

ZONING CHANGE REVIEW SHEET

CASES: C14-2018-0141 – 1907 Inverness Zoning Change **P.C. DATE:** January 22, 2019
February 12, 2019
February 26, 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:** NO-MU-NP, as amended **AREA:** 0.1846 acres (8,041 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood 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: *MEETING CANCELLED DUE TO LACK OF QUORUM*

February 26, 2019:

ISSUES:

On February 21, 2019, the Applicant amended the rezoning request from LO-MU-NP to NO-MU-NP.

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

In April 2018, a Code Department investigation resulted in a citation of the owner regarding to the need to obtain a survey exhibiting that the property's impervious cover does not exceed 45% of the total square footage of the property, and to obtain required permits for the addition of the dormers, window and door replacement (CV-2017-082578). The rezoning case was filed on November 9, 2018, respectively.

A valid petition of 33.34% has been filed by the adjacent property owners in opposition to this rezoning request. Petition materials and comment response forms are located at the back of the Staff report.

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's amended request is to rezone to the neighborhood office – mixed use – neighborhood plan (NO-MU-NP) district so that the property retains the existing residential unit, and can be occupied as an administrative and business office. As information, the NO base district allows for up to 35 feet (except where limited by compatibility standards of the adjacent SF-3 zoning or uses), 60% impervious cover and a 0.35:1 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 amended request for NO-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
<i>Site</i>	SF-3-NP	Single family residence
<i>North</i>	SF-3-NP	Single family residences
<i>South</i>	MF-3-NP; GR-V-NP; GR-NP	Service station with food sales; Apartments
<i>East</i>	SF-3-NP	Single family residences
<i>West</i>	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 **TIA:** Is not required
(South Manchaca)

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) Rezoning – W Ben White, S 1 st 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: Approved a Postponement request by Staff to March 7, 2019 (Vote: 11-0).

March 7, 2019

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood 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.

The neighborhood office (NO) district is intended for offices predominantly serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Offices in the NO district would typically locate on collector streets with a minimum of 40 feet of pavement width, and would not unduly affect traffic in the area. The NO district is designed to accommodate small, single-use offices and to encourage and preserve compatibility with existing neighborhoods through renovation and modernization of existing structures. 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 8). Therefore, Staff supports the Applicant's amended request for NO-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 the NO-MU zoning district would be 60%, which is based on the more restrictive 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. NO 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 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:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
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.

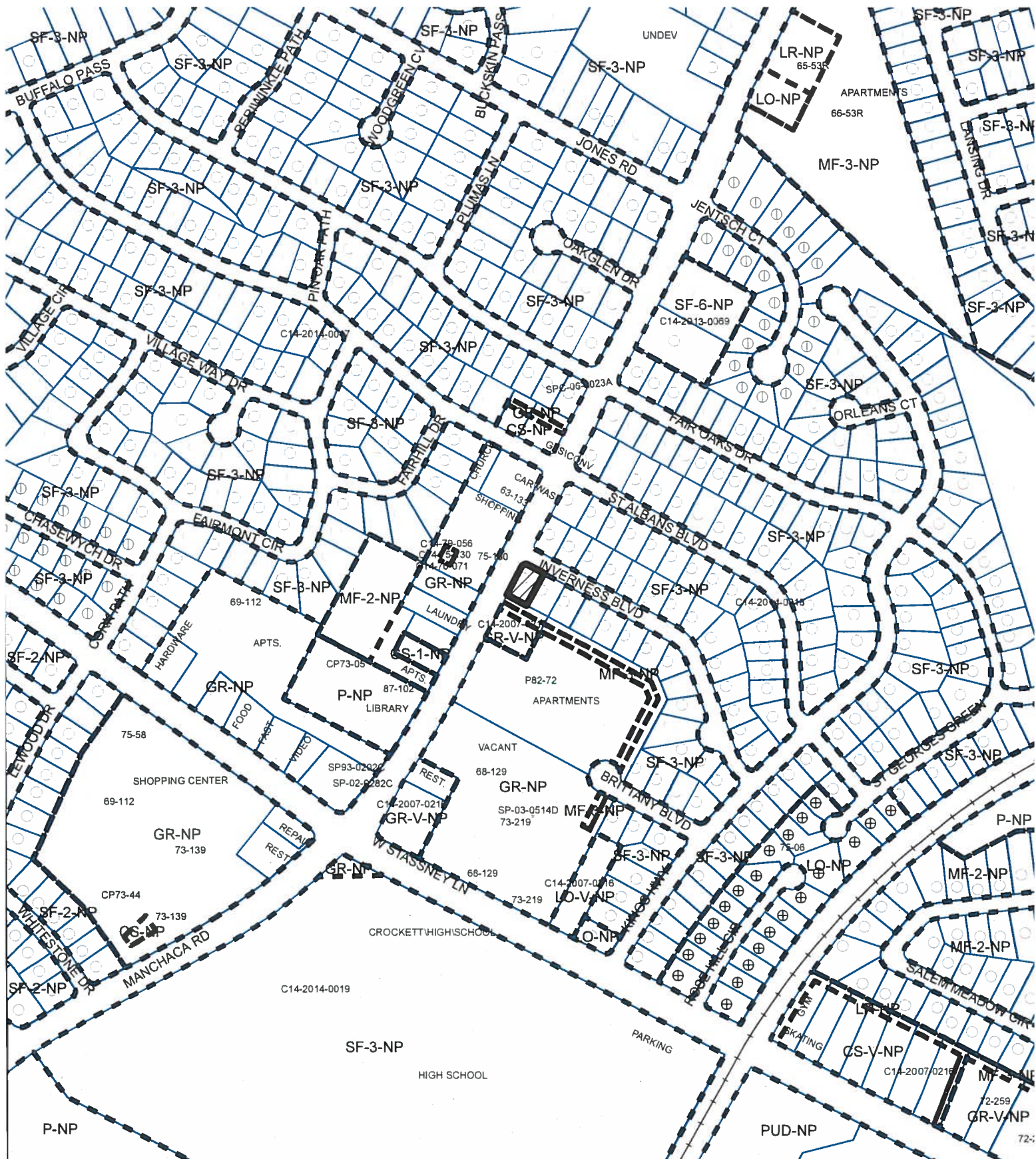
FYI – The existing driveway accessing Inverness Boulevard shall be removed and reconstructed and sidewalks shall be constructed along Inverness Boulevard at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

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.



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2018-0141

EXHIBIT A

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.



Created: 11/13/2018



1907 INVERNESS ZONING CHANGE *Exhibit A-1*

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.



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1" = 200'



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY



CREEK BUFFER

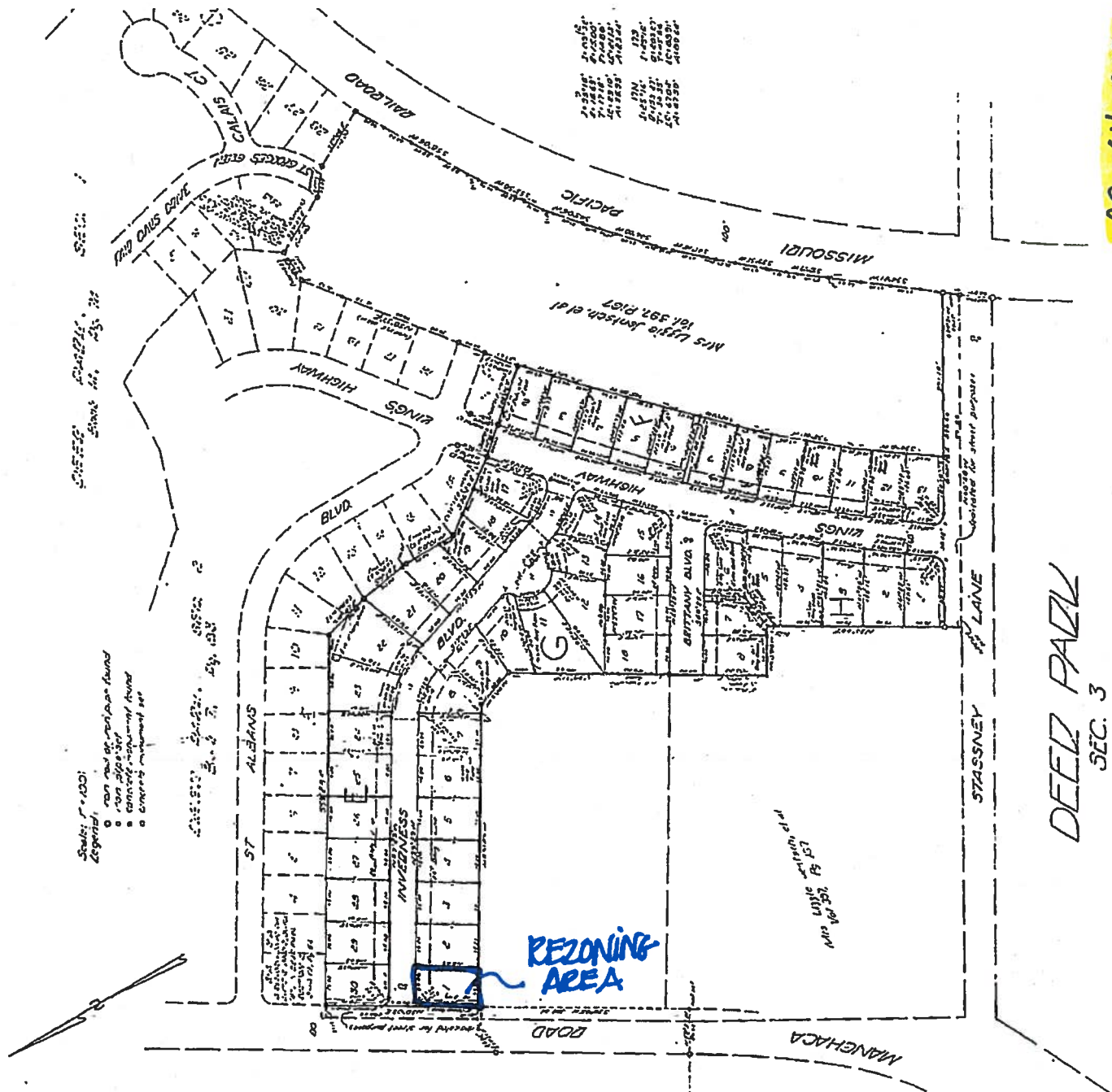


EXHIBIT B
RECORDED PLAT

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and 1854, and 1855, and 1856, and 1857, and 1858, and 1859, and 1860,
and 1861, and 1862, and 1863, and 1864, and 1865, and 1866, and 1867,
and 1868, and 1869, and 1870, and 1871, and 1872, and 1873, and 1874,
and 1875, and 1876, and 1877, and 1878, and 1879, and 1880, and 1881,
and 1882, and 1883, and 1884, and 1885, and 1886, and 1887, and 1888,
and 1889, and 1890, and 1891, and 18

Wayne Business
Wayne Business President
Wayne Business Company

15: _____, an undersigned authority, on this day personally reviewed Wayne Burns, an employee of the _____, known to me to be the person and officer named in the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Witness my hand and the seal of the _____, this 1st day of April, A.D. 1962.

Deputy Town Clerk

Admission Card No. 01000 for Thomas Cox July 7-1903

ACCEPTANCE:

Johnson
Director of Planning

AUTHORIZED FOR RECORD:
Commission of the City of Austin, Texas on the 15th day of October, A.D. 1964.

Chairman David B. Bannett Secretary W. S. Lee
 DD on the 15th day of October A.D. 1954 at 8¹⁵ o'clock A.M.
 Circuit Court, Travis County, Texas.
 (Fletcher)

SAVIS: Clerk of the County Court within and for the County of Albany, State of New York, do hereby certify that my stamping of this instrument of writing with the seal of said County Court was duly recorded on the 15th day of June, 1907, and duly recorded on the 15th day of June, 1907.

Miss Mary Carl, Travis County, Texas.

movements shown on this plot, the four five (4) feet of air.

[illegible]

B. J. Brink

7-1 KING CHARLES

1. The first of these is the **Training Units** which are the basic units of the program. They are designed to provide a comprehensive training program for the personnel of the organization. The units are organized into a series of modules, each of which covers a specific area of the organization's operations. The modules are designed to be flexible and adaptable to the needs of the organization.

[illegible]

and that each lot in this subdivision would be sold by the City's existing sewer department at a future date. Since the first subdivision was sold without receiving properly allocated funds, the City's subdivision was governed by the City's existing laws at the time of the subdivision, and concluded that the savings in the City's sewer charges and drainage rates would approximately equal the cost of the existing sewerage system.

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood 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.*

The neighborhood office (NO) district is intended for offices predominantly serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Offices in the NO district would typically locate on collector streets with a minimum of 40 feet of pavement width, and would not unduly affect traffic in the area. The NO district is designed to accommodate small, single-use offices and to encourage and preserve compatibility with existing neighborhoods through renovation and modernization of existing structures. 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 8). Therefore, Staff supports the Applicant's amended request for NO-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 the NO-MU zoning district would be 60%, which is based on the more restrictive 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. NO 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:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
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

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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 DAXTON

Your Name (please print)

1905 INVERNESS BLVD, AUSTIN TX

Your address(es) affected by this application 78745

GREGORY DAXTON

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 + 5 YRS) & THE NEGATIVE IMPACT ON OUR HOME VALUE. STREET PARKING IS ALREADY AN ISSUE AT OUR HOUSE AND THERE ARE A NUMBER OF COMMERCIAL LOTS WITHIN 1/4 MI THAT COULD SERVE THIS NEED WITHOUT SACRIFICING SF-3 THROUSING. 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

PUBLIC HEARING INFORMATION

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Case Number: C14-2018-0141

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: January 22, 2019, Planning Commission
February 21, 2019, City Council

Dave Chakos / Curte West

Your Name (please print)

1807 Inverness Blvd

Your address(es) affected by this application

D Chakos / Curte West

Signature

Date

1-14-19

Daytime Telephone:

406-855-0825 / 512-426-1188

Comments:

We want to keep Inverness a
family residence neighborhood. We don't
want a business here 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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Thank you,
 Jan.

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Case Number: C14-2018-0141

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: January 22, 2019, Planning Commission
 February 21, 2019, City Council

Bryan F. Jan Paul.

Your Name (please print)

1906 Inverness Blvd Austin TX

Your address(es) affected by this application 78745
 11819.

Signature

Date

Daytime Telephone: 512-825-8784

Comments: We have lived here for over 6

years and have seen this neighborhood

progress significantly. Many families moved in, houses are being updated and several nice new houses built.

3 young families live within 500ft of this property.

I was 2 young children, the others includes 2

expecting moms (including me). This is a residential

neighborhood, all houses face residential streets. We

worry rezoning will impact the quality of life and

safety of our children. as well as the value of

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

City of Austin

Planning & Zoning Department and there are several empty

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

512-3 housing - we fear opening

☐ I am in favor
☒ I object

PUBLIC HEARING INFORMATION

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Case Number: C14-2018-0141

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: January 22, 2019, Planning Commission
February 21, 2019, City Council

George E. Abbeard M. Mosley

Your Name (please print)

1802 N. VERANO ST APT 118

AUSTIN, TX 78745

Your address(es) affected by this application

George Mosley & Elizabeth M. Mosley 7 Feb 19

Date

Signature

Daytime Telephone: 512-944-5124

Comments:

"NO" - This corner lot has been a problem for decades + we've let it with palm readers with illegal signs - used car lot & cars parked everywhere on the front lawn.

There is NO PARKING room for any business. I'm tired of our street filled on both sides

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

2/7/2019

☐ I am in favor
☒ I object

G.M.M.

Rhoades, Wendy

From: Alanna Gold <goldalanna@gmail.com>
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:goldalanna@gmail.com>]
Sent: Tuesday, January 22, 2019 2:30 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Cc: Greg Dayton <gregory.dayton@gmail.com>; Jennifer Paul <jengauldingpaul@gmail.com>; John Donaruma <Donaruma91@gmail.com>; bryan paul <bryanpaul@gmail.com>; Merila Thorne-Thompson <merila.walker@gmail.com>; John Thorne-Thompson <jthornethompson@gmail.com>; Dave Chakos <dchakos@gmail.com>
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:gregory.dayton@gmail.com>]
Sent: Friday, January 18, 2019 7:41 PM

To: Jennifer Paul <~~jengaulding@gmail.com~~>
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Alanna Gold
<~~gold.alanna@gmail.com~~>; John Donaruma <Donaruma01@gmail.com>; bryan paul
<~~thompsonbry@gmail.com~~>; Merila Thorne-Thompson <~~merila-walker@gmail.com~~>; John
Thorne-Thompson <~~thornethomson@gmail.com~~>; Dave Chakos <~~dchakos@gmail.com~~>
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 meet 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 <~~jengauldingpaul@gmail.com~~> 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 to 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
<jensauldingpaul@gmail.com> 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=rhL9yeJHMmUCynYV0gpaHYQIUeakbjOS5oWueW5EJlq7inE%2BsPiJJR3CO38Fn9WPo5kPrLtpNNStXeZqZRRcx%2Flp5IbjViGuhHQxezm7nSR1bjadFK%2FArNngBAdk0D06>

From: Jennifer Paul [mailto:jensauldingpaul@gmail.com]
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 <jthornethomsen@gmail.com>
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, Faye - 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 proposed 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 <gregory.dayton@gmail.com>
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
~~gregory.dayton@gmail.com~~

On Jan 28, 2019, at 7:39 AM, Dave Chakos <~~dchakos@gmail.com~~> wrote:

Good morning Austin Planning Commission,

Rhoades, Wendy

From: Jennifer Paul <jengauldingpaul@gmail.com>
Sent: Sunday, February 10, 2019 10:43 PM
To: Merila Walker
Cc: Greg Dayton; Rhoades, Wendy; Flores, Yvette - BC; DeHoyosHart, Angela - BC; Kazi, Faye - BC; Kenny, Conor - BC; McGraw, Karen - BC; Schissler, James - BC; Schneider, Robert - BC; Seeger, Patricia - BC; Shaw, Todd - BC; Shieh, James - BC; Thompson, Jeffrey - BC; Burkhardt, William - BC; Mendoza, Richard [AW]; John Donaruma; Dave Chakos; John Thorne-Thompson; Skye Best; Mitch Epps; bryan paul; Alanna Gold; Anderson, Greg - BC; Teich, Ann - BC
Subject: Re: OBJECTION: Rezoning of 1907 Inverness C14-2018-0141

Planning Commission Representatives,

Please let the record reflect that my family also opposes the rezoning of 1907 Inverness Blvd. My husband Bryan and I echo the concerns outlined by our neighbors. We are the owners of 1906 Inverness Blvd directly across the street from this property. Greg is correct, the palm reader did not have a permit to conduct business and eventually was forced to take down her sign.

This neighborhood has been our home since 2012 and it means so much to us. We have had the pleasure of building a community with our neighbors and see their families grow. We ourselves are expecting our first child this month and look forward to raising her here. Please hear our united voice and help us preserve the safe, family-oriented culture of our neighborhood.

Thank you for your time, we appreciate it.
Jen and Bryan Paul
1906 Inverness Blvd

On Sun, Feb 10, 2019 at 9:05 PM Merila Walker <merila.walker@gmail.com> wrote:
Wendy and Planning Commission Representatives:

Please let the record reflect that my family and I strongly oppose the rezoning of the property at 1907 Inverness Blvd. Greg Dayton (at 1905 Inverness Blvd) laid out the many reasons for our opposition to the rezoning of that property. I wholeheartedly concur with each of the reasons he described for this opposition.

My husband John and I have lived at 1902 Inverness Blvd since the summer of 2008. We love our neighborhood and our neighbors. We are looking forward to raising our two sons (ages 3.5 years and three weeks) here. Please don't erode the edge of our neighborhood. Please help us keep our neighborhood and our kids safe.

Thank you for your consideration.

Sincerely,
Merila Walker Thorne-Thomsen
1902 Inverness Blvd

On Sat, Feb 9, 2019 at 11:55 PM Greg Dayton <gregory.dayton@gmail.com> wrote:
Wendy and Planning Commission Representatives:

We wanted to give you an update on the status of our questions and concerns after reviewing the case back-up notes posted on the Austin.gov website.

Following the postponement of the January 22nd hearing and our introduction with Johnathan Perlstein, the owners of properties adjacent and near 1907 Inverness Blvd met and agreed that we are still in **OBJECTION** of the property being rezoned. We have worked to gather additional support of our position in the form of a petition which we will deliver to Wendy Rhoades on Monday. This petition has the signatures of property owners from Inverness Blvd., St. Albans Blvd., Kings Highway, Brittnay Blvd., and Fair Oaks Dr. **The owners who signed the petition are requesting that the Planning Commission deny the zoning change at 1907 Inverness so that it remain SF-3.**

Please include the following in the case back-up materials for the review of the planning and zoning representatives: The forthcoming petition, this email, and any other emails sent since January 22 and before the February 12 hearing in objection to this zoning change.

Also, the back-up materials included comments about the "Psychic Business" that operated in that home before the current owner took possession. It is our understanding that this was an unpermitted business that was shut down by the city. Further, it was a business that seemed to be more of a hobby for the previous owner than an income-generating business. Specifically, we did not see any foot traffic that could be identified as customers.

Why we Object:

1. *Neighborhood safety* - Due to the substantial number of uses that could be permitted under the LO-MU designation, we strongly protest the rezoning of 1907 Inverness Blvd and insist it remain SF-3. It is clear to us that what could begin as an insurance office and living space might quickly become something different and less stable for our community.
2. *Truthfulness and intent*: Following the January 22 meeting, Wendy Rhoades introduced the neighborhood owners in attendance to the representative of Marquee Investments, Mr. Johnathan Perlstein. Mr. Perlstein assured us that a tenant was in negotiation to live and work out of 1907 Inverness Blvd (one who was a State Farm agent and would only see a few clients a month - this seems counterintuitive). At that time, we pointed out that the property was listed for sale online and there was a large for sale sign from a commercial realtor posted on the property. Mr. Perlstein said that was a mistake and the property was not for sale. However, since that meeting, the property has been continuously listed for sale as a commercial space both online and the for sale sign remains (the listing was updated as recently as February 5, 2019 by the realty company "Commercial Market Exchange": <https://www.loopnet.com/Listing/1907-Inverness-Blvd-Austin-TX/14081542/> - screenshot attached as pdf as well as photo of sign). Therefore, we do not believe in the assurances of the owner or their representatives. Further, this discrepancy in the facts leads us to doubt the integrity and intentions of Marquee Investments.
3. *Current ownership, commercial zoning, and a lack of stability* - The following is a list of properties and the tenants of the owners of Marquee Investments that was culled from the Travis Central Appraisal District, Austin Zoning Records, and internet research:
 - 2105 Justin Lane, 78757 - Justin Plaza. Costmetics & beauty company, State Farm Insurance, AA, 2 salons, auto title, surveying company, barber shop, nail salon,
 - 1705 Bench Mark Dr, 78728 - two contracting companies
 - 15307 Ginger St, 78728 - warehouse property [for sale by Commercial Market Exchange](#) which [listed 1907 Inverness as a commercial property for sale](#)

- 11102 Bluff Bend Dr, 78753 - commercial warehouse - Austin Countertops
- 11020 Bluff Bend Dr, 78753 - commercial lot adjacent to 11102 Bluff Bend used by Austin Countertops
- 2711 Kelly Ln, 78660 - warehouse space [also for sale by Commercial Market Exchange](#) that has [listed 1907 Inverness as a commercial property for sale](#).
- 201 W. Powell Lane, 78753 - lawn maintenance company,
- 1934 Rutland Dr, 78758 - Paris Hookah Lounge
- 2801 East 5th Street, 78702 - dog grooming business
- Corner of West 5th & Congress in 2015/2016. The owners Proposed strip club at this location and a site plan application was submitted to the city by [Aus-Tex Consulting](#). (the company contracted by Marquee investments to coordinate 1907 Inverness zoning change). Currently home to Shiner's Saloon
- 103 W. 5 St - office
- 4605, 4607, 4609 N Interstate HY 35 TX 75751 - A children's science academy, empty lot, and the Royal Hookah Cafe.
- 9558 HY 290 78724 - empty lot, second to the west from Reservoir Ct
- 9701 E HY 290 78724 - empty lot on east side of Reservoir Ct and Frontage road
- 9705 Reservoir Ct, 78724 - lot adjacent to 9701 E HY 290. Formerly Pink Monkey Caberet adult club.
- 9704 Reservoir Ct, 78724 - empty lot across from 9705 Reservoir Ct.
- 9570 Reservoir Ct, 78724 - empty lot at corner of Reservoir Ct and 290 frontage road.
- 704 W St. Johns Ave 78752 - Visible Style Hair Salon
- 7205 N Lamar Blvd, 78752 - DC Tatts (tattoo shop), Happy Clouds (head shop/smoke shop), Queen Eyebrow Threading, Beauty Salon
- Property ID 267821 - empty lot
- Property ID 267822 - empty lot
- 401 FM RD 685, 78660 - Commercial lot with shopping at front (am/pm Grocery), and warehouse space behind it early learning center, sign shop, boxing gym, tire ship, wrestling gym.
- 15505 I-35, 78660 - car sales
- Property ID 821836 - empty lot

We don't have an issue with Marquee Investments using their resources to develop properties. And we also understand that not all of these businesses could operate on an LO-MU property but we list Marquee Investment's properties and tenants to illustrate the wide net that an investment company casts when finding tenants (and, by extension, buyers of the property). However, we do not want to see this lot rezoned and opened for the many types of uses that fall under the LO-MU code - we have no doubt that the highest bidder will win the day and the desires of the community will not be a driving concern of Marquee Investments' owners. Further, we object to the uncertainty that may come with a commercial lot as opposed to the stability and certainty of an SF-3 residential lot, no matter who the owner may be. Finally, we see a possibility where this building is razed and the lot left empty until a commercial buyer is found at the right price. We base this on the fact that the building has some [outstanding code violations](#).

Also, in looking over the above list, it is important to note that Marquee Investments has two of their other properties listed for sale with Commercial Exchange Market. Again, we find it hard to believe in any promises made by the owners as to the immediate and future use of the property.

4. Availability of commercial property in the surrounding neighborhood. There are numerous available and/or vacant commercial spaces on Manchaca Rd. and W Stassney La. The following are all less than 0.5 miles from 1907 Inverness and the adjacent bus stop. This search was done in one afternoon and without the benefit of a realtor's aid. We simply walked the neighborhood, took notes, and checked the city and county records:

1. 1500 W Stassney La (see attached photos): formerly AAA News Inc. Zoned CS-V-LR-NP. apx. 14,000 sq ft, total. [Travis CAD - ID 511151](#)
2. 1604-1606 W Stassney La (see attached photos): 18,500 sf warehouse space listed as Stassney Business Center for lease on [LoopNet](#). [Travis CAD - ID 319736](#)
3. 2056 W Stassney La (see attached photos). Building is vacant - [City Zoning profile is blank](#) zoned as SM Store according to Travis CAD records. Building was submitted to Austin 311 for graffiti removal apx. 5 months ago (ID [18-00237957](#)). [Travis CAD - ID 511103](#)
4. 5700 Manchaca Road - Cherry Creek Plaza main building. [Three spaces listed on LoopNet for lease](#) : a) Suite 300 - retail (4000 sf) [currently City of Austin Municipal Court]. b) Suite 240 - Standard Retail (11,292-22,585 sf) currently retail, owner willing to divide. [Currently Thrift Town] c) Suite 310 - Office/Retail (900 sf). [Currently used as bakery kitchen but not for direct sale]. [Travis CAD - ID 319824](#)
5. 5608 Manchaca Rd (see attached photos). Formerly Subway currently empty and part of Cherry Creek Plaza Partnership. Note the commercial "For Lease" sign for food truck spaces. There is only one food truck in Cherry Creek Plaza [Travis CAD - ID 319826](#)
6. 2007 West Stassney Rd (see attached photos). Building is currently empty - food truck in front. part of Cherry Creek Plaza Partnership [Travis CAD - ID 319827](#)
7. 4908 Manchaca Rd. There is an office space for lease on [LoopNet](#), This property was purchased in late 2017 and renovated. The lease space is still available. [Travis CAD - ID 51013](#)
8. 5316 Manchaca Rd. Part of Crocket Square where Strange Brew was located. There is a for lease sign in front (directly across from the for sale sign for 1907 Inverness Blvd. See attached photos. [Travis CAD - ID 511072](#)

Further, we have several vape shops, a tattoo shop, several barber shops and hair salons, a title loan broker, and a pawn shop in the neighborhood. We don't see the need for more of these types of businesses but worry that that this is the kind of "Storefront Retail/Office" that Marquee Investments and Commercial Market Exchange are marketing in the sale listing referenced above and attached. And we do have some empty buildings that investors are not in a hurry to rent out or sell, instead taking the loss as a write-off. Again, we don't want to see that happen on our street.

5. *Parking and Street Safety.* Parking has been a chronic issue for all residents in this area of Manchaca Road. However, for those of us across the street from Crocket Square, we have a unique problem. When Austin favorite Strange Brew was open, the overflow parking landed directly across the street on Inverness Blvd. We also have ACC students that park on our street since we are the closest side street to the South Austin ACC Campus on the east side of Manchaca. And Since Austin Java opened across the street, the parking on Inverness has gotten worse (see attached photos). With the old Strange Brew space under renovation and [expected to be occupied by "Captain Quackenbush's Coffeehouse and Bakery"](#) soon, this problem will only intensify. Adding a commercial lot at 1907 Inverness, even if there are 4-6 available spaces on the property, will make a difficult problem even more dangerous. We don't have sidewalks on Inverness and a lot of children (infant - high school) and adult pedestrian traffic. During afternoon rush hour, Inverness, St. Albans, and Fair Oaks experience a high volume of traffic as people headed south will cut through our neighborhood to get to Stassney La. ***Add in commercial traffic coming and going from a property that faces Inverness Blvd, not Manchaca, we have serious concerns for the safety of our families and all that come through our neighborhood.***

Given the number of lots that have available or unused space, and the lack of affordable housing in South Austin, as well as our interest in keeping our neighborhood safe, we don't see the logic in changing the zoning of 1907 Inverness Blvd. In this case, the South Austin Neighborhood Combined Plan would not meet its stated vision if 1907 is rezoned. The vision: "Create a complete community that is mobile and interconnected; compact, accessible, and affordable; natural and sustainable; healthy, safe, creative, and engaged." As

outlined above, rezoning 1907 Inverness would negatively impact the residential character of our neighborhood, likely reduce the affordability of housing in the immediate neighborhood (by removing an SF-3); it would not be healthy or safe for the residents or South Austin at large, would degrade neighborhood safety and diminish the a growing community that has been building since ground was broken in 1967.

It is with this additional information and wider context that we urge the staff to change their position from "Recommend" to "Not Recommended. We will be in attendance on Tuesday and plan to formally address the Planning Commission with our wishes that 1907 Inverness Blvd remain SF-3.

Thank you for your time. We look forward to seeing you on Tuesday.

Greg Dayton
1905 Inverness Blvd



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1907 Inverness Blvd

Austin, TX 78745 · Retail For Sale





Martha Denham

Monica McClain

Commercial Market Exchange

512-831-8586

[Contact](#)

TRANS CORNER PROPERTY ON MANCHACA RD

Price	Upon Request	Lot Size	0.18 AC
Property Type	Retail	Gross Leasable Area	1,575 SF
Property Sub-type	Storefront	No. Stories	1
Building Class	Retail/Office	Year Built	1967
Sale Type	C	Zoning Description	SF-3
Listing ID	14081542	Date Created	10/15/2018
		Last Updated	2/5/2019

[Get Financing](#)

DESCRIPTION

A prime, versatile property, on the corner of Inverness Blvd and Manchaca Rd. Located less than 4 miles from Barton Creek Greenbelt, and less than 6 miles south of Auditorium Shores at Town Lake and Downtown Austin, in the ever-evolving Westgate area. The surrounding neighborhood is full of Austin culture, including local restaurants, retail, and residential.

Rhoades, Wendy

From: Alanna Gold <~~gold.alanna@gmail.com~~>
Sent: Sunday, February 10, 2019 9:03 PM
To: Greg Dayton
Cc: Rhoades, Wendy; greg.anderson@austintexas.gov; Flores, Yvette - BC; DeHoyosHart, Angela - BC; Kazi, Fayez - BC; Kenny, Conor - BC; McGraw, Karen - BC; Schissler, James - BC; Schneider, Robert - BC; Seeger, Patricia - BC; Shaw, Todd - BC; Shieh, James - BC; Thompson, Jeffrey - BC; Burkhardt, William - BC; Mendoza, Richard [AW]; ann.teich@austintexas.gov; John Donaruma; Dave Chakos; Merila Thorne-Thompson; John Thorne-Thompson; Skye Best; Mitch Epps; Jennifer Paul; bryan paul; Anderson, Greg - BC; Teich, Ann - BC
Subject: Re: OBJECTION: Rezoning of 1907 Inverness C14-2018-0141

Planning Commission Representatives:

I agree with Greg's outline of why it's necessary to keep 1907 Inverness SF-3, and ask that you please keep the zoning as is. It is imperative for the preservation of the neighborhood and safety of the many children who live in the immediate vicinity and surrounding homes.

Thank you,

Alanna Dayton

On Sat, Feb 9, 2019 at 11:55 PM Greg Dayton <~~greg.dayton@gmail.com~~> wrote:
Wendy and Planning Commission Representatives:

We wanted to give you an update on the status of our questions and concerns after reviewing the case back-up notes posted on the Austin.gov website.

Following the postponement of the January 22nd hearing and our introduction with Johnathan Perlstein, the owners of properties adjacent and near 1907 Inverness Blvd met and agreed that we are still in **OBJECTION** of the property being rezoned. We have worked to gather additional support of our position in the form of a petition which we will deliver to Wendy Rhoades on Monday. This petition has the signatures of property owners from Inverness Blvd., St. Albans Blvd., Kings Highway, Brittnay Blvd., and Fair Oaks Dr. **The owners who signed the petition are requesting that the Planning Commission deny the zoning change at 1907 Inverness so that it remain SF-3.**

Please include the following in the case back-up materials for the review of the planning and zoning representatives: The forthcoming petition, this email, and any other emails sent since January 22 and before the February 12 hearing in objection to this zoning change.

Also, the back-up materials included comments about the "Psychic Business" that operated in that home before the current owner took possession. It is our understanding that this was an unpermitted business that was shut down by the city. Further, it was a business that seemed to be more of a hobby for the previous owner than an income-generating business. Specifically, we did not see any foot traffic that could be identified as customers.

Why we Object:

Rhoades, Wendy

From: Greg Dayton <gregory.dayton@gmail.com>
Sent: Sunday, February 10, 2019 8:11 PM
To: Rhoades, Wendy; Flores, Yvette - BC; DeHoyosHart, Angela - BC; Kazi, Fayez - BC; Kenny, Conor - BC; McGraw, Karen - BC; Schissler, James - BC; Schneider, Robert - BC; Seeger, Patricia - BC; Shaw, Todd - BC; Shieh, James - BC; Thompson, Jeffrey - BC; Burkhardt, William - BC; Mendoza, Richard [AW]; Anderson, Greg - BC; Teich, Ann - BC
Cc: John Donaruma; Dave Chakos; Merila Thorne-Thompson; John Thorne-Thompson; Skye Best; Mitch Epps; Jennifer Paul; bryan paul; Alanna Gold
Subject: Re: OBJECTION: Rezoning of 1907 Inverness C14-2018-0141
Attachments: 1907 Inverness - Commercial For Sale Listing.pdf; Case C14-2018-0141 Photos.zip; Petition Protesting Rezoning - Case C14-2018-0141.pdf

Planning Commission Representatives and Ms. Rhoades,

I've attached electronic copies of our signed petition opposing the rezoning of 1907 Inverness Blvd. As mentioned in my previous email, these 55 signatures are from property owners on Inverness Blvd, St. Albans, Kings Highway and Fair Oaks.

My wife and I, who are the parents of two small children, spent the last two weekends, along with our immediate neighbors, knocking on doors and asking for the community's support opposing the rezoning of 1907 Inverness Blvd. We weren't able to speak with every property owner in our community but of the owners with whom we did speak, an overwhelming majority supported our position and signed the petition.

I am planning to drop off the hard copies to Ms. Rhoades on Monday.

Thank you,

Greg Dayton
512.827.6200

On Sat, Feb 9, 2019 at 11:55 PM Greg Dayton <gregory.dayton@gmail.com> wrote:
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5608 Manchaca Road - Business closed



Inverness & Manchaca Parking



5316 Manchaca Road-For Lease (across 1907
Inverness)



2700 West Stassney



2056 West Stassney - Abandoned



1606 West Stassney - For Lease

CROSSFIT & FEARLESS
512-804-1899
CrossFitandFearless.com

Contact us to try a class
• Fun Community, Anyone can CrossFit
• Get in Shape, Lose Weight, Get Stronger
• Instructor Led Fitness Classes

Justin City Powersports
444-5200
Motocross, ATVs, UTVs

faktor
Custom Architecture & Event
lightfaktor.com

1606

1606 West Stassney -
For Lease



1606 West Stassney - For Lease



1500 West Stasshey - vacant



1500 West Stassney
VACANT



1500 West Stassney Vacant

PETITION




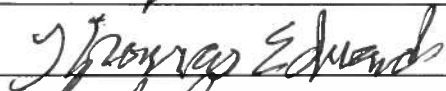

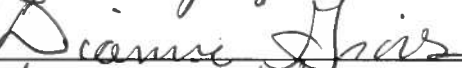
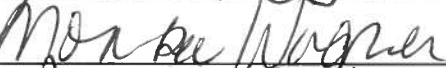



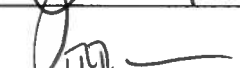
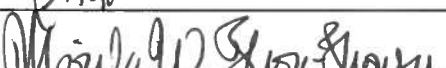

Address of

File Number: C14-2018-0141

Rezoning Request: 1907 Inverness Blvd

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

The Southwood Neighborhood and its small streets, including Inverness Boulevard, is a family-friendly community that has been reinvigorated with an influx of young families and their reinvestment. If the City of Austin changes the zoning of 1907 Inverness Blvd from SF-3 to LO-MU, the character of our neighborhood would be determined by whatever office, store, or other commercial space was at the entrance to Inverness Blvd.

	SIGNATURE	PRINTED NAME	ADDRESS
1		Jonathan Donaruma	1904 Inverness Blvd
2		Dylan Williams	1710 Saint Albans Blvd
3	Christina Carson	Christina Carson	1708 St. Albans Blvd
4		DAVID JONES	1706 St. Albans Blvd
5		Thomas Edwards	1300 St. Albans Blvd
6		LINDA RYNCA	5218 Kings Hwy.
7		Diana Groves	5219 Kings Hwy.
8		Monika Wagner	1707 St Albans
9		Susan Hickman	1802 St Albans
10		ZACH BLAIR	1709 Fair Oaks
11		CECILIA MIRELES	1709 FAIR OAKS. DR
12		JOHN THORNE-THOMSEN	1902 INVERNESS BLVD
13		Merila W Thorne-Thomsen	1902 Inverness BLVD
14		Alanna Dayton	1905 Inverness BLVD
15			

DATE: 02/10/2019

CONTACT NAME: GREGORY DAYTON
PHONE NUMBER: (512) 888 - 9655

PETITION


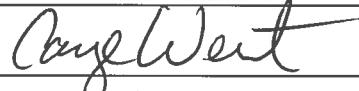



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	SIGNATURE	PRINTED NAME	ADDRESS
1		Dave Chakos	1807 Inverness Bl
2		CARYE WEST	1807 Inverness
3		BEN GROSS	1709 INVERNESS
4			5211 St Georges Grn.
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

DATE: 02-02-2019

CONTACT NAME: GREGORY DAYTON
PHONE NUMBER: (512) 888 - 9655


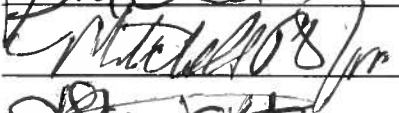
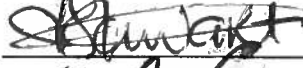


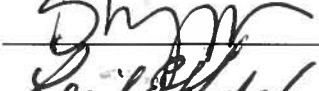
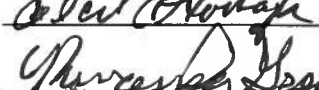
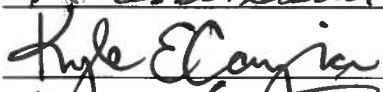
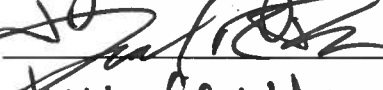

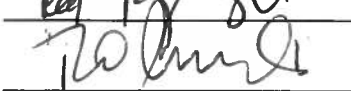
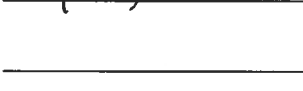

PETITION

Address of
Rezoning Request: 1907 Inverness Blvd

File Number: C14-2018-0141

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	SIGNATURE	PRINTED NAME	ADDRESS
1		BRYAN PAUL	1906 INVERNESS
2		MITCHELL P. EPPS	1907 SAINT ALBANS
3		MURIEL STEWART	1905 ST ALBANS
4		DEANNA CRENSHAW	1807 ST. ALBANS
5		KATHRYN FISCHER	1801 ST ALBANS
6		SHAYNA BLACKMAR	1705 ST ALBANS
7		CECIL HARBAUGH	1703 ST. ALBANS.
8		MIRANDA GROVER	5223 Kings Highway
9		Kyle Canzian	5223 Kings Hwy
10		DANIEL BENNIS	5221 Kings Hwy
11		June Clark	5214 Kings Highway
12		David A. Stein	1901 St. Albans Blvd
13		R. Olmedo	1704 Inverness
14			
15			

DATE: 02/10/2019

CONTACT NAME: GREGORY DAYTON
PHONE NUMBER: (512) 888 - 9655

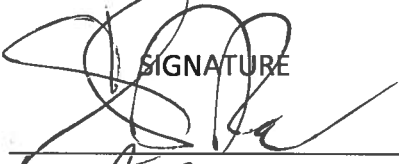
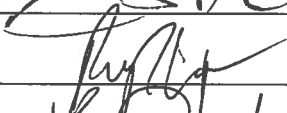


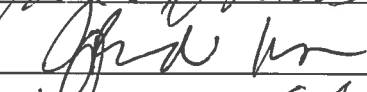
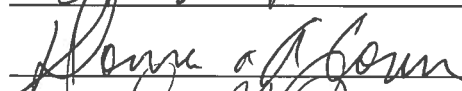
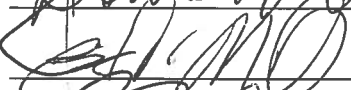

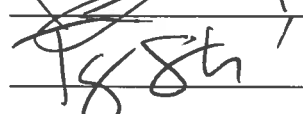
PETITION

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	SIGNATURE	PRINTED NAME	ADDRESS
1		STANLEY REEDER	1907 S. Albans Blvd. 7871
2		PEEP LAJA	5403 KINGS HWY
3		Kate David	5407 Kings Hwy
4		Jorge L Farias	5505 Kings Hwy
5		Brad Kuhn	5307 Kings Hwy
6		DANNA ACUN	5507 Kings Hwy
7		Jacob Mill	1705 Brittany
8		Zachary Torres	5404 Kings Hwy
9		David A. Stein	1900 Inverness Blvd
10			
11			
12			
13			
14			
15			

DATE:

02/02/2019

CONTACT NAME: GREGORY DAYTON
PHONE NUMBER: (512) 888 - 9655

PETITION

Address of

File Number: C14-2018-0141

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	SIGNATURE	PRINTED NAME	ADDRESS
1		GREGORY DAYTON	1905 INVERNESS BLVD AUSTIN
2		Skye Best	1800 Inverness Blvd.
3		Merry Fischer	1704A BritHany Blvd
4		Jean-Louis Horvilleu	1706 Inverness Blvd
5		Wayne Jasienowski	1701 Inverness Blvd
6		Elizabeth Cogswin	1705 Inverness Blvd
7		Martha Teague	1711 Inverness Blvd
8		Ashley Wall	1803 Inverness Blvd
9		Brian Andrade	1804 Inverness Blvd
10		Carolyn McCormick	5401 Kings Hwy
11		Jillian	5401 Kings Hwy
12		William Bargida	1808 Inverness Blvd.
13		James Chambers	1903 Inverness BLVD
14		Philip M. Cocitran	1900 St. Albans Blvd
15		Nancy Busse	1804 St. Albans Blvd

DATE:

02/10/2019

CONTACT NAME: GREGORY DAYTON
PHONE NUMBER: (512) 888 - 9655

Case Number:

C14-2018-0141**PETITION**

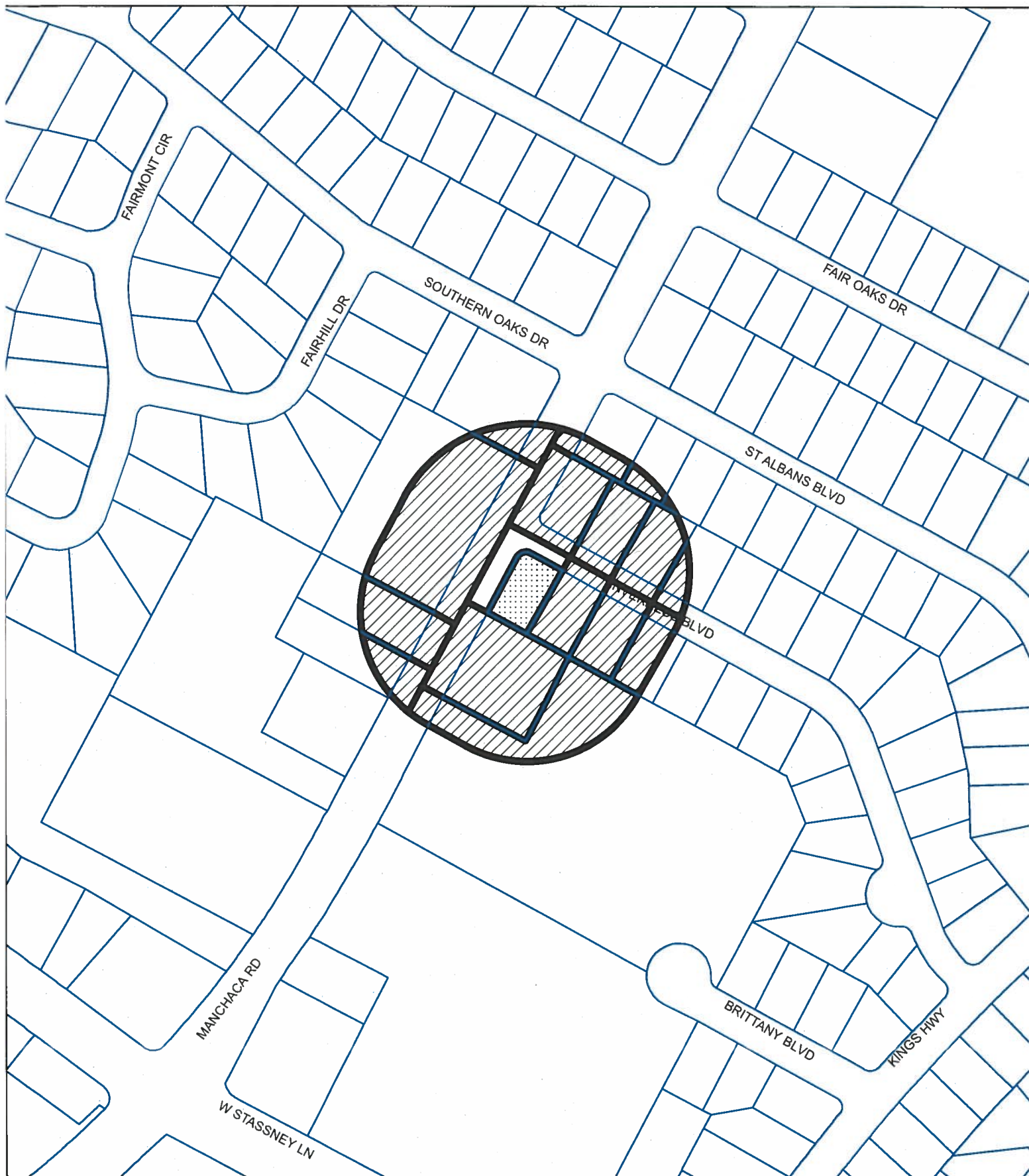
Date: 2/13/2019




Total Square Footage of Buffer: 198322.9698

Percentage of Square Footage Owned by Petitioners Within Buffer: 33.34%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0411130927	1902 INVERNESS BLVD 78745	2017 THORNE-THOMSEN FAMILY TRUST	yes	9900.01	4.99%
0411131003	1903 INVERNESS BLVD 78745	CHAMBERS JAMES N JR	yes	10355.35	5.22%
0414110101	5318 MANCHACA RD 78745	CROCKETT CENTER PARTNERSHIP	no	43305.89	0.00%
0411130903	1903 ST ALBANS BLVD 78745	CROUCH WILLIAM C & JORDAN C	no	198.19	0.00%
0411131002	1905 INVERNESS BLVD 78745	GREGORY & ALANNA DAYTON REVOCABLE LIVING TRUST	yes	10296.62	5.19%
0411130901	1907 ST ALBANS BLVD 78745	EPDS MITCHELL P & STACEY C REEDER	yes	4298.90	2.17%
0411130928	1904 INVERNESS BLVD 78745	DONARUMA JONATHAN RALPH	yes	10368.34	5.23%
0413140214	5401 MANCHACA RD 78745	KAF II DEVELOPMENT COMPANY	no	27239.64	0.00%
0412110905	5300 MANCHACA RD 78745	MACAULEY MARK A	no	4996.21	0.00%
0411130929	1906 INVERNESS BLVD 78745	PAUL BRYAN & JENNIFER	yes	15601.78	7.87%
0411130926	1900 INVERNESS BLVD 78745	STEIN DAVID A & LEIGH H	yes	3425.67	1.73%
0411130902	1905 ST ALBANS BLVD 78745	STEWART ROBERT CHARLES & MURIE MURIEL RADISSON-STEWART	yes	1874.16	0.95%
0413140213	5413 MANCHACA RD 78745	TPI CHANNINGS MARK LTD	no	25101.43	0.00%
0414110103	5408 MANCHACA RD 78745	ZAPDAK INC	no	5962.65	0.00%
0414110102	5404 MANCHACA RD 78745	ZAPDAK INC	no	11644.62	0.00%
0411131004	1901 INVERNESS BLVD 78745	ZAPFFE CARL	no	6974.47	0.00%
Total				191543.92	33.34%



-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

PETITION

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.



1" = 200'

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, Williamson 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:~~skye@best1800.com~~]
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/neighborhood 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



Rhoades, Wendy

From: Aus-Tex Building Consultants <austexba@gmail.com>
Sent: Friday, February 08, 2019 11:05 PM
To: Rhoades, Wendy
Cc: Rivera, Andrew; Alex Bahrami
Subject: Re: For PC 2-12-2019 C14-2018-0141 1907 Inverness Zoning Change

Wendy,

Thank you for the call for this project. I am going to request a postponement until the next planning commission meeting as I was waiting for the residents to contact me regarding this project as we discussed in the last hearing and now got word that there are new residents opposing the zoning change, and will need more time to prepare for this case, in coming up with a solution which makes everyone happy. I have been out of town for business and will not have enough time to get back and meet with the residents by the hearing date. Upon getting back, I will contact the residents and Mr. Bahrami and I will meet with them on site to try and come up with a solution for this, by the next hearing date.

Regards,
Jonathan Perlstein

→ February 26, 2019

On Thu, Feb 7, 2019 at 11:24 AM Aus-Tex Building Consultants <austexba@gmail.com> wrote:
Wendy,

I gave everyone my email address and contact number I haven't received anything from anybody yet, have they been in contact with you?

I would've thought I'd receive correspondence by now because I don't have any of their contact information.

Regards,
Jonathan

Sent from my iPhone

> On Feb 7, 2019, at 11:10 AM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

>

> Jonathan,

> Attached is the updated Staff report prepared for next week's Commission meeting which includes additional correspondence received from neighbors on Inverness. Have you been able to meet with the neighbors on Inverness yet? If not, my suggestion is to meet with them and Alex Bahrami before next Tuesday's meeting.

> Please let me know if you have any questions.

> Wendy

>

> <Scanned from a Xerox Multifunction Printer.pdf>