ZONING CHANGE REVIEW SHEET

CASES: C14-2018-0141 – 1907 Inverness Zoning Change **P.C. DATE:** January 22, 2019
February 12, 2019

ADDRESS: 1907 Inverness Boulevard

DISTRICT AREA: 5

OWNER/APPLICANT: Marquee Investments, LLC (Alex Bahrami)

AGENT: Austex Building Consultants (Jonathan Perlstein)

ZONING FROM: SF-3-NP **TO:** LO-MU-NP **AREA:** 0.1846 acres (8,041 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited office – mixed use – neighborhood plan (LO-MU-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

January 22, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO FEBRUARY 12, 2019*

[J. SCHISSLER; C. KENNY – 2ND] (11-0) A. DE HOYOS HART, P. SEEGER – ABSENT

February 12, 2019:

ISSUES:

The Applicant plans to discuss this case with residents on Inverness Boulevard. Please refer to correspondence attached at the back of this packet.

DEPARTMENT COMMENTS:

The subject lot contains a 1,576 square foot single family residence and parking area and is zoned family residence – neighborhood plan (SF-3-NP) district. The building was used for commercial purposes (a psychic reader) for many years, and is across from and adjacent to single family residences to the north and east (SF-3-NP), a service station and apartments to the south (GR-V-NP; GR-NP), and a mix of commercial uses across Manchaca Road to the west (GR-NP, CS-1-NP).

The Applicant requests rezoning to the limited office – mixed use – neighborhood plan (LO-NP) district so that the property retains the existing residential unit, and can be occupied as an administrative and business office. As information, the LO base district allows for up to

40 feet in height (except where limited by compatibility standards of the adjacent SF-3 zoning or uses), 70% impervious cover and a 0.7:1 floor-to-area ratio.

This segment of Manchaca Road is located in a Neighborhood Transition character district which encourages small scale offices. Granting additional entitlements to develop an administrative and business office within the Neighborhood Transition district is seen as in accord with the SACNP (See Comprehensive Planning section beginning on page 8). Therefore, Staff supports the Applicant's request for LO-MU-NP zoning based on its location at the intersection of an arterial roadway, proximity to other commercially zoned properties, location within a Neighborhood Transition district, and the Applicant's intention to retain residential use of the property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	Single family residence
North	SF-3-NP	Single family residences
South	MF-3-NP; GR-V-NP; GR-NP	Service station with food sales; Apartments
East	SF-3-NP	Single family residences
West	GR-NP; CS-1-NP; MF-2-NP; P-NP	Auto washing; Commercial center; Insurance office; Restaurant (vacant); Pawn shop; Apartments; Library

NEIGHBORHOOD PLAN AREA: South Austin Combined (South Manchaca)

TIA: Is not required

WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council
627 – Onion Creek Homeowners Association
742 – Austin Independent School District
943 – Save Our Springs Alliance
950 – Southwood Neighborhood Association
1108 – Perry Grid 644
1228 – Sierra Club, Austin Regional Group
1315 – Southern Oaks Neighborhood Association
1363 – SEL Texas
1424 – Preservation Austin
1429 – Go!Austin/Vamos!Austin (GAVA) – 78745
1528 – Bike Austin
1530 – Friends of Austin Neighborhoods
1531 – South Austin Neighborhood Alliance
1550 – Homeless Neighborhood Association
1578 – South Park Neighbors
1590 – South Manchaca Neighborhood Plan Contact Team
1596 – TNR BCP – Travis County Natural Resources
1599 – Neighborhood Association of Beckett Ranch at Southern Oaks
1616 – Neighborhood Empowerment Foundation

SCHOOLS:

Sunset Valley Elementary School Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0069 – 5107 and 5109 Manchaca Rd	SF-3 to SF-6, as amended	To Grant	Apvd (10-24-2013).
C14-2007-0216 – South Manchaca Vertical Mixed Use (VMU) Rezonings – W Ben White, S 1st St, Stassney Ln, Manchaca Rd (west)	Apply -V to 20 tracts on 65.64 acres	To Grant VMU related standards to all Tracts except Tracts 10 and 12 (dimensional standards only), 60% MFI for VMU rental developments	Apvd (12-13-2007).

RELATED CASES:

The property is platted as Lot 1, Block G of Deer Park Section 3, recorded in October 1964 (C8-64-018). Please refer to Exhibit B.

The subject property is within the boundaries of the South Austin Combined (South Manchaca) Neighborhood Planning Area and is designated as a Neighborhood Transition District on the adopted Character District Map (NP-2014-0030). The –NP combining district was appended to the existing base districts on November 6, 2014 (C14-2014-0018 – Ordinance No. 20141106-087).

EXISTING STREET CHARACTERISTICS:

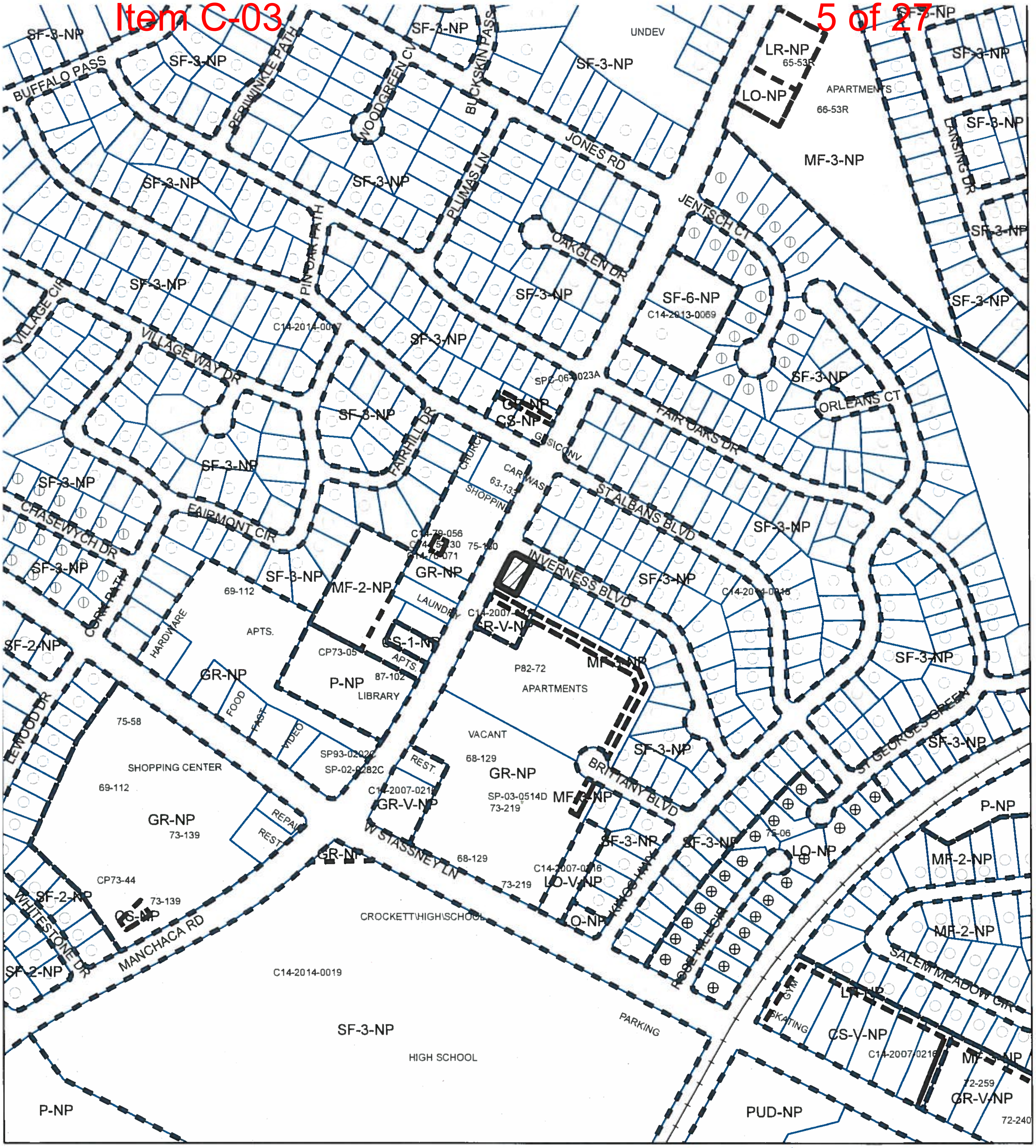
Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Inverness Boulevard	50 feet	30 feet	Local	No	No	Yes, Route 3
Manchaca Road	74 feet	43 feet	Arterial	Yes	Yes, shared lane	Yes, Route 3

CITY COUNCIL DATE: February 21, 2019 **ACTION:**

ORDINANCE READINGS: **1st** **2nd** **3rd**

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 512-974-7719
e-mail: wendy.rhoades@austintexas.gov



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

N

1 " = 400 '

ZONING

Exhibit A

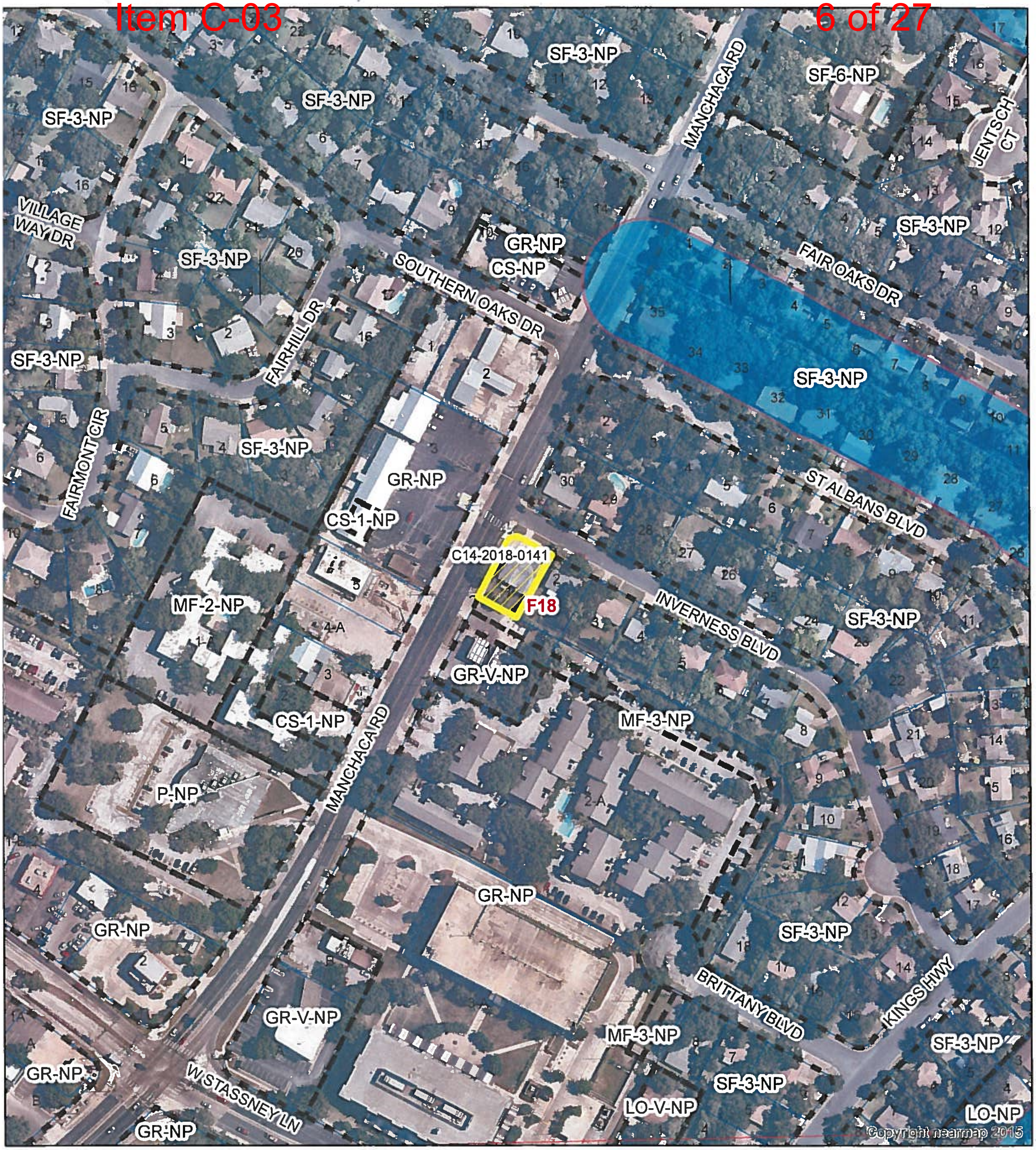
ZONING CASE#: C14-2018-0141

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

CITY OF AUSTIN FOUNDED 1839

Created: 11/13/2018



1907 INVERNESS ZONING CHANGE Exhibit A-1

N

1" = 200'

SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CREEK BUFFER

ZONING CASE#: C14-2018-0141
LOCATION: 1907 INVERNESS BLVD
SUBJECT AREA: 0.1846 ACRES
GRID: F18
MANAGER: WENDY RHOADES

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

COUNTY PLAT VOLUME 22 PAGE 2

VIS: Know All Men By These Presents.
Company, a Corporation organized and existing under the laws of the
herein by and through its president, Wayne Burns, owner of that
ut of the William Cannon League in Travis County, Texas, conveyed
in Volume 2332, at Page 176, Deed Records of Travis County,
ubdivide 13.63 acres of said tract in accordance with the attached
to be known as DEER PARK, SEC. 3, and does hereby dedi-
e the streets and easements shown hereon
SEAL of said Corporation and the hand of its president this
, A.D. 1964.

Wayne Burns
Wayne Burns President
Wayne Burns Company

IS:
ndersigned authority, on this day personally appeared Wayne Burns,
Burns Company, known to me to be the person and officer whose
the foregoing instrument, and acknowledged to me that he executed
and deed of said Corporation, for the purposes and considerations
d in the capacity therein stated.
D MY HAND and seal of office this the 6th day of April, A.D. 1964.
Robert Terry McDonald
Notary Public in and for Travis County, Texas

CCEPTANCE:

Date: Oct. 13, 1964.
irector of Planning

AUTHORIZED FOR RECORD:
mission of the City of Austin, Texas on the 13th day of October, A.D. 1964.

Chairman David B. Barrow Secretary W. Sale Lewis

D on the 15 day of October A.D. 1964, at 8:15 o'clock A. M.
Clerk County Court, Travis County, Texas.

S:
AVIS:
nberg, Clerk of the County Court within and for the County
do hereby certify that the foregoing instrument of writing with its
cation was filed for record in my office on the 15 day of Oct
clock A.M. and duly recorded on the 15 day of Oct
clock A.M. in the Plat Records of said County in Book 22.

Clerk County Court, Travis County, Texas.

y

asements shown on this plat, the rear five (5) feet of each
n easement for public utilities.

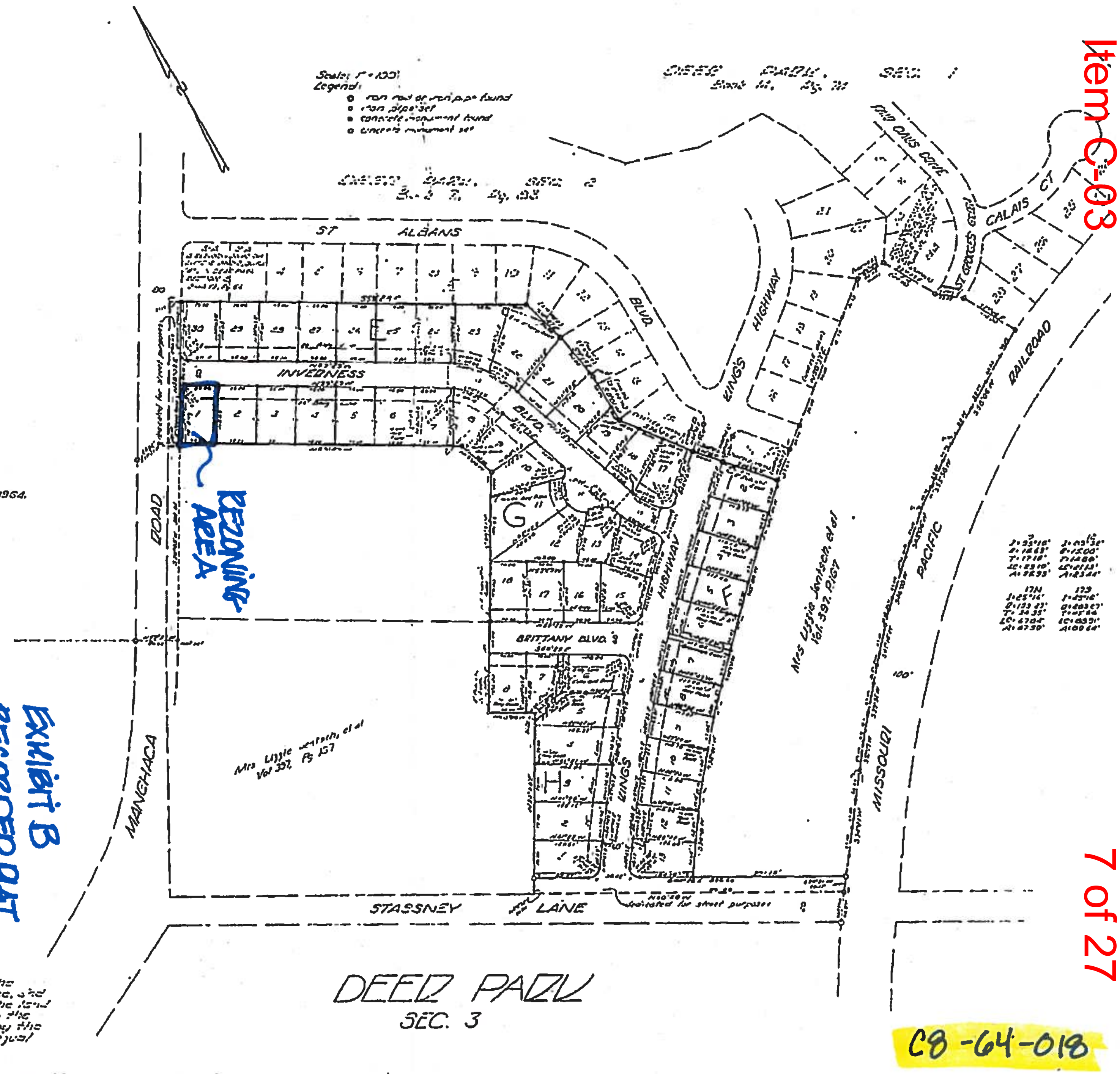
of Austin City Code Chapter 23 27 of 1954 has been complied with.

B. L. Friest Date: March, 1964
Friest Reg. Public Surveyor

TAXING UNITS

1 Travis County Water Control and Improvement District No. 2
2 Austin Independent School District
3 Travis County, Texas
4 City of Austin, Texas
5 State of Texas

the City's sanitary sewerage system and receive other health, police, and fire protection benefits afforded resident property owners, the land in this subdivision was annexed by the City of Austin, Texas on the petition of the subdivider, who estimated that the savings by the city water rates and insurance rates would approximately equal taxes levied for municipal purposes



SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited office – mixed use – neighborhood plan (LO-MU-NP) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

LO zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods. The proposal meets the purpose statement set forth in the Land Development Code. The subject lot is adjacent to a neighborhood that is largely single family. The proposed office use would potentially serve the surrounding neighborhoods and the mixed use component would allow for residential uses on the property, which should be encouraged in the City's Desired Development Zone. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. Zoning changes should promote compatibility with adjacent and nearby land uses.

This segment of Manchaca Road is located in a Neighborhood Transition character district which encourages small scale offices. Granting additional entitlements to develop an administrative and business office within the Neighborhood Transition district is seen as in accord with the SACNP (See Comprehensive Planning section beginning on page 7). Therefore, Staff supports the Applicant's request for LO-MU-NP zoning based on its location at the intersection of an arterial roadway, proximity to other commercially zoned properties, location within a Neighborhood Transition district, and the Applicant's intention to retain residential use of the property.

EXISTING CONDITIONS

Site Characteristics

The subject property contains a single-story single family residence and a parking area adjacent to Inverness Boulevard. According to aerial photographs taken in 1986, the parking area was paved by that date, and may be considered a legal, non-complying structure by Code.

Impervious Cover

The maximum impervious cover allowed by LO-MU zoning district would be 70%, which is a consistent figure between the watershed regulations and the zoning regulations.

Comprehensive Planning

This rezoning case is located on the southeast corner of Manchaca Road and Inverness Blvd., on a 0.185 acre lot that contains a one-story single family house. The property is located within the boundaries of the South Austin Combined Neighborhood Planning Area, in the South Manchaca NP. Surrounding land uses around the subject property include: single family houses to the north and east; a gas station, two large apartment complexes, a public library, and a shopping center to the south; and a shopping center and single family houses to the west. The proposed use is to convert the existing single family house into an office.

Connectivity
The Walkscore for this property is **72/100, Very Walkable**, meaning most errands can be accomplished on foot. Public sidewalks are located along Manchaca Road but not along Inverness Blvd. A public transit stop is located across the street from the property. There are no bike lanes or urban trails in the area. The mobility and connectivity options available in the area are average.

South Austin Combined (SACNP) Neighborhood Plan
The SACNP Character District Map of this plan designates this portion of Manchaca Road as a **Neighborhood Transition Character District**, which is intended primarily for residential uses, such as clusters of duplexes, fourplexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along Imagine Austin Activity Corridors. LO zoning is permitted in the Neighborhood Transition Character District. The following text and policies taken from the SACNP are applicable to this request:

> ***Neighborhood Transition Character District (p 53 and 54)***
> **Neighborhood Transition Vision**: The Neighborhood Transition District blends seamlessly with the Residential Core. It contains an abundance of mature trees and landscaping and is walkable, bikeable, and supportive of transit.
>
> Neighborhood Transition character districts, along with Neighborhood Nodes, border the Residential Core along arterial roadways. Primarily residential, these areas consist of clusters of duplexes, fourplexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along Imagine Austin Activity Corridors. Neighborhood Transition districts in particular present an opportunity to incorporate more missing middle housing types that are compatible with the neighborhood. The missing middle refers to duplexes and other housing types, such as row houses, bungalow courts and other housing types compatible with the existing neighborhood, that provide options between the scale of single-family houses and mid-rise apartments or condos. As Austin's population grows and its demographics change, these housing types provide the opportunity to accommodate growth in walkable neighborhoods while respecting neighborhood character. The variety of

housing types in the missing middle promote multi-generational communities, providing options for young people and for older generations to age in place.

NT P1: This district should primarily consist of residential housing types, but at higher densities than in the Residential Core. The following building types should be encouraged the in the district to meet the needs of a wider range of households: (p 54)
• Duplexes
• Fourplexes
• Small- and medium-sized apartments
• Cottage clusters/bungalow courts
• Row houses or townhouses
• Single family houses adapted into offices or retail
• Live/work buildings

NT P2: Building scale, height and siting within the Neighborhood Transition district should be harmonious with the adjacent Residential Core district.

NT P3: Moving from the Neighborhood Transition to the Residential Core, setbacks, similar building footprints, landscaping (including green infrastructure), similar building heights or stepbacks in building height, and/or other means should be used to create compatible developments which fit within the fabric of the neighborhood. Buildings should be no more than 3 stories tall.

NT P4: New construction in the Neighborhood Transition district should front the street, with surface or structured parking located behind buildings. Where the Neighborhood Transition character district abuts the Residential Core either mid-block or across a street, special care should be taken to create compatibility between the districts. (p. 57)

NT P5: Encourage missing middle housing types that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code, the following zoning districts should be generally considered appropriate to the Neighborhood Transition character district:
SF-2#: Standard lot single family
SF-3#: Family residence
SF-4A#: Small lot single family
SF-4B#: Single family condo
SF-5: Urban family residence
SF-6: Townhouse & condo residence
MF-1: Limited density multi-family
MF-2: Low density multi-family
MF-3: Medium density multi-family
NO: Neighborhood office
LO: Limited office
LR: Neighborhood Commercial

Note: # Zone can be in a given FLUM category, but a zoning change to this district is not recommended.

HA P2: Encourage development of additional affordable housing integrated into the neighborhood (p. 93)

HA A9: Encourage affordable housing in all character districts to meet the needs of a diverse population at different income levels:
- Residential Core: secondary apartments
- Neighborhood Transition: duplexes, "missing middle" housing types, multi-family buildings.
- Neighborhood Node: multi-family buildings, vertical mixed use buildings
- Mixed Use Activity Hub: multi-family buildings, vertical mixed use buildings

Residential uses, along with small-scaled offices and neighborhood-serving businesses appear to be support the SACNP as long as massing, height, and the intensity of a proposed project is compatible and harmonious with the adjoining Residential Core land uses located to the north, east and south.

Imagine Austin
This portion of Manchaca Road is not located along an Activity Corridor or by an Activity Center. Although this property is not located along an Activity Corridor or Center, The following IACP policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

- **HN P11**. Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Conclusions:
Based upon: (1) the comparative scale of the site relative to nearby commercial and office uses located along Manchaca Road; (2) the SACNP policies that supports small-scale office uses in the Neighborhood Transitional Character District; and (3) the above-referenced Imagine Austin policies that supports context sensitive infill along corridors, this case appears to support the Imagine Austin Comprehensive Plan.

Drainage

The developer is required to submit a pre and post development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the northeast and east property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- No parking or driveways are allowed within 25 feet of the property line.

Transportation

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC 25-6-113].

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

This project is adjacent to a street that has been identified in Austin's Corridor Mobility Program (Manchaca Road). The sidewalk and bicycle facilities shall comply with the required cross-section for Manchaca Road at the time of the site plan application. At the time of this application, CPO does not have comments apart from a caveat that the Bicycle Program's required 8-foot shared use path located 13 feet from the back of curb may be demolished in the future for the future corridor improvements. Find additional information about the Corridor Mobility Program here: https://data.austintexas.gov/stories/s/Corridor-Mobility-Program/gukj-e8fh/.

Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane for all ages and abilities is recommended for Manchaca Road. Per the Bicycle Program, an 8-foot shared use path should be constructed 13 feet from back of curb to accommodate the protected bike lane along Manchaca Road. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

Additional right-of-way may be required at the time of subdivision and/or site plan.

FYI – The existing driveway accessing Inverness Boulevard shall be removed and reconstructed and sidewalks shall be constructed along Inverness Boulevard at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

FYI – the existing sidewalks and curb ramp along Manchaca Road do not appear to be ADA compliant based on Google Images. The existing sidewalks shall be reconstructed to City of Austin standards in accordance with the Land Development Code and Transportation Criteria Manual at the time of the site plan application.

FYI – Per LDC 25-6-381, direct access to Manchaca Road (major roadway) is prohibited at the time of the subdivision and site plan applications since alternative access to Inverness Boulevard is provided.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

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.

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/planning.

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: C14-2018-0141
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: January 22, 2019, Planning Commission
February 21, 2019, City Council

GREGORY DAYTON
Your Name (please print)

☐ **I am in favor**
☒ **I object**

1905 INVERNESS BLVD, AUSTIN TX 78745
Your address(es) affected by this application

[signature]
Signature

01.15.2019
Date

Daytime Telephone: 512.827 6200

Comments: CHANGING ZONING IS A SLIPPERY SLOPE; THE IMPACTS MAY NOT BE IMMEDIATE BUT OWNERS, OCCUPANTS, & BUSINESS MODELS WILL CHANGE. THIS IS A YOUNG FAMILY NEIGHBORHOOD (AT LEAST 3 CHILDREN & 2 EXPECTANT MOMS W/IN 500 FT ON INVERNESS ALONE). WE WORRY ABOUT THE QUALITY OF LIFE & SAFETY FOR OUR 2 CHILDREN (AGES 10 MOS + 3 YRS) + THE NEGATIVE IMPACT ON OUR HOME VALUE. STREET PARKING IS ALREADY AN ISSUE AT OUR HOUSE AND THERE ARE A NUMBER OF EMPTY COMMERCIAL LOTS WITHIN 1/4 MI THAT COULD SERVE THIS NEED WITHOUT SACRIFICING SF-3 HOUSING.
THANK YOU

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Contact: Wendy Rhoades, 512-974-7719
Public Hearings: January 22, 2019, Planning Commission
February 21, 2019, City Council

Dave Chakos / Carye West
Your Name (please print)

- [ ] **I am in favor**
- [x] **I object**

1807 Inverness Blvd
Your address(es) affected by this application

DChakos / Cary West — 1-14-19
Signature — *Date*

Daytime Telephone: 406-855-0825 / 512-426-1188

Comments: We want to keep Inverness a family residence neighborhood. We don't want a business there that will generate worse parking problems than we have due to all the businesses on Manchaca. Neighbors on Inverness are also concerned that the type of business that may go in this spot is undesirable for us all

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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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.

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/planning.

Thanks,
Jen.

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: C14-2018-0141
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: January 22, 2019, Planning Commission
February 21, 2019, City Council

Bryan & Jen Paul.
Your Name (please print)

☐ **I am in favor**
☒ **I object**

1906 Inverness Blvd Austin, TX 78745
Your address(es) affected by this application

[signature] 1/18/19.
Signature *Date*

Daytime Telephone: 512-825-8784

Comments: We have lived here for over 6 years and have seen this neighborhood progress significantly. Young families moved in, homes are being updated and several nice new homes built. 3 young families live within 500ft of this property. 1 has 2 young children, the others includes 2 expecting moms (including me). This is a residential neighborhood, all homes face residential streets. We worry re-zoning will impact the quality of life and safety of our children. ~~and~~ as well as the value of our home. Parking is already difficult and there are several empty ~~...~~ commercial buildings ~~...~~ nearby that could be used for this purpose ~~parking~~ instead of sacrificing SF-3 housing. We fear opening up to re-zoning will change the neighborhood experience. ... is so valuable to this close-knit community

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Rhoades, Wendy

From: Alanna Gold <[redacted]>
Sent: Tuesday, January 22, 2019 3:01 PM
To: Rhoades, Wendy
Cc: Greg Dayton; Jennifer Paul; John Donaruma; bryan paul; Merila Thorne-Thompson; John Thorne-Thompson; Dave Chakos
Subject: Re: Available to Meet? Case #: C14-2018-0141

That context is helpful, thank you.

Sent from my iPhone

On Jan 22, 2019, at 2:59 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

> The property is currently owned by Alex Bahrami of Marquee Investments, LLC. I spoke with Mr. Bahrami and he said that a prospective tenant is interested in occupying this structure with an insurance office (the admin / business office use) and also residing there. Occupying the property with an office use and retaining a residential component is the basis for the rezoning request to LO-MU-NP.
>
> Wendy
>
> **From:** Alanna Gold [mailto:[redacted]]
> **Sent:** Tuesday, January 22, 2019 2:30 PM
> **To:** Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
> **Cc:** Greg Dayton <[redacted]>; Jennifer Paul <[redacted]>; John Donaruma <[redacted]>; bryan paul <[redacted]>; Merila Thorne-Thompson <[redacted]>; John Thorne-Thompson <[redacted]>; Dave Chakos <[redacted]>
> **Subject:** Re: Available to Meet? Case #: C14-2018-0141
>
> Thanks, Wendy. I'm confused about the applicant wanting to occupy the structure and use it for a business given that it's currently for sale. Am I misunderstanding the intent at this point? I would be my assumption that the applicant can't guarantee that it will be used as stated I'd they're selling the property.
>
> Alanna Dayton
>
> Sent from my iPhone
>
> On Jan 22, 2019, at 1:58 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:
>
> > Hi everyone,
> >
> > Please see my responses below.
> >
> > Wendy
> >
> > **From:** Greg Dayton [mailto:[redacted]]
> > **Sent:** Friday, January 18, 2019 7:41 PM

To: Jennifer Paul <[redacted]>
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Alanna Gold <[redacted]>; John Donaruma <[redacted]>; bryan paul <[redacted]>; Merila Thorne-Thompson <[redacted]>; John Thorne-Thompson <[redacted]>; Dave Chakos [redacted]
Subject: Re: Available to Meet? Case #: C14-2018-0141

Hi Wendy,

I'm Jen's neighbor across the street at 1905 Inverness and I agree with Jen. I have sent in a written response to the notification and will be attending both hearings. I received your comment response form by mail and it is part of the packet that the Planning Commission is reviewing in advance of tonight's meeting. I also received Jen's comments and Dave Chakos / Carye West's comments in this morning's mail and these two comment response forms will be made available to the Planning Commission before tonight's meeting.

I have another question: It's my understanding that the structure at 1907 Inverness does not meed code. The property will likely be completely redeveloped if the property gets the new zoning. Would a new build comply with the setback and height standards in Subchapter C, Article 10? As I read it, any new build on 1907 Inverness would probably have to be setback 20-25 feet from 1905 Inverness Blvd, given that the frontage road travels apx. 100 feet along 1907 Inverness [§ 25-2-1062 - HEIGHT LIMITATIONS AND SETBACKS FOR SMALL SITES]. To my knowledge, the Applicant intends to occupy the existing structure with an administrative and business office and also reside within the existing structure (hence the MU overlay). However, if the Applicant wishes to remove the existing structure, then yes, they would have to comply with the setback and height standards cited above.

Will any driveway or parking lot comply with the requirements in article 10 if it is rezoned? [§ 25-2-1067 - DESIGN REGULATIONS] Yes, at the time of site plan application, the Applicant will have to demonstrate that the parking area on Inverness meets current driveway and parking standards or is otherwise grandfathered (see below).

Essentially, I'd like to know what assurances I have, as the adjacent property owner, that there will be a buffer for proper redevelopment of the site under LO zoning.

Still, it is our preference that Inverness Blvd. remain a residential neighborhood.

Thanks,

Greg Dayton

On Jan 18, 2019, at 6:11 PM, Jennifer Paul <[redacted]> wrote:

Hi Wendy,

Thanks again for meeting with me a while back regarding the rezoning application for 1907 Inverness Blvd Case #: C14-2018-0141

We received the notice of the 1/22 Planning Commission and 2/21 City Council this past Monday 1/14 (attached). Several of the neighborhood residents met to discuss our thoughts around this application. All of us live within 500 ft of the property. Most of us are adjacent or catty -corner from it. We will represent our community at both of the meetings. This most recent notice proposes LO *as well as* MU-Mixed Use, which was not included on the original notice. This raises additional concerns of ours as MU appears to allow more flexibility including commercial use.

Is that correct? The MU allows for residential use to occur, but not commercial use. In this case, the Applicant wants to continue occupying the structure as his residence, and also convert a portion of it to an insurance office, which is a type of administrative and business office.

My husband and I have lived here for over 6 years and we have seen the community significantly improve during that time. Young people and families moved in, multiple homes have been updated, and there have been several nice new homes built. Businesses that boost our community such as the new Austin Java and Bikes-A-Lot *across* Manchaca are moving in. This is a family-friendly, safe, close-knit neighborhood and we want to preserve that community value. There are at least 3 young families within 500 feet of the property. One has 2 young children and the others include 2 expecting mothers. 1907 faces Inverness, not Manchaca Street. It is at the end of our established residential neighborhood, and though there is commercial space across Manchaca Street there is no commercial in our neighborhood. Our neighborhood is a pocket consisting of 6 streets and all homes face those residential streets.

Below are our initial responses. Please let us know if you have any additional information that would shed some light on these.

1. Do we have any say as to what type of business would be opened or once the permit is granted, it could be anything listed on the approved use chart? Land uses allowed by the LO zoning district and the MU, Mixed Use overlay would be allowed if the requested zoning change is approved by the City Council. However, an administrative / business office use is broadly defined as the use of a site for the provision of executive,

management, or administrative services, and for example includes real estate, property management, investment firms, travel agencies, personnel agencies, and business offices for organizations or associations. If the use changes from an insurance office to a real estate office for example, then the owner is still operating an administrative and business office use and may not need to obtain any new building permits.

2. If it does get turned into LO, MU space, is it easier for it it turn into other types of businesses with different permits? If LO-MU zoning is approved, then other uses permitted in the LO district would be allowed (unless otherwise prohibited by the zoning ordinance). These include professional offices, medical office, personal services and residential treatment. As info, a personal services use is a conditional use in the LO district which requires Planning Commission approval of the site plan, but a few examples are a dry cleaners, or a hair / nail salon, or a tattoo shop. A residential treatment facility is also a conditional use. At the time of site plan or site plan exemption application, the Applicant will have to demonstrate compliance with the City's parking and access standards.

3. How does the illegal additions/ non-permitted structures factor into what happens to the property? Any illegal additions or non-permitted structures will be addressed with a site plan or a site plan exemption application. Unpermitted work may need to be brought into compliance with City Code. As info, a 1986 aerial shows that the parking area was in place at that time, and therefore, may be grandfathered.

4. Is there anything in particular we need to prepare for the Planning Commission and City Council Meetings? Please help us understand the purpose of these meetings and our role. This case is Agenda Item #14 on tonight's PC agenda and will be a discussion case. Please arrive by 6 p.m. to sign in for this case and be sure to bring your City Hall parking ticket with you so that we can validate it.

Concerns
1. Type of Business, given it's a family neighborhood and would not want it to become a treatment facility/ public housing.
2. Potential negative impact on home value.
3. Sellers aren't interested in making the lot something beneficial for the community, given the other types of business they own around Austin (strip clubs, etc)
4. Parking - a business will bring more people needing to park on our street. Given the other business and retail in close proximity, this will make parking even more challenging. Parking is already an issue.

5. There are several empty commercial spaces within 1/4 miles that could serve this need without sacrificing SF-3 housing and our community.

We appreciate your time and insight,
Jen Paul

On Mon, Dec 10, 2018 at 7:02 PM Jennifer Paul <[redacted]> wrote:

> Thanks again Wendy.
>
> It was nice meeting you last week. I appreciate your time and insight. I have reached out to the South Manchaca Contact Team and will let you know if I have any more questions.
> Jen
>
> On Thu, Dec 6, 2018 at 4:05 PM Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:
>
>> Link to case info.
>>
>> https://abc.austintexas.gov/attachment/attachmentDownload.jsp?p=rhL9yeJHMmUCynYV0gpaHYQlUeakbjOS5oWueW5EJlq7inE%2BsPiJJR3CO38Fn9WPo5kPrLtpNNStXeZqZRRcx%2Flp5lbjViGuhHQxezm7nSR1bjaDFK%2FArNngBAdk0D06
>>
>> **From:** Jennifer Paul [mailto:[redacted]]
>> **Sent:** Thursday, December 06, 2018 4:01 PM
>> **To:** Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
>> **Subject:** Re: Available to Meet? Case #: C14-2018-0141

Rhoades, Wendy

From: John Thorne-Thomsen <[redacted]>
Sent: Tuesday, January 22, 2019 6:19 PM
To: Rhoades, Wendy
Cc: Greg Dayton; Jennifer Paul; Alanna Gold; John Donaruma; bryan paul; Merila Thorne-Thompson; Dave Chakos
Subject: Re: Available to Meet? Case #: C14-2018-0141

Hi Wendy-

My wife, our two sons and I live at 1902 Inverness. I wanted to take a chance to voice my opinion and concerns on this matter. We are unable to attend tonight's meeting as we were just discharged from the hospital with our second-born this afternoon. My family and I have been in touch with Greg and Alanna, and Jen and Bryan about this matter and we believe they have accurately voiced our feelings on this matter. We fully support their opinions and have similar questions with respect to rezoning that property.

For what it's worth, my wife and I have lived on Inverness since 2008. There are many of us who have moved to this neighborhood started families. We have worked hard to improve our home and improve our neighborhood. In doing so, we've built a strong community of young families around ourselves. While we are open-minded, we are concerned about the character of the development in the transition zone along Manchaca as outlined in the neighborhood plan. In addition to the concerns Greg listed, street parking and the through traffic on our street continue to be a huge concern and we aren't sure how to reconcile the proposed rezoning with our safety as we walk and live along our streets.

Thank you for your time,
John

On Tue, Jan 22, 2019 at 1:58 PM Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

> Hi everyone,
>
> Please see my responses below.
>
> Wendy
>
> **From:** Greg Dayton [mailto:gregory.dayton@gmail.com]
> **Sent:** Friday, January 18, 2019 7:41 PM
> **To:** Jennifer Paul <jengauldingpaul@gmail.com>
> **Cc:** Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Alanna Gold <gold.alanna@gmail.com>; John Donaruma <Donaruma01@gmail.com>; bryan paul <tbryanpaul@gmail.com>; Merila Thorne-Thompson <merila.walker@gmail.com>; John Thorne-Thompson <jthornethomsen@gmail.com>; Dave Chakos

Rhoades, Wendy

From: Dave Chakos [redacted]
Sent: Monday, January 28, 2019 7:39 AM
To: Burkhardt, William - BC; Seeger, Patricia - BC; Shieh, James - BC; Kazi, Fayez - BC; Thompson, Jeffrey - BC; DeHoyosHart, Angela - BC; Anderson, Greg - BC; Kenny, Conor - BC; McGraw, Karen - BC; Shaw, Todd - BC; Witte, Tracy - BC; Schneider, Robert - BC; Flores, Yvette - BC; Teich, Ann - BC
Cc: Carye West (ICE); Gregory Dayton; to: Jennifer Paul; Rhoades, Wendy; Alanna Gold; John Donaruma; bryan paul; Merila Thorne-Thompson; John Thorne-Thompson; Dave Chakos
Subject: 1907 Inverness Blvd; Case Number: C14-2018-0141 Rezoning Request

Good morning Austin Planning Commission,

I am e-mailing to you all this morning regarding the proposed zone change of 1907 Inverness (at the zoning commission meeting last Wednesday it was incorrectly labeled as 1903 Inverness) from SF-3/NP to LO/MU.

Myself and 4 other homeowners close to 1907 Inverness were all at the planning commission meeting on January 22nd and were disappointed that our case had been postponed. There has been a rally of many homeowners on our block to try to find out how to keep this rezoning from passing so I wanted to reach out to you because going to meetings is both time consuming and ineffective.

1907 Inverness was built along with all the other houses on Inverness Blvd. in the 1960's and zoned as "family residence". When the previous owner of 1907 Inverness Blvd purchased the property, they operated a "palm reading" business out of the home (illegally I assume) and after extensive renovations were done on that property (I understand also illegally or at least without any permits) again, a "palm reading" was operated out of it (again illegally I assume). Someone in the neighborhood gave the Austin Code department a heads up of the additions without a permit which resulted in the family moving out and the home being sold. The current owner of the property who is requesting the zoning change purchased the home knowing the property is zoned "family residence".

At least 10 homes on Inverness Blvd. along with their 10+ inhabitants were all very upset to learn about the proposed zoning change of this property. There have been a slough of emails directed at the case manager Wendy Rhodes (and bless her heart for her patience and professionalism) but she has no control over what happens to this property.
In a nutshell (and this is VERY important):
There are at least 20 tax paying homeowners on Inverness Boulevard who oppose this proposes zoning change and only 1 person who wants it to pass (the current homeowner). For the record, 5 homeowners from Inverness Blvd appeared at the January 21st meeting and the homeowner did not show up (just a paid representative).

Please do the right thing and keep Inverness Blvd a Family Residence.

Thank you for your time and consideration in this matter,

--
Dave Chakos
1807 Inverness Blvd.
[redacted]

Rhoades, Wendy

From:	Gregory Dayton <[redacted]>
Sent:	Monday, January 28, 2019 11:32 AM
To:	Dave Chakos
Cc:	Burkhardt, William - BC; Seeger, Patricia - BC; Shieh, James - BC; Kazi, Fayez - BC; Thompson, Jeffrey - BC; DeHoyosHart, Angela - BC; Anderson, Greg - BC; Kenny, Conor - BC; McGraw, Karen - BC; Shaw, Todd - BC; Witte, Tracy - BC; Schneider, Robert - BC; Flores, Yvette - BC; Teich, Ann - BC; Carye West (ICE); to: Jennifer Paul; Rhoades, Wendy; Alanna Gold; John Donaruma; bryan paul; Merila Thorne-Thompson; John Thorne-Thompson
Subject:	Re: 1907 Inverness Blvd; Case Number: C14-2018-0141 Rezoning Request

Austin Planning Commission,

I agree with Dave Chakos's email. My wife and two children (ages 10 months and 3 years) live in the house immediately next door to 1907 Inverness Blvd.

We too are concerned about maintaining the family character of our neighborhood. We were very happy to discover when we moved to Inverness Blvd four years ago that there were many young families. It's a great place to live and we've made a lot of good friends - friends who watch each others' houses, who's children play together, and spend afternoons together.

As Dave mentioned, we did not meet the owner at the recent meeting. Though we were told by his representative that the owner is negotiating with a tenant to live and work in 1907 Inverness, the property is currently listed for sale both online and with a large commercial "For Sale" sign on the property's fence facing Manchaca Road. We find this discrepancy to be very concerning.

There appears to be no motivation or incentive by the current property owner to respect the character of the neighborhood or the desires of its residents. Further, if the property is rezoned, we have neither a guarantee of the owner's stated intent nor protections against further attempts to change the LO designation that would allow other types of use.

Please listen to the homeowners and residents and help us maintain our family neighborhood.

Thank you for your time.

Greg Dayton
1905 Inverness Boulevard
[redacted]

On Jan 28, 2019, at 7:39 AM, Dave Chakos <[redacted]> wrote:

> Good morning Austin Planning Commission,

January 22, 2019 Planning Commission Agenda Question and Answer Report

14. Rezoning:	**C14-2018-0141 - 1903 Inverness Zoning Change; District 5**
Location:	1903 Inverness Boulevard, Wiliamson Creek Watershed; South Manchaca Combined (South Manchaca) NP Area
Owner/Applicant:	Marquee Investments, LLC (Alex Bahrami)
Agent:	Austex Building Consultants (Jonathan Perlstein)
Request:	SF-3-NP to LO-MU-NP
Staff Rec.:	**Recommended**
Staff:	Wendy Rhoades, 512-974-7719 Planning and Zoning Department

Question: Commissioner McGraw

Could you send the NP document that shows the Transition Zone? Is this part of the FLUM?

Is this why there was no city sponsored meeting?

I see that the next door neighbor objects. Did others weigh in?

Answer: Staff

Link to the Character District Map (also known as the FLUM) for the South Manchaca NP Area.

ftp://ftp.ci.austin.tx.us/npzd/Austingo/SACNPChar_districts.pdf

The rezoning to LO-MU-NP is allowed within the Neighborhood Transition District (as info, it allows for the SF-5, SF-6, MF-1, MF-2, MF-3, NO and LO base districts), so there is not a change in the Character District Map, and hence, not a requirement for a City sponsored meeting.

Staff has been in contact with the adjacent and across Inverness Boulevard neighbors.

Question: Commissioner McGraw

So when you say the neighbors have been in contact, do you know whether they support this? Are there any other reply sheets?

Answer: Staff

Two other adjacent neighbors have provided response sheets as of this morning and are opposed to the rezoning (link to late backup). Staff is in the process of answering emails from a group of residents on Inverness Boulevard.

Rhoades, Wendy

From: Rhoades, Wendy
Sent: Tuesday, January 22, 2019 5:00 PM
To: 'Miss Best'
Subject: RE: Inverness Blvd - Case #C14-20180141

Thank you Miss Best. I have copied your postponement request for the Planning Commission membership.

Wendy Rhoades

From: Miss Best [mailto:[redacted]]
Sent: Tuesday, January 22, 2019 4:44 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Inverness Blvd - Case #C14-20180141

Dear Ms. Rhoades,
Thank you so much for discussing the above referenced case number. This letter serves as a formal request for postponing the Public Hearing until the following month for the following reasons:

1. Fair Council: Due to the holidays, mail service may have been delayed. Public Notice is post dated January 11th, I returned from the Winter holiday on January 14th and the letter arrived on January 18th, 2019, right before a holiday weekend. There has been no reasonable time for our street/neighbood in a reasonable populated forum to initiate fair discussion or share an informative meeting.

2. Findings: There is no description or specific use code to identify the type of business that will occupy the premises which does not allow the property owners to understand the impact on the street for any reasons that made adversely effect the quality of life on Inverness Blvd. We need adequate time to discuss any concerns or questions we may have with or neighbors.

3. Timing: The Public Hearing is directly after a national holiday, which statistically and historically is known to be a day that many citizens may not be available or attend the meeting. In addition, we do not have reasonable time to research, investigate or create adequate questions to be addressed for any zoning changes, for any reasonable or non-reasonable reasons.

(Skye) Elizabeth S. Best
1800 Inverness Blvd.
Austin, Texas 78745

Elizabeth Best