

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Thanks,
Jan.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0141

Contact: Wendy Rhoades, 512-974-7719

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

Bryan & Jen Paul.

Your Name (please print)

☐ I am in favor
☒ I object

1906 Inverness Blvd Austin TX
Your address(es) affected by this application 78745
11/8/19.

[Signature]

Signature

Date

Daytime Telephone: 512-825-8784

Comments: WE have lived here for over 6
years and have seen this neighborhood
progress significantly. Young families moved in, homes
are being updated and several nice new homes built.
3 young families live within 500ft of this property.
I have 2 young children, the others include 2
expecting moms (including me). This is a residential
neighborhood, all homes face residential streets. WE
worry re-zoning will impact the quality of life and
safety of our children, as well as the value of
our home.

If you use this form to comment, it may be returned to: our home
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810
PARKING is already difficult
and there are several empty
commercial buildings that
could be used for
parking instead of sacrificing
5-3 housing. WE fear opening

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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

2/7/2019

George E. Mosley & Elizabeth M. Mosley

Your Name (please print)

1802 N. VERNESS BLVD
AUSTIN, TX 78745

☐ I am in favor
☒ I object

Your address(es) affected by this application

George E. Mosley & Elizabeth M. Mosley
Signature Date

Daytime Telephone: 512-444-5124

Comments: "NO" - THIS CORNER LOT HAS BEEN A PROBLEM FOR DECADES - WE'VE PUT UP 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

E.M.M.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Rhoades, Wendy

From: Alanna Gold <gold.alanna@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:gold.alanna@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 <merilawalker@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 <jengauldingpaul@gmail.com>
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Alanna Gold
<goldalanna@gmail.com>; John Donaruma <Donaruma01@gmail.com>; bryan paul
<bryanpaul@gmail.com>; Merila Thorne-Thompson <merila-walker@gmail.com>; John
Thorne-Thompson <jthornethomson@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=rhL9yeJHMmUCynYV0gpaHYQlUeakbjOS5oWueW5EJlq7inE%2BsPiJJR3CO38Fn9WPo5kPrLtpNNStXeZqZRRcx%2Flp5lbjViGuhHQxezm7nSR1bjaDFK%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 
Sent: Monday, January 28, 2019 7:39 AM
To: Burkhardt, William - BC; Seeger, Patricia - BC; Shieh, James - BC; Kazi, Fayez - BC; Thompson, Jeffrey - BC; DeHoyosHart, Angela - BC; Anderson, Greg - BC; Kenny, Conor - BC; McGraw, Karen - BC; Shaw, Todd - BC; Witte, Tracy - BC; Schneider, Robert - BC; Flores, Yvette - BC; Teich, Ann - BC
Cc: Carye West (ICE); Gregory Dayton; to: Jennifer Paul; Rhoades, Wendy; Alanna Gold; John Donaruma; bryan paul; Merila Thorne-Thompson; John Thorne-Thompson; Dave Chakos
Subject: 1907 Inverness Blvd; Case Number: C14-2018-0141 Rezoning Request

Good morning Austin Planning Commission,

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

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

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

At least 10 homes on Inverness Blvd. along with their 10+ inhabitants were all very upset to learn about the proposed zoning change of this property. There have been a slough of emails directed at the case manager Wendy Rhodes (and bless her heart for her patience and professionalism) but she has no control over what happens to this property.

In a nutshell (and this is VERY important):

There are at least 20 tax paying homeowners on Inverness Boulevard who oppose this 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.


Rhoades, Wendy

From: Gregory Dayton <gregdayton@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
~~gregdayton@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, 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]; 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

1907 Inverness Blvd

Austin, TX 78745 · Retail For Sale



TRANS CORNER PROPERTY ON MANCHACA RD

[Get Financing](#)

Price	Upon Request	Lot Size	0.18 AC
Property Type	Retail	Gross Leasable Area	1,575 SF
Property Sub-type	Storefront Retail/Office	No. Stories	1
Building Class	C	Year Built	1967
Sale Type	Owner User	Zoning Description	SF-3

Listing ID: 14081542

Date Created: 10/15/2018

Last Updated: 2/5/2019

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.

Martha Denham

Monica McClain

Commercial Market Exchange

512-831-8586

Contact

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: