

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHBORHOOD PLAN:** Central West Austin Combined

**CASE#:** NPA-2019-0027.02 **DATE FILED:** February 28, 2019 (In-cycle)

**PROJECT NAME:** 2401 Winsted

**PC DATE:** August 13, 2019

**ADDRESS:** 2401 Winsted Lane

**DISTRICT AREA:** 10

**SITE AREA:** 0.73 acres (31,799 square feet)

**OWNER/APPLICANT:** 2401 Winsted LLC

**AGENT:** Drenner Group (Amanda Swor)

**CASE MANAGER:** Kathleen Fox **PHONE:** (512) 974-7877

**STAFF EMAIL:** kathleen.fox@austintexas.gov

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Single Family **To:** Neighborhood Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2019-0049  
**From:** MF-2-NP **To:** LR-MU-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** September 23, 2010

**PLANNING COMMISSION RECOMMENDATION:**

*August 13, 2019 – Postponed to September 24, 2019 on the consent agenda per the request of the applicant. Close the Public Hearing and approve the consent agenda. C. Kenny – 1<sup>st</sup>; G. Anderson – 2<sup>nd</sup> Vote: 9 -0 [A. Azhar; P. Howard; R. Schneider; and P. Seeger absent]*

*September 24, 2019 – Postponed to October 8, 2019 on the consent agenda per the request of the applicant. Close the Public Hearing and approve the consent agenda. P. Seeger – 1<sup>st</sup>; J. Thompson – 2<sup>nd</sup> Vote: 12 -0-1 [J. Shieh recused himself from voting on this case]*

*October 8, 2019 – Support staff recommendation. C. Kenny 1<sup>st</sup>; G. Anderson 2<sup>nd</sup>. Vote 9 – 3 [T. Shaw, C. Llanes-Pulido, and R. Schneider – nay]. J. Shieh recused himself from this case.*

**STAFF RECOMMENDATION:** Staff recommends the applicant's request for Neighborhood Mixed Use land use.

**BASIS FOR STAFF'S RECOMMENDATION:** Staff supports the applicant's request for Neighborhood Mixed Use land use because: (1) The property is not appropriate for a single family future land use because it is located at the intersection of a freeway (Mopac) and a major collector street (Windsor Road); (2) the multi-family units have existed on the property since the 1950s and are located along the edge of the single family neighborhood and therefore would have minimal impact for the majority of single family neighborhood; (3) The area lacks neighborhood serving commercial uses. Page 41 of the Central West Austin Combined Neighborhood Plan states, *"Stakeholders are supportive of promoting neighborhood niche services that fit into the scale of their commercial areas and serve the immediate community"*; (4) The property is located adjacent to an intersection with a pedestrian crosswalk and a traffic light with plans for a public sidewalks along the south side of Windsor Road, making the property accessible by foot. The area is also flat and walkable along the right-of-way and there is a bike lane located 350 feet west of the property on Windsor Road; (5) The food trailer and associated seating area/playscape is not classified as a public pocket park, however it would provide privately owned open space in the planning area. Page 69 of the CWACNP supports access to open space and parks (*Objective 1: Ensure access to a range of parks and open space for a range of people. P.1.1 Identify and create new parks and open spaces that serve their immediate neighbors as opportunities arise*); and (6) Neighborhood Mixed Use is intended for small to medium-density residential uses, which has existed on the site since the 1950s and will be retained.

While the subject property is not located along an Activity Corridor and Activity Center, the property abuts a major collector street, Windsor Road, which would be appropriate for a neighborhood commercial mixed use amenity rather than a single family housing. The Neighborhood Mixed Use land use also allows for the retention of existing multifamily units, which continue to provide much-needed missing middle and relative to the area, affordable housing, which supports the Imagine Austin Comprehensive Plan and Austin's Strategic Housing Blueprint.

The Central West Combined Neighborhood Plan supports neighborhood serving commercial uses which the Neighborhood Mixed Use land use would provide, but it would also preserve existing missing middle housing in the neighborhood.

The applicant's request for neighborhood mixed use on the property will provide opportunities for residential uses while provide a neighborhood-serving use (food truck) and a privately owned open space, which would be accessible to the neighborhood. The following Plan objectives below support preserving single family and existing multifamily areas, and the need for more recreational and open space.

## Land Use

### Goal Statement and Introduction

Preserve and protect the historic character and integrity of Central West Austin's predominantly single-family neighborhoods, with their neighborhood-serving commercial centers, civic areas, safe parks, and attractive open spaces, so as to maintain the neighborhood's quality of life, avoid increasing traffic, preserve the mature tree canopy, protect creeks and the lakes, and prevent flooding.

Development of property as office, commercial, retail, multi-family, or civic uses should be in accordance with the Future Land Use Map, as informed by the Plan text, and should be appropriately oriented, scaled and buffered to protect the existing single-family homes from any intrusion and adverse effects from higher intensity uses. The future use of the Brackenridge Tract and the Austin State Supported Living Center property should take into account the impact of such use on the surrounding neighborhood, and if developed should be compatible with the existing single-family homes in the neighborhood. Buffering to protect the existing single-family homes in the neighborhood is also desired.

p. 41

Text: On both sides of MoPac, stakeholders are concerned that new development or redevelopment not increase traffic in the neighborhood. **Stakeholders are supportive of promoting neighborhood niche services that fit into the scale of their commercial areas and serve the immediate community.** Residents are also concerned about the loss of older, smaller houses to large, modern houses that many feel are out of scale and character with neighboring houses. Stakeholders are concerned with the noise and air pollution caused by MoPac. They oppose expansions of MoPac through elevated lanes or from the acquisition of additional right-of-way from either side of MoPac. (pg. 41-42)

**Objective 1:** Preserve the existing single family neighborhoods of Central West Austin. (p. 42)

**Objective 2:** Preserve or enhance, as appropriate, existing multifamily housing and neighborhood-serving commercial districts. (pgs. 42)

**Objective 3:** All development should be compatible with the character of the adjacent neighborhood and should be guided by green design principles. (p. 44)

### **Parks, Open Space & the Environment Goal Statement and Introduction: (p. 65)**

Preserve, connect and enhance existing parks and recreational areas and facilities in the Central West Austin Planning Area, as well as open-space on large properties (e.g., Austin State School and the Brackenridge Tract) for the health, recreational and historical benefits they bring to the community. Create opportunities for additional public open space such as trails, pocket parks, and landscaped traffic islands, as well as parks and recreational areas and facilities on large properties.

**Objective 1: Ensure access to a range of parks and open space for a range of people.**  
(p. 69)

**P.1.1:** Identify and create new parks and open spaces that serve their immediate neighbors as opportunities arise

### **LAND USE DESCRIPTIONS:**

#### ***EXISTING LAND USE ON THE PROPERTY***

**Single Family** - Single family detached or two family residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

#### Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

### **PROPOSED LAND USE ON THE PROPERTY**

**Neighborhood Mixed Use** - An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

#### Purpose

1. Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
2. Provide transition from residential use to high intensity commercial or mixed use.

#### Application

1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

### **IMAGINE AUSTIN PLANNING PRINCIPLES**

1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
  - *The developer stated they intended to preserve and are currently renovating the eleven existing townhouse apartment units on the site, which is one the few comparatively affordable housing/missing middle housing options in the planning area. Additionally, the proposed neighborhood serving commercial use, a food truck with seating and a play area, would provide a small child friendly private open space area and local serving commercial use to the area, making a more complete community in this area.*
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
  - *The property is located in an area that has no public transit stops or public sidewalks but is located adjacent to a marked crosswalk. Bike lanes are also located approximately 350 feet west of the subject property on Windsor Road. The north side of Windsor Road is also flat, making it a walkable option for people in the neighborhood to access the neighborhood serving commercial use.*

3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
  - *While the property is not located along an Activity Center or Activity Corridor, the property is appropriate for a neighborhood commercial mixed use project because it abuts Mopac (a freeway) and Windsor Road (a busy arterial corridor) which is not appropriate for a single family use as indicated on the CWACNP Future Land Use Map. The proposed food trailer, seating and playscape area would only take up a minority of the site and provide a neighborhood serving use.*
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
  - *The developer plans to retain and renovate the existing eleven townhouse units on the site, which provide much need and relatively affordable missing middle housing in the area, which is lacking in the planning area.*
5. Ensure harmonious transitions between adjacent land uses and development intensities.
  - *The proposed land use (food trailer with a seating and play area) is similar in intensity as the eleven unit townhouse complex.*
6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
  - *The property is located in the Desired Development Zone. The City's future growth corridor is primarily to the east and south, where the terrain is flatter and where there is little if any habitat for endangered species. This area was designated by City Council as the "Desired Development Zone," in which city policy encourages reasonable development.*
7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
  - *The proposed private pocket park/seating area, would provide private open space and a playscape area for adults and children.*
8. Protect, preserve and promote historically and culturally significant areas.
  - *Not applicable.*
9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
  - *A private open space and food trailer with seating and a playscape area would promote walking in the area, and new food choices. Whether these food choices would be healthy or not is not known. However, the playscape area would provide private communal recreational opportunities for those people visiting the food trailer/seating area.*
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
  - *The proposed food trailer and playscape/seating area would have a negligible impact on expanding the economic base and creating job opportunities in the area unless the entire parcel was redeveloped to a commercial neighborhood mixed use project.*

11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.

- *Not applicable.*

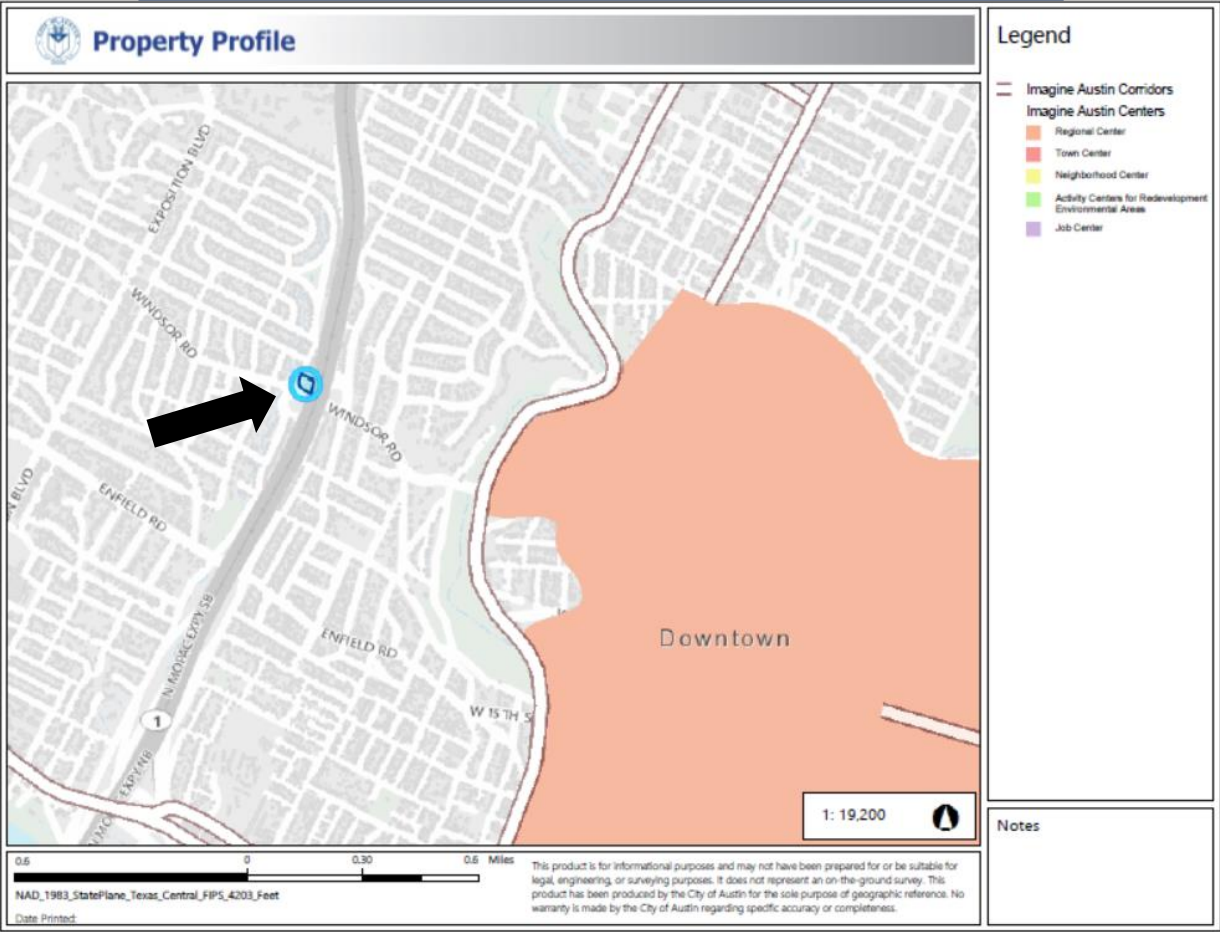
12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.

- *The property would increase connectivity in the area by providing a neighborhood serving land use.*

## Proposed Food Trailer, Eating Area and Playscape Layout

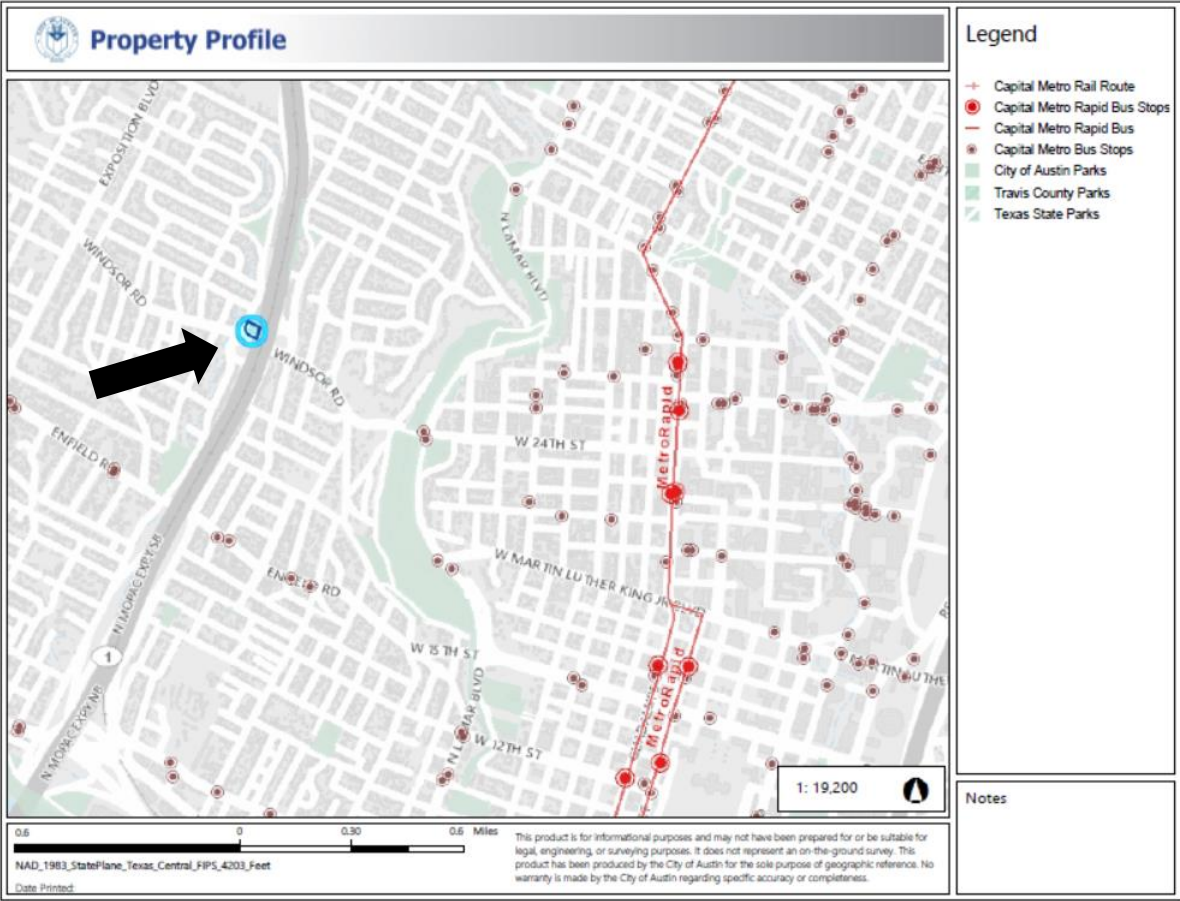


Imagine Austin Growth Concept Map





Map of Parks and Cap Metro Bus Stops & Routes Near Property



## IMAGINE AUSTIN GROWTH CONCEPT MAP DEFINITIONS

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

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

**Job Centers** - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

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

**BACKGROUND:** The application was filed on February 28, 2019 which is in-cycle for neighborhood planning areas located on the west side of I.H.-35.

The applicant proposes to change the future land use map from Single Family to Neighborhood Mixed Use land use.

The applicant proposes to change the zoning on a portion of the property from MF-2-NP to LR-MU-NP. Please see zoning case number **C14-2019-0049** for more information.

**PUBLIC MEETINGS:** The ordinance-required community meeting was held on July 11 2019 at Howson Public Library. Approximately 590 notices were mailed to people who own property or have a utility account within 500 feet of the property, in addition to neighborhood organizations and environmental groups who requested notification for the area. Forty-two (42) people attended the meeting in addition to one city staff member, the applicant's agent, Amanda Swor, and the applicant/owner, David Kanne. Planning Commissioner James Shieh was also in attendance and stated he lived within 500 feet of the subject property.

This community meeting began at 6:00 PM. Ms. Fox gave a brief introduction on tonight's meeting and explained the neighborhood plan amendment process and the proposed future land use map amendment. The request is to amend the Central West Austin Combined Future Land Use Map from Single Family and Neighborhood Mixed Use, and rezone the property from MF-2-NP (multifamily) to LR-MU-NP (Neighborhood Commercial Mixed Use.)

Amanda Swor the agent came forward and gave a power point presentation. She discussed how the property owner wanted to keep the eleven townhouse units, which were built in the 1950s. She then showed a site layout slide, where the property owner wanted to add a food trailer and use some of the covered parking area for covered seating and add an outdoor play area. Zone MF-2 zoning did not permit food trucks, which is why they were submitting a zone change request. She discussed how all other uses would be taken out of the LR-MU request via a Conditional Overlay with the exception of Administrative and Business Office, and Restaurant (General and Limited). She explained how page 10 of the Central West Austin Combined Neighborhood Plan (CWACNP) allowed pocket parks (... Create opportunities for additional public open space such as trails, pocket parks, and landscaped traffic islands, as well as parks and recreational areas and facilities on large properties); how page 41 of the CWACNP supports preserving multifamily uses (... Development of property as office, commercial, retail, multifamily, or civic uses should be in accordance with the Future Land Use Map); and how page 69 of the CWACNP supports access to open space and parks (... Ensure access to a range of parks and open space for a range of people.) She stated that the impervious surface coverage for both MF-2 and LR-MU was 60 percent versus 80 percent.

**Audience Question:** How many parking space are required for this project?

- ❖ Ms. Swor stated that 34 parking spaces existed on the site, and 18 parking spaces were required for the 11 residential units. The code would require 10 parking spaces for the food truck.

**Audience Question:** Will outsiders be allowed in the food court?

- ❖ Ms. Swor stated that there would be some advertising for the food trailer and anyone could eat there.

**Audience Question.** What about the lack of public sidewalks and bike lanes?

- ❖ Ms. Swor said there were no public sidewalks or bikes lanes in the area (except at the crosswalk at the intersection of Windsor Road and Winsted Lane.)

**Audience Comment:** They stated that they did not look at this project as a public pocket park.

- ❖ Mr. David Kanne, the new property owner, stated that the food trailer and the seating area with the play area would be way for the neighborhood to come together, a place to meet up and grab a bite to eat.

**Audience Comments:**

- There was an over-abundance of parks in the area; and that the location of this project is terrible. The traffic was also terrible in the area and that traffic accidents happened all the time near this intersection.
- There are two parks located within walking distance of this property and traffic is terrible in the area. This proposed court yard/seating area is not a park but a profit center and they opposed this project.
- ❖ Mr. Kanne explained the project would be a place to have a coffee and hang out.

**Audience Comment:** They stated that a truck from this apartment complex parks in front of his house and it's a nuisance. The plan presented is not a solution. The curve from Windsor Road to Winsted Lane is dangerous especially when people park along Winsted Lane.

**Audience Question:** What is the proposed size of the food truck/courtyard area?

- ❖ Ms. Swor stated that the proposed food trailer/food court area would be approximately 50 feet by 80 feet, or about 3,500 square feet. (The property is approximately 31,800 square feet in size.)

**James Shieh, Planning Commissioner** stood up and announced that he lived within 500 feet of the subject property and would be recusing himself from this case when it came before the Planning Commission. He asked the developer that what would stop the property from being redeveloped into a full service restaurant. What happens if the property is sold? Is the neighborhood ready for that? Is this a great spot to start a new commercial hub? Has ATD (the Austin Transportation Department) looked at the traffic? They need to customize this request to preserve the existing residential on the site.

**Audience comments:**

- Allandale had a site with a food truck but that it was so jammed with cars that you could not get in and out of site because the traffic was so heavy.
- Do you have sufficient parking for the proposed use and the existing residential units?
  - ❖ Ms. Swor stated that no site plan review or traffic plan would be required to be submitted to the City of Austin because it was a food truck and because the traffic count was not high enough to trigger a review by the ATD. The site also had enough parking.

**James Shieh:** He discussed how a conditional use of a restaurant would have to be reviewed by the Planning Commission. An audience member responded by saying that City Council has directed staff to halt conditional overlays. Mr. Shieh stated that this proposal could be restricted by a conditional use and was concerned that the Planning Commission and the neighborhood would lose the ability to control uses on the site with a new Land Development Code.

**Audience Comment:** An audience member discussed how she grew up in the neighborhood and had lived there for 35 years and how the area used to have a vibrant shopping center but now it's all vegan. She stated that she would like a place to grab a bite to eat and like it.

**Audience Comment:** They explained how they had lived in the neighborhood since 1977 and what was the need for an administrative office on the site? This is a commercial use and is encroaching into a residential area. They stated they could see the whole street going commercial and this proposal was spot zoning. They said all the residential units could disappear including the proposed pocket park.

- ❖ Ms. Swor stated that the property was already zoned MF-2-NP, not single family and that they could eliminate the administrative office use.

**Audience Comments:**

- An audience member stated that along South Congress, the houses had all be converted to retail and this proposal is opening the door to commercial. They stated they would like to see more commercial in the planning area but not here.
- An audience member stated how can the developer say this is a family friendly project when it's right next to Mopac and adjacent to a dangerous intersection? They said crossing the triangle at Windsor Road and Winsted Lane was a dangerous intersection.
- An audience member stated that they agreed that the neighborhood needed a lot more public sidewalks and that you could not walk to this place because there were no public sidewalks.
- An audience member stated that they avoided Winsted Lane because it's a one way street and that Winsted Lane was dangerous to walk along.

**Audience Question:** They wanted the parks in the planning area improved. They explained how they had called the City of Austin but they said no improvements were planned because of their zip code. They saw this project an opportunity in the planning area. When would the food trailer be open?

- ❖ Ms. Swor stated that the hours of operation for the food trailer would not be 24/7.

**Audience Comment:** They stated that they saw the proposed project as a temporary investment and the developer could scrape the site and really densify it. They stated they were starved for something but the execution of this project was wanting.

**James Shieh:** He explained that they could slice this project so thing to just develop the small area for the food trailer and seating area and not involve the rest of the site. Any changes the developer would make would have to come back to the Planning Commission. He asked the audience if they wanted to completely take away this opportunity.

- An audience member responded to Mr. Shieh and stated that conditional overlays were being taken away by City Council and if we lose this ability, we are vulnerable.

**Audience Question to Developer:** Would they be willing to do a Restricted Covenant on the property?

- ❖ Mr. Kanne explained he had looked at entire neighborhood and would have to get signatures from the entire neighborhood. He also stated that he had not done a study of leveling the entire site and building something new. He was only interested in having a place to hang out in the area.

**Audience Comments:**

- An audience member discussed how terrible the traffic was on Rainey Street and how all the houses were converted or torn down for an entertainment district. They wanted a traffic study done for all new things added to property.
- An audience member explained how this was an opportunity to improve the area. They stated that this was their opportunity to make something fun for us and make a more family friendly neighborhood. The food trailer also will not be a huge money maker.

- An audience member stated that we want to shop, have a better community but they were scared of a domino effect. They would love a fenced in area where we could eat.
- What about the noise level with cars during rush hour?
- A woman discussed how they could walk to parks in the area but there were no public sidewalks. She said she liked the family get together aspect of this project and to meet and see new people and wanted the neighborhood to explore this option.

**Audience Question:** Was there anyone who lived in one of the eleven townhouses at this meeting, and if so, what did they think of this project?

- A man stood up and explained that he had lived in one of the units on the property for six years. He said he was also concerned about the traffic but the noise in their units was not that bad. He said he was excited about this proposed project.

**Audience Question:** What is the capacity of the site? Could you go V-MU?

- ❖ Ms. Swor stated that Land Development Code compatibility standards would kick in, limiting what the height and location of the buildings on the property if they got rid of everything on the site and built a new project.

**Audience Question:** An audience member asked the developer why they brought this property.

- ❖ Mr. Kanne stated he saw the property as a great investment but thought he could do other things with the property.

**Audience Comments:**

- An audience member stated that this project did not make sense to them.
- An audience member explained how none of the parks in the planning area were enclosed with fencing, which would make people feel safe. They stated they wanted this project to go forward because it would be a safe haven and have food.
- An audience member stated that this existing development had some of the most affordable housing in the planning area. The planning area also had neighborhood serving local restaurants. This project was trying to obtain mixed use despite the plan stating it should be kept residential and was worried this was spot zoning.
- James Shieh stated he did not want to see a monster created in the neighborhood.

**Audience Questions:** How about fencing off some of the parks in the neighborhood and putting food trucks on them? What type of food would be offered?

- ❖ Ms. Swor explained how that proposal would kick in Chapter 26 and to do this would be quite complicated. She said the developer did not know what type of food would be offered in the food truck. She closed the meeting by stating that she would like to meet with the neighborhood beyond this meeting to discuss this proposal.

The meeting adjourned at 7:30 PM.

**CITY COUNCIL DATES:**

**October 17, 2019**

**ACTION:** Approved a postponement request by neighborhood to November 14, 2019 on the consent agenda. Vote: 11-0. [S. Renteria – 1<sup>st</sup>; P. Ellis – 2<sup>nd</sup>]

**November 14, 2019**

**ACTION:** Pending

**CASE MANAGER:** Kathleen Fox, Planning & Zoning Department **PHONE:** (512) 974-7877

**EMAIL:** kathleen.fox@austintexas.gov

Applicant's Original Summary Letter Submitted with Application

Amanda Swor  
direct dial: (512) 807-2904  
aswor@drennergroupp.com

## DRENNER GROUP

February 28, 2019

Mr. Greg Guernsey  
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

*Via Hand Delivery*

Re: 2401 Winsted – Rezoning application and neighborhood plan amendment application for the 0.73 acre piece of property located at 2401 Winsted Lane, Units 1-11, in Austin, Travis County, Texas (the "Property")

Dear Mr. Guernsey:

As representatives of the owner of the Property, we respectfully submit the enclosed rezoning application and neighborhood plan amendment application packages. The project is titled 2401 Winsted, consists of 0.73 acres, and is bound by Winsted Lane on the west, Windsor Road on the south, and Mopac Expressway on the east. The Property is located within the full purpose jurisdiction of the City of Austin. The Property is currently developed with a condominium use.

Currently, the Property is zoned MF-2-NP, Multifamily Residence Low Density – Neighborhood Plan. The requested rezoning is from MF-2-NP to LR-MU-NP, Neighborhood Commercial – Mixed Use – Neighborhood Plan, zoning district. The purpose of this rezoning is to allow for a mix of uses on the Property.

The Property is located within the Central West Austin Combined Neighborhood Planning Area that was adopted on September 23, 2010. Per the West Austin Neighborhood Planning Area, the Future Land Use Map (FLUM) shows the Property as Single-Family, therefore a Neighborhood Plan Amendment request is included with this rezoning to change the designation on the FLUM from Single-Family to Neighborhood Mixed-Use.

The LR-MU-NP zoning designation is consistent with the MF-2 zoning density that exists today. The MU overlay will allow the existing residential uses to remain, while the new LR base district will allow for the potential addition of neighborhood commercial uses.



February 28, 2019  
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Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,

  
Amanda Swor

cc: Joi Harden, Planning and Zoning Review Department *(via electronic delivery)*  
Scott Grantham, Planning and Zoning Review Department *(via electronic delivery)*

Central West Austin Combined Neighborhood Plan  
Contact Team Letter

See next page

# CENTRAL WEST AUSTIN NEIGHBORHOOD PLAN CONTACT TEAM

September 30, 2019

Organized 2010

*"To facilitate the implementation of the Central West Austin Combined Neighborhood Plan."*

## OFFICERS

Michael Cannatti  
Chair

August Harris  
Vice Chair

Joyce Basciano  
Secretary

## EXECUTIVE COMMITTEE

Trevor Armstrong  
Michael Curry  
Roya Johnson  
Jerry Lloyd  
Mark Nixon  
Thomas Pantin  
Blake Tollett  
Diane Umstead  
John Volz  
Tina Weinberger

Kathleen Fox  
City of Austin, Planning & Development Review Department  
505 Barton Springs Rd.  
Austin, Texas 78704

Re: *Central West Austin Neighborhood Plan Amendment NPA-2019-0027.02 (2401 Winsted)*

Dear Kathleen:

After considering information provided at the July 11 community meeting with the Central West Austin Neighborhood Plan Contact Team (NPCT) and additional input from neighbors regarding the requested amendment to our Future Land Use Map (FLUM) for 2401 Winsted Lane, **I am writing to provide the contact team's recommendation that the FLUM amendment request be denied** because of the project does not comport with neighborhood plan's guidance for locating commercial services in our existing commercial centers, and not in existing residential areas. Until such time as the larger tracts are developed, the neighborhood plan envisions that commercial activity, such as proposed here, belongs in existing commercial areas (e.g., along Exposition and Lake Austin Boulevard) that fit into the scale of their commercial areas and serve the immediate community, but expressly cautions in the same breath that any new development or redevelopment should not increase traffic in the neighborhood.

In opposing the FLUM amendment, we note that the "neighborhood mixed use" request is not consistent with the goals and objectives of our neighborhood plan. *See*, Land Use Goal and objective 2. Moreover, it threatens to **eliminate some of the neighborhood's most affordable, multi-family housing**. In addition, the proposed restaurant use here clearly amounts to improper "**spot zoning**" that does not comply the City's "[Zoning Principles](#)" which provide a guide to preserve compatible land uses. There is also a **valid petition** signed by 64% (7 out of 11) of the eligible property owners in opposition to the request. Moreover, the proposed location for the requested "mixed use"/restaurant zoning **does not comply with Imagine Austin since this intersection with Windsor Road is not on the ASMP Transit Priority Network and is not an Imagine Austin corridor**. Finally and most importantly, the additional pedestrian and vehicle traffic to a restaurant located here presents an **unacceptable safety risk to pedestrians and vehicle traffic** since the existing, narrow street already receives dangerous cut-through traffic coming from MoPac and Winsted, and has been the site of at least 16 vehicle crash and traffic hazard reports to APD since 2017. **With applicant's projected 10-fold increase in trip counts with their proposal, this is not the right place to increase pedestrian traffic on a cut-through street that has no sidewalks**. Unless and until the city and/or Applicant provide for infrastructure improvements to address safety concerns (e.g., limited sidewalks, narrow street, MoPac/bypass proximity, inadequate parking, poor traffic signaling and crosswalks, etc.), no new commercial uses should be introduced here.

Due to substantial safety concerns about the location of the proposed restaurant/park project, we instead would support permitting and approval of a food truck at the Tarrytown Neighborhood Park (aka Triangle Park) on selected dates (e.g., weekends) as meeting the park and food option objectives of this proposal, but at a better, safer location. Perhaps a location at the southmost corner of the park would be best in terms of minimal impact to existing residential homes. However, any consideration of this proposal should be sure to consider input from affected neighbors.

Thank you for your consideration.

Michael Rocco Cannatti  
Chair, Central West Austin Neighborhood Plan Contact Team

# CENTRAL WEST AUSTIN NEIGHBORHOOD PLAN CONTACT TEAM

October 8, 2019

Organized 2010

*"To facilitate the implementation of the Central West Austin Combined Neighborhood Plan."*

## OFFICERS

Michael Cannatti  
Chair

August Harris  
Vice Chair

Joyce Basciano  
Secretary

## EXECUTIVE COMMITTEE

Trevor Armstrong  
Michael Curry  
Roya Johnson  
Jerry Lloyd  
Mark Nixon  
Thomas Pantin  
Blake Tollett  
Diane Umstead  
John Volz  
Tina Weinberger

Chairman Kazi  
City of Austin Planning Commission  
505 Barton Springs Rd.  
Austin, Texas 78704

*Re: Central West Austin Neighborhood Plan Amendment NPA-2019-0027.02 (2401 Winsted)*

Dear Chairman Kazi:

Following up to the contact team's recommendation against that the FLUM/zoning change, we are writing with two proposals to help advance the proposed benefits of this project.

**First, we submit that there are better options for achieving stated purpose which can allow the "food truck" project without departing from the current zoning or risking the existing multifamily affordable housing.** We request that the Planning Commission consider alternative code tools to achieve this compromise solution, such as:

- Allowing a permitted food truck to operate on private property without requiring zoning change.
- Using "Mobile Food Sales" provisions of new draft code (23-3D-1240 Mobile Food Sales) to permit "food truck" use on limited basis with multifamily zoned properties.
  - "Mobile Food Sales" (a food truck) permitting provides for non-permanent uses that do not require permanent water or wastewater, and do not require a site plan or site plan exemption, or even a temp use permit required.
  - Requested ZONING is PERMANENT. So massive upzoning to a permanent allowance of a restaurant use just so a temporary food truck can operate on the property is overkill and way more than is needed to achieve the outcome, and wrecklessly jeopardizes existing multifamily housing.
- Evaluating existing neighborhood parks (Tarrytown, Westenfield) as better, safer locations for permitted food truck to meet the stated park and food option objectives with benefit of public input.

**Second, the Planning Commission should address pedestrian and vehicle safety issues as part of any recommendation to Council.** In particular, unless and until the city and/or Applicant provide the following infrastructure improvements to address safety problems (e.g., limited sidewalks, narrow street, MoPac/bypass proximity, inadequate parking, poor traffic signaling and crosswalks, etc.), no new commercial uses should be introduced here:

- Eliminate the eastbound ramp/right turn lane from Windsor to Winsted to force right turn at light instead of speeding thru a turn without regard.
- Add sidewalks along Winsted leading to the site from Tarrytown Neighborhood Park.

- Connect sidewalk networks from east to west of Mopac and make it accessible.

Currently this site is not connected to the west side neighborhood by sidewalks, even though it's supposed to also serve the west side safely.

- Add traffic calming along Winsted and Windsor, like the traffic humps on Westover. Windsor and Winsted are both plagued with speeding, and there are blind turns coming onto Windsor from side streets.
- Add a hawkeye sensor at the Windsor crosswalk near The Girls' School to allow safe

pedestrian crossing to the sidewalk network on north of Windsor.

- Add sidewalks and traffic/parking management tools (e.g., parking limits, such as parking only on one side, limited hours of parking, residential parking permit, etc.) to Winsted area since it is a major cut-thru street that is narrow and already difficult to drive and walk along (no sidewalks).
- A pedestrian plan is needed for the proposed zoning/use.

We welcome and appreciate the efforts by the Planning Commissioners to help find a solution here, and hope you will actively consider these proposals as a genuine attempt to achieve the community benefits without impairing the multifamily housing opportunities at the site or creating additional safety risks to a street that is already dangerous for pedestrians and traffic.

Thank you for your consideration.

Michael Rocco Cannatti

Chair, Central West Austin Neighborhood Plan Contact Team

Letters from the Neighborhood Regarding the  
Neighborhood Plan Amendment Request

See attached letter and emails.



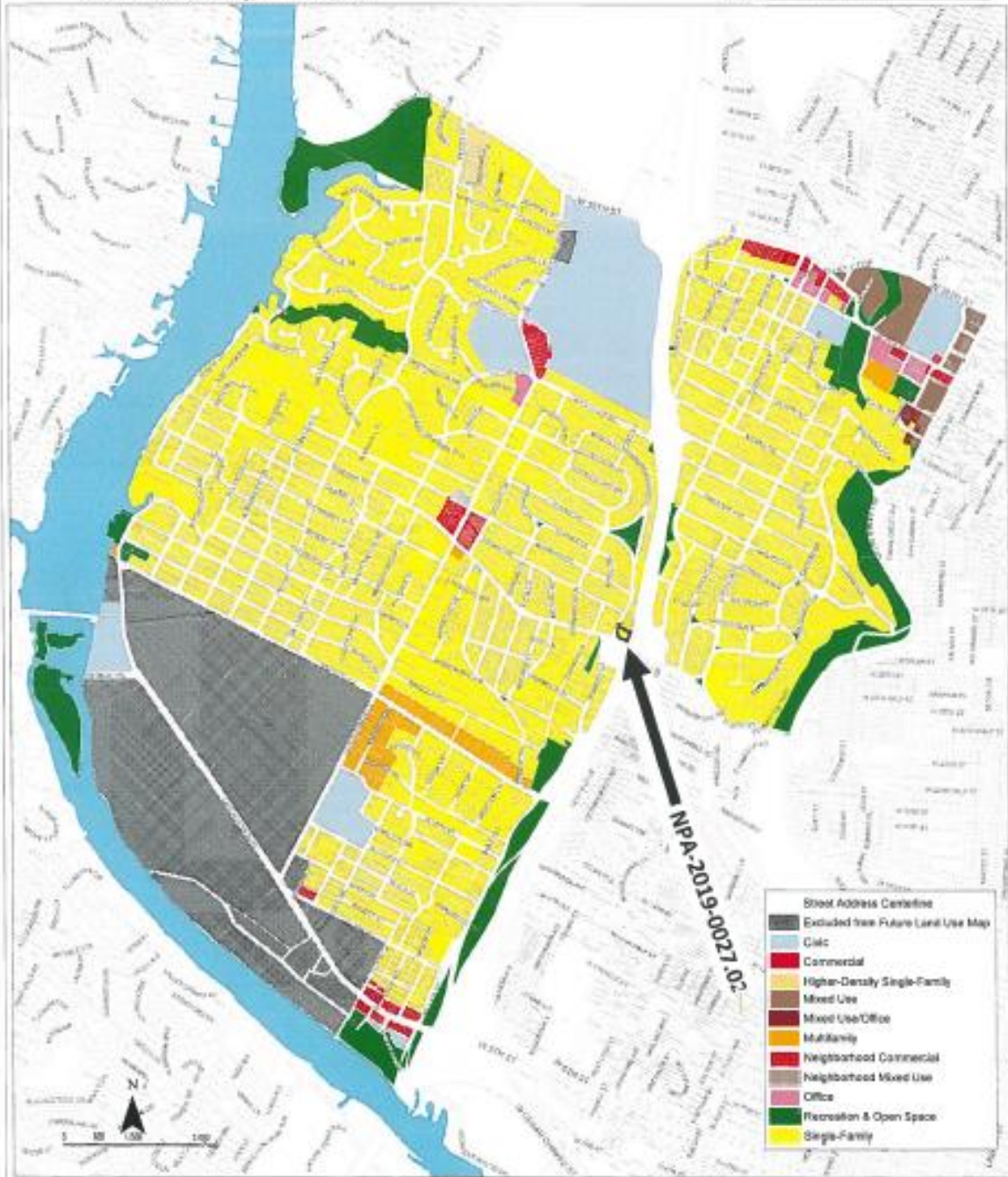
# Central West Austin Combined Neighborhood Planning Area Future Land Use Map

Plan Adopted: September 23, 2010  
Last Revised: Thursday, March 24, 2015

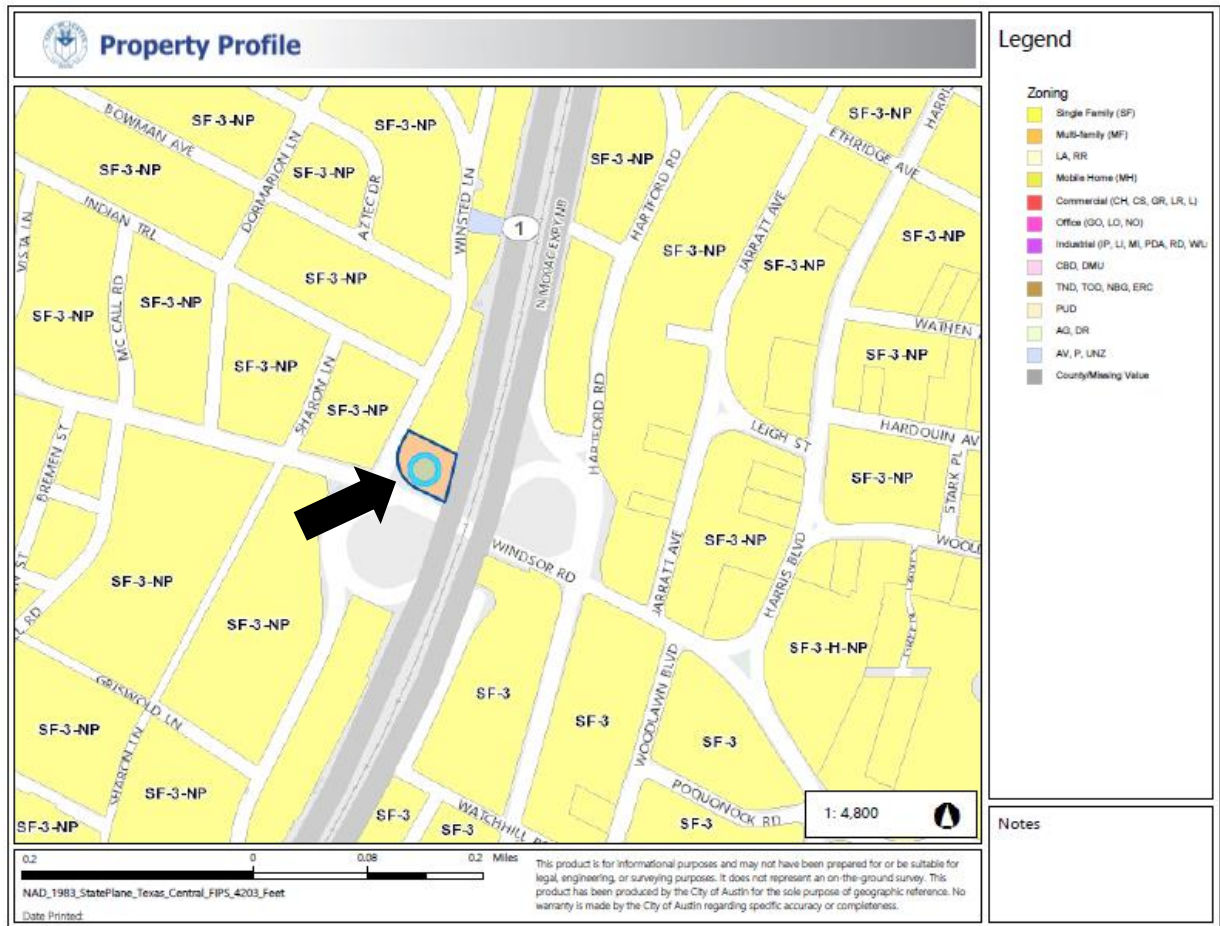
A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. Updates may occur over the date of this map. Please verify with the City of Austin.

The designation of a land use category does not imply that the most intense zoning district associated with that category will be automatically recommended or approved.

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of aiding neighborhood planning discussions and is not intended for any other use. No warranty is made by the City regarding its accuracy or completeness.







Zoning Map



# Aerial





**Subject Property (leading to the driveway exit)**



**Subject Property (Interior)**



Viewing North



Viewing South



Viewing West



Viewing East





**From:** Blake Tollett [mailto:[REDACTED]]  
**Sent:** Monday, September 16, 2019 3:30 PM  
**To:** Chaffin, Heather [REDACTED]; Rusthoven, Jerry  
<[REDACTED]>  
**Cc:** Mike Cannatt [REDACTED]; Fox, Kathleen [REDACTED]; Holly Reed  
<[REDACTED]>  
**Subject:** Re: 2401 Winsted Zoning (C14-2019-0049) and Neighborhood Plan Amendment (NPA-2019-0027.02) Cases

Good Afternoon Heather and City of Austin-

I have been following along the conversation RE: the rezoning request at 2401 Winsted, and I definitely look forward to reading City Staff's report later this week. I have included Jerry Rusthoven on this comment because we have known each other for decades and he has institutional knowledge you may not. How City Staff is going to justify what is evident on its face as being spot zoning is still a mystery to me. Prior to neighborhood plans these rezoning requests went to the ZAP Commission, and back then the Chair of the ZAP Commission was Betty Baker. One thing she always emphasized, and as my neighborhood association's land person I took to heart, was that spot zoning is very, very seldom justified in land planning. Again, I look forward to seeing your justification on this.

Blake Tollett  
West Austin Neighborhood Group  
Central West Austin Neighborhood Plan Contact Team