

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

C14-2016-0025  
Address  
Valid Petition Request

Dorothy Alexander DOROTHY ALEXANDER 1703 LORETO DR,  
Efrem Alexander EFREM ALEXANDER 1703 LORETO DR,  
Brenda Alexander BRENDA ALEXANDER 1703 LORETO DR,  
Daisy Waters 4401 Holmarc Ave Austin, TX  
Tamara Goheen 1811 Loreto Dr. Austin, TX 78721  
Aneddie B Dixon Sr 1602 Astor Place  
Melonie House Dixon 1602 Astor Place

Date: June 13, 2016: Contact Name: Dr. Debra L. Murphy Phone Number:  
512-799-3637

## MEMO

**Date:** August 5, 2016

**To:** Austin City Council

**From:** Dr. Debra L. Murphy (petition contact)

**Subject:** Update/Addendum Case # C14-2016-0025 (St. James Baptist Church's Proposal to Rezone Undeveloped Land at the End of East 17<sup>th</sup> Street [With East 17<sup>th</sup> Street Single Point Entry/Exit] to Attract Sell From Developer to Pay Off Church Debt

This document represents an addendum and update to our concerns (to include the Planning Commission decision). To recap, in addition to the MLK Neighborhood Association voting against this rezoning, the affected neighborhood has filed a legal petition in protest. Specifically:

- The 20% or greater threshold required based on the city formulation in order for the neighborhood's petition to be considered a legal petition **was met at 22.70%** (*in spite of the city's formulation including the large acreage of the city-owned Evergreen Cemetery and greenbelt/City Park property in the denominator of this calculation, which seems to work against the neighborhood. How would we obtain signatures from the Evergreen Cemetery? –Or those other properties?*)
  - ✓ *Without the cemetery and greenbelt/City Park property included in the calculations, it would be 39.37%*
- Over 60 total signatures have been obtained.
- 100% of East 17<sup>th</sup> Str. & 68% of Loreto Dr. residents signed in opposition (the properties most affected).
- 58% of all affected residential property owners signed in opposition.

The reasons for the protest that are amended to include the Planning Commission deliberation are as follows:

### **SAFETY HAZARD**

- With the single entry/exit point on the narrow short East 17<sup>th</sup> Street over 500 **new** traffic trips per day would be added where existing residents are already hemmed into their neighborhoods due to bumper to bumper traffic on MLK Boulevard (north border) and Airport Boulevard (west border), **which are the only streets providing access into or out of the neighborhood.** Evergreen Cemetery and the undeveloped area form the east and south borders, respectively).
- **EMERGENCY RESPONDERS WOULD HAVE INADEQUATE ACCESS** into the neighborhood.
- **EVACUATION PATHWAY WOULD NOT BE SAFE** during threat or disaster (bottlenecking would trap residents as large numbers try escaping through one single, narrow corridor)
- **DANGEROUS** engagement of unprotected pedestrian & auto traffic.
- **VEHICLE SAFE PASSAGE TRAVELING IN OPPOSITE DIRECTION** on East 17<sup>th</sup> Street would be virtually impossible.
- **CERTAIN DANGER OF RESIDENT ENTRY EXIT ONTO E. 17<sup>TH</sup> STREET** during entry/exit traffic from new development.
- The proposed development would literally “be in the backyards” of the residents along Loreto Street and those whose homes on East 17<sup>th</sup> Street are near the undeveloped area, resulting in significant **flood plain concerns.**

Please note that some of the Planning Commission members themselves noted what a traffic burden this would impose upon the neighborhood, especially, East 17<sup>th</sup> Street, so why the safety hazards were not addressed by the Planning Commission and vetted by the City's Public Safety Committee is of concern.

### **Does this proposal along East 17th street and the adjoining neighborhood:**

- Provide passage space for Fire and EMS vehicles? **No!**
- Protect livability for efficient vehicle movement? **No!**
- Provide safety for vehicle and pedestrian traffic? **No!**
- Provide efficiency of services for all users? **No!**
- Provide a safety net for children playing along the corridor? **No!**
- Provide element of property danger by errant vehicles "curb hopping"? **Yes!**
- Provide adequate space for garbage receptacles along the corridor? **No!**
- Provide space for parking? **No!**

### **OTHER ISSUES**

- The letter and signed petition were **not included for consideration by the Planning Commission**
- The church/city planner's presentation one-sidedly **presented East 17<sup>th</sup> Street as the ONLY ENTRY/EXIT option as though it was a DONE DEAL**, showed no pictures of it, and did not **address EXTREME SAFETY and HAZARD concerns**.
- The church/city planner's presentation **did not make clear that the historical slave grave sites of concern are NOT the same** as the undeveloped part of Evergreen Cemetery.
- The church/city planner's presentation addressed only limited other entry/exit options as not possible; **without mentioning other definitely possible entry/exit options (e.g., church parking lot)**.
- The plan is in opposition to the protection/preservation of single-family housing.
- The proposed plan would add as many new residents to the neighborhood as the number of residents who already exist in the neighborhood.
- We also agree with the following points made by the Planning Commission members, themselves who voiced the following concerns:
  - *The proposed plan would pose considerable burden on the residents of East 17<sup>th</sup> Street, as well, as Tillery street, which is currently already heavily trafficked as a shortcut to MLK or Airport [\*although not mentioned, Lovingood and Tillery Street residents will also be impacted].*
  - *The proposed plan would decrease property values of the existing residents.*
  - *-Flood plain and drainage issues*
  - *This proposal is asking the neighborhood to take on a lot of uncertainty and more dense family development (give up all and have faith in the developer).*
  - *There is no idea of what the site plan with exact specifications is.*
- No documented studies or impact analyses have been provided to the neighborhood ( transparency concerns).
- A **traffic impact analysis** should be done in light of concerns.
- An **environmental impact analysis** should be done in light of concerns
- A **flood plain analysis** should be done in light of concerns.
- A **cost vs. benefit analysis** to the existing community should be done in light of concerns.
- A **specific and detailed site plan** should be provided in light of concerns.
- Wildlife, construction pollution, natural springs, and heritage trees are additional concerns.

In conclusion, the affected neighborhood and the MLK Neighborhood Association object to a request for re-zoning and the Planning Commission's recommendation for City Council approval [scheduled for August 11<sup>th</sup> (time not yet known)]. Ethical concerns are raised as to why this neighborhood should be the **sacrificial lamb** that has to **bare the brunt of this proposal's extreme safety, health, economic, and**

*quality of life burden, plus possible loss of historical/cultural legacy*, so that the church can pay its debt *off of the backs of hard working home owning, and tax paying residents, many of whom have lived in historic McKinley Heights Terrace since its inception in the 1960's.* One planning commissioner said that the residents on East 17th street will suffer the brunt of the burden from this proposal. It is **UNFAIR** for one source to profit and gain at the expense of residents where loss of life, the threat of danger, and a devaluation of properties as well as historical legacy is at stake! **This application should be rejected!**

**Chaffin, Heather**

---

**From:** Gerald Murphy <[REDACTED]>  
**Sent:** Thursday, August 04, 2016 3:17 PM  
**To:** Chaffin, Heather  
**Cc:** Debra Murphy; Hardy Murphy  
**Subject:** Letter of Objection: C14-2016-0025; August 11, 2016; Agenda Item #57

*Heather,*

*Please insert this to your package to council for their August 11, 2016 meeting. Call me at 512-922-5916 if you have any questions or concerns.*

*Respectfully,  
Gerald Murphy*

**Regarding an August 11, 2016 City Council Agenda Item #57, for Planning Commission case# C14-2016-0025. St James Missionary Baptist Church**

I am asking that you reject a Planning and Zoning Commission's recommendation to approve an application for the development of land as proposed for St. James Missionary Baptist church. The proposal limits access to a single point on east 17th street even though neighborhood residents fear that the plan is unsafe and in a worst case scenario places them in danger of potential loss of life as could occur with a single point of access as proposed. Please consider that "one way in" and "one way out" scenarios are recipes for disaster.

The 17th street single point of access, **1.)** is too narrow to safely accommodate two way traffic; **2.)** creates congestion severely limiting the ability for emergency responders to reach residents in the area; **3.) would cause residents to be trapped with no ability to exit or to be rescued in the event of an emergency evacuation (most especially the elderly, children, and people with disabilities).** In addition, residents along east 17th street, with this plan, have no ability to exit from or to their driveways / properties due to oncoming traffic. Speed bumps are not a solution as they would increase vehicle congestion during a need to evacuate.

During the presentation to the Planning Commission, City staff and the applicant's spokesperson (Planner), seemed to conveniently avoid providing direct responses to Commissioners when questioned about the single point of access on east 17th street. There was lengthy reasoning however regarding why an access option from MLK poses problems due to drainage and "creek crossing" or bridging issues and the east 17th street single point of access is the only other option and "okay" with no associated problems. The safety issues with east 17th street as expressed by residents seemed to not be their concern. **An alternate option to enter further east on MLK onto church property then cross the creek at it's narrowest point was never discussed and should be. This would entail the church including another parcel of property for development. The cost for bridging and roadway construction could be borne and negotiated between the Church, the Developer, and/or the City!**

It is also unclear, **1.)** what the drainage impact is on the immediate area and whether the required studies have been completed; **2.)** if standards regarding flood zones have been clearly described; and, **3.)** whether environmental hazards, airborne toxins, and disruptions of wildlife and natural habitats all during construction and land excavation have been adequately studied. Maybe health and environmental specialist should be involved with assessing the area prior to moving forward to assure that measures are taken to protect area residents who may be medically fragile.

My objection is personally difficult but with prayer I am taking the right stance. I think very highly of this wonderful Church, the church Leaders, and the outstanding Pastor. I am respectfully however in disagreement with this proposal. **I urge you to deny the recommendation or to direct City staff to work with the Applicant to bring back to Council a plan revision with a different point of access without using the east 17th street point even if the option includes expenses from City resources to facilitate a different point of access.**

When public safety is an issue you as a council deserve another "workable option" from staff and not "one choice". The **entire** burden of danger, inconvenience, and suppressed property values should not be placed on neighborhood residents who have in volume objected with valid concerns for their safety. In this case no one carries the burden other than the neighborhood residents and this is simply unfair and in absolute disregard for their voices of concern, their health and their safety, and the safety of those who would ultimately occupy within the area to be developed if approved!

Very Respectfully,

Gerald Murphy 512-719-5886; [gmurphysr@att.net](mailto:gmurphysr@att.net) (Mother resides on east 17th street)