

March 9, 2021

Kate Clark
Housing and Planning Department
Street-Jones Building
1000 E. 11th St., Suite 200
Austin, TX 78702

Ms. Clark,

I hope you all are well and that the recovery from winter storm Uri is near its end. While I missed the devastation of Uri, this past weekend I had the uncomfortable experience of dealing with an inebriated trespasser.

I will first begin with a little context. I relocated to Austin on 21 February 2021 to serve as a residential real estate property manager. The property is located on the block bordered by 5th and Oltorf and is less than 400 feet from the proposed rezoning. Shortly after my arrival, the property owner informed me of the proposed rezoning change and his opposition against a liquor store in the community. Since then, I conducted due diligence to understand the consequences of converting the Sunrise Minimart into a liquor store, which included researching alcohol-related crime statistics. According to the website alcoholrehabguide.org, "An estimated 1.4 million incidents of alcohol-related violence are committed against strangers each year."

In addition to the tenants of the property I manage, I have had conversations with our neighbors regarding the proposed rezoning. To protect the identity of the individuals, I will use fictitious names. Frank recently relocated to Austin and loves his neighbors and the area. However, he believes that converting the convenience store into a liquor store would only result in "bringing the community down." Jeff, a father of three young children, also relocated to Austin for work. He has had his car broken into on multiple occasions. How does a father explain these circumstances to his children? His experiences themselves serve as strong evidence against the proposed rezoning. One of our tenants, Jessica, has also experienced automobile burglary. Shirley, similar to Frank, believes a liquor store would not improve the community. Rose, another local resident, believes a liquor store would not benefit the children in the area. Furthermore, Diane likes the convenience store as it is because she is able to get her half-and-half when she's in a pinch. Trish proposed converting the convenience store to a community garden for the sake of the neighborhood children.

With Jeff's guidance, I found the Galindo community on Facebook. Here is the perspective from an advocate of the rezoning:

"We already have a number of bars and liquor stores in our residential area - what's one more (particularly if the owners are going to make improvements)?"

This advocate may not be aware that a mere 0.4 miles separates the Sunrise Mini Mart from 2424 S 1st St or Warehouse Liquors. Is the planning commission aware of Warehouse Liquor's proximity to the rezoning project?

My personal experience from this past Saturday is self-explanatory. Just before 3:00 PM, I was finishing my duties in the back of the residential property I manage. Out of the corner of my eye, I observed a gentleman stroll up to the back doors of our downstairs units. Being fairly new, I was unsure of who this gentleman was and of his purpose on the property. After a few zips from his backpack and a few audible clicks, he sat with his back against the wall between the two backdoors of the units. From my vantage point, I could only see his boots. With a power drill still in hand, I stepped back to see his face and asked him what he was doing here. With a slight slur to his speech, he responded "I'm charging my phone, man." I politely asked him to leave but soon realized my safety might be in jeopardy when he asked me in an aggressive tone, "You got a problem with me charging my phone here, man? I'll be done in 15 minutes then I'll leave."

He was holding a 24 ounce can of Earthquake High Gravity Lager, which has an alcohol content of 10%. A good guess would be that it was purchased from the Sunrise Minimart in concern. Who knows what he had in his backpack or in his pockets. Wanting to protect myself, I finished up what I was working on and returned to my car to leave. Calling law enforcement crossed my mind, but I decided against it for fear of retaliation in the future. Instead, I took one last stand before pulling out of the driveway. I stepped out of the car and from a distance I asked him to leave.

He told me that he was a taxpayer, he asked me if I was racist, and he asked me if I had something against poor people. He made me feel uncomfortable about doing the right thing: advising him that this is private property and that he should find a public place to charge his phone. After ten minutes of listening to him talk ad nauseam, we shook hands and he finally left the premises.

I do not wish for any Galindo resident to experience what I had to on Saturday. I advise you to check out the Galindo Elementary Neighborhood Association Facebook group to learn more about how this same gentleman, Earthquake in hand, was terrorizing another household on South 4th and Oltorf.

Sunday morning, I had the pleasure of attending services at San Jose Catholic Church. The serenity and relief I felt was a stark contrast to the emotions I felt during the encounter the day before. In the near future, I look forward to discussing the rezoning project with church members and leaders.

In summary, I have reviewed the zoning change review sheet. I echo Steve's and Shannon's rezoning sentiments. After visiting the Sunrise Mini Mart, I suggest the owners focus on improving the shopping experience instead of assuming that they would be able to manage a liquor store. As Steve mentioned, the Sunrise Mini Mart doesn't even have a restroom. Planning commission officials should also take into consideration the Google reviews of the Sunrise Mini Mart.

I hope my letter can serve to represent the new Austin resident's perspective on how a liquor store on the corner would be a detriment to the community.

From a holistic standpoint, it is clear that an alcohol-only establishment is the last thing Galindo needs.

Sincerely,

Christopher Szeto

Clark, Kate

From: Aubergine Holdings
Sent: Tuesday, March 9, 2021 1:43 PM
To: Clark, Kate
Subject: Re: Rezoning Case C14-2021-0007 - 913-915 W. Oltorf St.

Thank you for the message, Kate.

In regards to Land Use and Transportation Policy 3 of the Imagine Austin Comprehensive Plan, it is my understanding that a liquor store will increase, not reduce, healthcare costs. You never hear a doctor recommending a cocktail to their patients.

Regarding LUT P4, we do not want Galindo's character to be defined as a neighborhood with two liquor stores within a half mile of each other. One liquor store is enough.

Additionally, we hope the planning commission considers all IACP LUT policies, especially LUT P5:

Create healthy and family-friendly communities through development that includes a mix of land uses and housing types, affords realistic opportunities for transit, bicycle, and pedestrian travel, and provides community gathering spaces, neighborhood gardens and family farms, parks, and safe outdoor play areas for children.

A liquor store would not support LUT P5. We imagine an Austin where the well-being of our youth takes precedence over the profits from alcohol sales.

We hope these thoughts are also forwarded to the planning commission.

We appreciate your work on this project and look forward to hearing from you regarding the speaker registration. Enjoy your time away from the office next week. Thank you.

Best,

Chris

On Tue, Mar 9, 2021 at 11:50 AM Clark, Kate <Kate.Clark@austintexas.gov> wrote:

Chris,

Thank you for sending me your letter, I have forwarded it to the Board Liaison. Due to timing I am not 100% sure if it can be posted online, but even if it is not, it will get forwarded to the Planning Commissioners to read prior to tonight's meeting. I will also include it in my staff backup for this case when it goes to City Council for review.

Speaker registration will open on Monday, March 22nd for the City Council meeting. I will send you an email about the process once registration is open. You may forward that email to other people if think they would find the information helpful.

If you have any questions, please let me know by Friday. I will be out of the office next week (March 15 – March 19) and unable to answer emails at that time.

Kate Clark, AICP, LEED AP

Senior Planner

City of Austin | Housing and Planning Department

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From: Aubergine Holdings
Sent: Tuesday, March 9, 2021 11:14 AM
To: Clark, Kate <Kate.Clark@austintexas.gov>
Subject: Rezoning Case C14-2021-0007 - 913-915 W. Oltorf St.

*** External Email - Exercise Caution ***

Kate,

It was a pleasure speaking with you earlier this morning.

Attached is a statement regarding the proposed rezoning. Please forward this letter to the planning commission.

Please also let us know how my colleagues and I can participate in the City Council Action meeting on 25 March.

We look forward to attending this evening's meeting.
Thank you.

Best,

Christopher Szeto

(919)-536-8898
Aubergine Holdings, LLC

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