported Traffic Impact Analysis. There was no Traffic Impact Analysis performed in conjunction with this zoning application, as we are not seeking a change in base zoning, merely adding the Mixed Use to the existing zoning. I believe she is referring to a city staff calculated theoretical maximum trip generation on the TIA Determination Worksheet. I believe the city determined this by multiplying the site area (0.4561-ac) by the allowable floor to area ratio by CS zoning (2:1), and applying the ITE trip generation methodology for general retail use, assuming that the maximum FAR was achieved, which yields the referenced 3,727 trips per day. It is critical to note this a theoretical maximum yield based on a City assumed use generated by the City. This does not reflect any actual proposed use for the site nor does it necessarily reflect a practical or feasible yield for the site. Regardless, even if that theoretical yield was proposed at some point, it would be addressed in the site plan phase of the project. As we are not seeking a base zoning change, we are not in fact increasing the potential traffic impacts. In fact, as a corollary to the discussion above, any residential uses added to the site under a mixed use scenario would reduce the potential traffic impacts.

If it is reasonable to look at actual proposed uses for the site, we would see a significantly different traffic scenario from the one Ms. Reynolds describes. The site was recently granted a site development permit (SP-2014-0341C). This site

plan preserves the existing 1,693 sf of retail use, and adds another 994 sf of retail use and 2,424 sf of restaurant use. Using the same ITE trip generation methodology described above, the current permitted use on the site generates 405 trips per day, a far cry from 3,727 cited by Ms. Reynolds. In fact, in site plan review this project wasn't even 25% of the minimum 2,000 trips per day generation that triggers a Traffic Impact Analysis.

Ms. Reynolds also questions whether there is adequate on-site parking for the proposed use. Again, I will refer to the approved site plan, which provides 32 parking spaces on-site, while the required parking per City ordinance is 26 spaces, meaning the project is currently overparked by 23%. As with the TIA discussion, required parking is something that is addressed during site plan review. Any future proposed development will be required to comply with City parking requirements. Adding a mixed use designation to the site's zoning does not change that requirement.

In summary, we feel that adding the mixed-use designation to the current base zoning benefits the neighborhood by encouraging a commercial and residential mix of uses on the site. It benefits the City by bringing the site more in line with the Imagine Austin Comprehensive Plan by encouraging mixed-use, walkable development and allowing the site to function as a buffer between adjacent commercial uses and nearby residential uses. It benefits the owner as it allows him the flexibility to develop the site in a more appropriate manner.

I hope this clarifies some of the details of this case. Please let me know if you have any questions regarding this case or if I can assist in any way.

Sincerely,  
Jeff Shindler, P.E.  
Principal

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**Haase, Victoria [Tori]**

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**Subject:** FW: Case # C14-2016-0060 (2801 Hancock Dr.)  
**Attachments:** C14-2016-0060 Backup.PDF

**From:** Kata Carbone  
**Sent:** Sunday, July 17, 2016 10:44 PM  
**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Haase, Victoria [Tori]  
**Cc:** Rivera, Andrew; Allandale NA-EC (Google+); Jean Latsha  
**Subject:** Case # C14-2016-0060 (2801 Hancock Dr.)

Dear ZAP commissioners & Tori,

There was some confusion regarding dates; the devreview website lists Aug 11 as the ZAP hearing date, but this case appears on ZAP's July 19 agenda.

These neighbors oppose the applicant's request to rezone from CS to CS-MU:

- Caroline Reynolds, 2611 W. 49th St. (resides outside notification area)
- Kathy & Michael Hoinski, 2803 West Fresco
- Tony Gregg, 2712 W. 49th 1/2

Along with Allandale Neighborhood Association, these neighbors support the rezoning with the condition that 22 CS uses be prohibited (see list below), which we think provides a reasonable balance to residential compatibility:

- David Orshalick & Kata Carbone, 2710 W. 49th 1/2 St.
- Katherine & Antonio Torrini, 2802 W. Fresco Dr.
- Kathy Aven, 5002 Finley Dr.
- Patricia Green, 5008 Finley Dr.

Thank you for your consideration.

Sincerely,  
Kata Carbone  
Allandale

List of Prohibited Uses Requested:

- Civic
- Hospital Services-Limited
- Hospital Services-General
- Residential Treatment

Telecommunication Tower

Transitional Housing

Transportation Terminal

## Commercial

Adult-Oriented Business

Automotive Rentals

Automotive Repair Services

Automotive Sales

Automotive Washing

Bail Bond Services

Business or Trade School

Commercial Blood Plasma Center

Drop-Off Recycling Collection Facilities

Hotel/Motel

Kennels

Outdoor Entertainment

Outdoor Sports & Recreation

Pawn Shop Services

Service Station

Vehicle Storage

**Haase, Victoria [Tori]**

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**Subject:** FW: support for C14-2016-0060 - 2801 Hancock Drive

**From:** Jean Latsha

**Sent:** Monday, July 18, 2016 7:12 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; [bc-jolene.kilobassa@austintexas.gov](mailto:bc-jolene.kilobassa@austintexas.gov); Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC

**Cc:** Haase, Victoria [Tori]

**Subject:** support for C14-2016-0060 - 2801 Hancock Drive

Ms. Haase and the ZAP Commission,

The Allandale Neighborhood Association (ANA) Executive Committee met on July 6 to discuss the case referenced above and voted to support the rezoning of 2801 Hancock Drive conditioned upon the property being restricted from the following uses:

- Hospital Services - Limited
- Hospital Services - General
- Residential Treatment
- Telecommunication Tower
- Transitional Housing
- Transportation terminal
- Adult-Oriented Business
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing
- Bail Bond Services
- Business or Trade School
- Commercial Blood Plasma Center
- Drop-Off Recycling Collection Facilities
- Hotel-Motel
- Kennels
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shop Services
- Service Station
- Vehicle Storage

Please let me know if you need anything else from me or have any questions about ANA's formal position regarding this matter.

Sincerely,

Jean Latsha

Zoning chair

Allandale Neighborhood Association

Re: Case Number C14-2016-0060  
Property Location: 2801 Hancock Drive

July 18<sup>th</sup>, 2016

Dear City Council Members and Zoning & Platting Commissioners:

As residents of the neighborhood directly affected by the commercial development at 2801 Hancock Drive, we would like to express our Commercial Services (CS) concerns regarding the property. After your review on their Mixed Use (MU) rezoning proposal, we strongly discourage the following types of businesses - because they are not healthy for the neighborhood, and should be prohibited within the CS-MU rezoning site plan.

- Adult Novelty
- Bail Bonds
- Smoke Shop
- Pawn Shop
- Tattoo Parlor
- Liquor Store

If the above business genres are prohibited, we are open to the MU rezoning request, as long as there are enough parking spaces as outlined by the approved CS site plan.

Sincerely,



Kathleen & Michael Hoinski  
2803 West Fresco Drive, Austin, TX 78731