

Grantham, Scott

From: Sarah burleson <>
Sent: Monday, February 8, 2021 10:03 PM
To: Grantham, Scott
Subject: SP-2019-0600C

*** External Email - Exercise Caution ***

Hello Mr. Grantham:

I am writing to let you know that **I object to the exemption for case # SP-2019-0600C**. I am a property owner and resident near the development at 412 Philco Drive, 78745.

Thank you for your time and taking this objection into account.

All best,
Sarah Burleson

Sarah Burleson
Home Owner
412 Philco Drive, Austin, 78745
512-636-4178
sarah.burleson.atx@gmail.com

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Grantham, Scott

From: Cassi Clinton <>
Sent: Monday, February 8, 2021 10:41 PM
To: Grantham, Scott
Subject: Sp-2019-0600c

*** External Email - Exercise Caution ***

Hi Scott,

I live at 5305 harvest Lane. I have two small children and we access the green belt at Williamson creek several times a week and we love having this public land to enjoy. Allowing The Bend to obtain their own land eliminates entry and enjoyment to the families thAt live and enjoy the green belt. Further, it eliminates out ability to enjoy what should be public land for all. Please do not allow The Bend to confiscate public land.

Thank you,

Cassi Clinton

512-850-2828

Sent from my iPhone

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Grantham, Scott

From: adam hulse <>
Sent: Monday, February 8, 2021 2:35 PM
To: Grantham, Scott
Subject: Case number sp-2019-0600C

*** External Email - Exercise Caution ***

Mr Grantham,

I strongly object to the developers request for exemption to the city's REQUIREMENT to provide park land as part of this development.

Case: SP-2019-0600C

Thank you.

Adam Hulse
301 Southview
Austin, TX 78745

Sent from my iPhone

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Grantham, Scott

From: Howard Kalish <>
Sent: Sunday, February 7, 2021 7:16 PM
To: Grantham, Scott
Subject: Developer's Request for Parkland Exemption

*** External Email - Exercise Caution ***

Hello Mr. Grantham

I hear that the developer who is building a 125-unit development on the east side of South Congress has requested an exception to the city's parkland requirement. I read about their original plans to put in a park with native plants and I thought, well at least it will have some redeeming features to compensate for the added traffic and tax on the infrastructure.

But now I hear they don't want to set aside the park. That creek is flood prone and there needs to be a big buffer between it and new concrete for the parking lots. A park would be a good way to keep the creek healthy and make for a better environment for the neighborhood. I hope you'll see that the developer's request is denied and the parkland stays in the picture.

I live at the east end of Philco Dr and I am looking forward to having a new park nearby.

Thanks,
Howard Kalish
Philco Dr
78745

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Grantham, Scott

From: Tawnia King <>
Sent: Monday, February 8, 2021 5:32 PM
To: Grantham, Scott
Subject: 4802 Congress Ave.

*** External Email - Exercise Caution ***

Hi Scott,

I live on Lareina Drive near the proposed development. I'm emailing to object to the exemption for case # SP-2019-0600C.

Thank you,



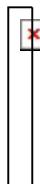
AdvancedPetCareATX.com



Big Frida the Van

CamperVan Rental

BigFridatheVan.com



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Grantham, Scott

From: Gordon Lang <>
Sent: Thursday, February 4, 2021 12:51 PM
To: Grantham, Scott
Subject: objection to # SP-2019-0600C

Follow Up Flag: Follow up
Flag Status: Flagged

*** External Email - Exercise Caution ***

Hi Scott - My name is Gordon Lang and I live at 5108 Greenheart Dr. I am writing to object to the exemption for case # SP-2019-0600C. Our neighborhood worries that this will cut us off from using the parkland.

thank you,
Gordon

--

Gordon Lang
langgordon@gmail.com
812-212-1845

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Grantham, Scott

From: Lavender Marsh <>
Sent: Tuesday, February 9, 2021 11:16 AM Grantham,
To: Scott
Subject: SP-2019-0600C

*** External Email - Exercise Caution ***

Hi Scott,

I am writing in regard to the proposed 125-unit development case number SP-2019-0600C on S. Congress. I object to the size of the development, and I definitely object to the payment of a fee in lieu of parkland.

Williamson Creek is home to a diversity of wildlife. Humans forget that if we drive out all creatures and their habitat we deem beneath us, we ultimately suffer. In our backyard alone, there are barred owls, coyotes, fox, deer, armadillos, racoons, possums, squirrels (red and rock), moon (Mediterranean house) geckos, Texas spiny lizards, anoles, cardinals, blue jays, wrens, titmice, doves, cedar waxwings, fritillary butterflies, monarch butterflies, greater earless lizards, little brown skinks, Gulf Coast toads, red swamp crayfish, Western ratsnakes, and more. These creatures are important to the ecosystem we inhabit, and need to flourish. We are connected to these animals.

If only developers would understand this, the draw of nature, instead of 5 more apartments (and none that help with Austin's struggling affordability and gentrification problem). Parkland right outside your apartment? What a wonderful idea!

-Lavender Marsh
4601 Goliad Ln
Austin TX 78745

--
Lavender Marsh
she/her

www.lavendermarsh.com

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Grantham, Scott

From: Tish Phillips <>
Sent: Friday, February 5, 2021 9:48 AM
To: Grantham, Scott
Subject: SP-2019-0600C

*** External Email - Exercise Caution ***

Good morning Scott,

I object to the developers application for exemption on this project.

thank you,

Leticia Phillips
4607 Goliad Lane
Austin, TX
512.422.1903

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Grantham, Scott

From: stacy speciale
Sent: Monday, February 8, 2021 2:06 PM
To: Grantham, Scott
Subject: 125 development plan

*** External Email - Exercise Caution ***

Mr. Grantham I understand you are informed regarding a developer whom asked for an "exemption" to the city's requirements in providing park land as part of a proposed development. I am opposed to the developers application without an agreement to provide a park in our and for our community. I am stating my objection in this development case # SP-2019-0600C

Stacy Speciale
4605 Pastel Pl.
Austin, Texas. 78745-1915

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Grantham, Scott

From: Mike Vilece <>
Sent: Monday, February 8, 2021 11:59 PM
To: Grantham, Scott
Subject: Objection to # SP-2019-0600C

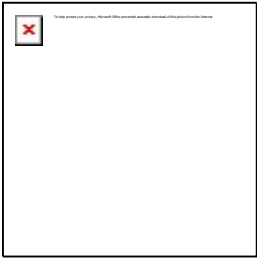
*** External Email - Exercise Caution ***

Hi Scott -

I object to this development and the developers application for exemption. My neighbors and I don't approve at all and believe it affects the future of Williamson Creek.

Thank you.

--

**MIKE V. VILECE**

Global Real Estate Advisor

☎ 512.565.1110 ☎ 512.831.6577 w

mikevilece.kuperrealty.com

📍 524 N. Lamar Blvd. Ste 204

Austin, Texas 78703



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Grantham, Scott

From: Robert Weldon <>
Sent: Sunday, February 7, 2021 8:32 AM
To: Grantham, Scott
Subject: Sp-2019-600c

*** External Email - Exercise Caution ***

I object to the new 125 unit proposed development in my area, my name is Robert Weldon and I live at 407 clover ct

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Grantham, Scott

From: David Hanson <>
Sent: Tuesday, February 9, 2021 1:47 PM
To: Grantham, Scott
Subject: 4802 Congress - objection to development exemption

*** External Email - Exercise Caution ***

To Scott Grantham,

I am writing to express objection to the request for exemption for case # SP-2019-0600C, the development at 4802 Congress Ave.

I understand the developer wants an exemption to the city's requirement that a part of the development be dedicated to park land.

This development backs up to my neighborhood, and it's been sad seeing massive buildings tower over us where trees used to be. The Williamson Green Belt runs just south of us (I live at 4505 Garnett St off St. Elmo between 1st and Congress) - and there is some amazing natural beauty there, and I regularly see all sorts of wildlife - deer, coyotes, tons of birds, roadrunners, etc. There is clearly teeming wildlife in that area and I often dreamed how awesome it would be to create a more dedicated trail element to it, much like the Barton Creek Greenbelt is now.

Any way to add more park land to this region should not be ignored. The developments have already put my livelihood at risk with massive offers to buy up the very property I rent. I fear I will not live here too much longer because of that. So please do the right thing and hold them accountable and maintain a beautiful Austin for its citizenry.

Thank you
- David Hanson

--

Dave Hanson
407-375-3042

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Grantham, Scott

From: Deborah Carroll <>
Sent: Wednesday, February 10, 2021 10:52 AM
To: Grantham, Scott
Subject: Park Land at New Development

*** External Email - Exercise Caution ***

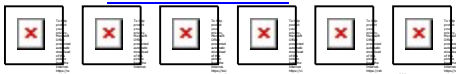
Hello, Scott-

I'm writing to let you know that I oppose the developer of the property near my home being able to do so without providing park land as part of the development.

Please ensure that this developer, case SP-2019-0600C, includes a good amount, as required by the CoA, of usable and decent park space in this development.

Thank you-
Deborah Carroll
404 Philco Dr.
Austin, 78745

Certified Canine Rehabilitation Practitioner ([CCRP](#))
Certified Strength and Conditioning Specialist® ([CSCS®](#))
Wilderness First Responder ([WFR](#))
Website Rehabdeb.com



(if you have a pet or human rehabilitation or nutrition question, please send it to my work email,) (thanks!)

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Grantham, Scott

From: Larry Petrowski <>
Sent: Friday, February 26, 2021 9:26 AM Grantham,
To: Scott
Subject: Fwd: Case Number: SP-2019-0600C

*** External Email - Exercise Caution ***

Sent from my iPhone

Begin forwarded message:

From: Larry Petrowski <>
Date: February 26, 2021 at 8:05:10 AM MST
To: scott.grantham@austintexas
Cc: Paula Petrowski <>
Subject: Case Number: SP-2019-0600C

Good morning. Under Petrowski Family Trust, my wife and I own a condo unit at Bel Air, 4801 S. Congress.

We did not receive the notice showing a mailing date of Jan. 22, 2021 until February 25, 2021. However, we support the dedication of land as part of the site plan, and not payment of a fee in lieu of parkland dedication.

Please let me know if this email is sufficient to reflect our position if a final decision has not already been made.

Lawrence C. Petrowski
602.909.9707

Sent from my iPhone

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Grantham, Scott

From: Stuart Frazier <>
Sent: Monday, March 29, 2021 3:55 PM
To: Grantham, Scott
Subject: SP-2019-0600C

*** External Email - Exercise Caution ***

I live in the Battle Bend Neighborhood and have explored this area in great detail.

I'm not sure if this has been decided but please deny this request to prevent the general public from accessing the williamson greenbelt in this location.

We as a city have to grow, and I'm fine with that! But we also need to take this opportunity to have the developers and businesses that are re-developing Austin help keep the greenspace evolving and growing at the same pace.

To restrict access to any of this space seems like it goes against every fiber of what makes Austin, Austin.

Just my thoughts. I appreciate you taking them into consideration.

Thanks,

Stuart Frazier
512.913.7073

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DATE: March 21, 2021

TO: City of Austin Planning Commissioners

CC: District 3 Council Member, Renteria: Pio.Renteria@austintexas.gov, Scott Grantham, PARD: Scott.Grantham@austintexas.gov

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

Re: SCCNPCT – Requesting Planning Commission (March 23, 2021) **Deny Appeal**
Case Number SP-2019-0600C - 4802 South Congress Avenue
“The Bend” - 125 MF condo units

Applicant: Mike McHone

Dear Commissioners,

We, the SCCNPCT, have been in communication with Scott Grantham from Austin Parks and Recreation Department (PARD), and Mike McHone, the applicant for this case at 4802 South Congress Avenue, and have heard both sides regarding intent and specifics for this appeal.

We, along with area neighbors, would like to have access preserved from South Congress Avenue through, along the south side of this property development as recommended by PARD (Plan A). Parkland and greenbelts are often rare. Having access so that all area residents may safely enjoy the Central Williamson Creek Greenbelt is critical. The dedicated parkland, parking, and access for all to enjoy will provide relaxation and exercise to all residents living within close proximity, leaving also intact an area for natural plants and established wildlife species to continue to live.

We understand if the applicant's request is denied by Planning Commission, PARD and the SCCNPCT will continue to work with the applicant on outstanding related issues, such as: the exact size and boundary of the parkland at the rear of the site along Williamson Creek, and the design of the drive/walkways where publicly accessible to promote safety and use by pedestrians, vehicles and emergency needs. As a registered “interested party”, the SCCNPCT, would like to be involved with the progress, access, and design of this dedicated parkland within the contact team area. Our understanding is that park policies, procedures, and rules are to be maintained in place, as per: Title 9. Prohibited activities - § 9-4-11 - CAMPING AND OBSTRUCTION IN CERTAIN PUBLIC AREAS PROHIBITED.

With new information since the previous postponement, the applicant, Mike McHone reported a 1984 plat of the property adjacent to the south of 4802 South Congress was discovered. According to records this lot, #3 at 4930 South Congress, includes a 10 ft. Public Utility Easement (PUE) which the applicant would like to use for pedestrian access to the Williamson Creek Greenbelt (PLAN B),

We, the SCCNPCT, along with area neighbors, request that (1) the current easement remains as per Austin Parks Dept’s recommendation (Plan A), coupled with (2) an understanding that PARD will continue to work with the applicant to thoroughly consider the new easement proposal (Plan B), and further, if the two parties then determine the newly proposed easement (Plan B) will not work, (3) the SCCNPCT maintains support for PARD’s initial recommendation (Plan A) resulting from Scott’s team’s thorough work over the last several months on the issue.

Important to note in this case, any “fee in lieu of” is far below and nowhere near the cost of The Bend’s least desirable, cheapest and smallest unit. We strongly urge and see the need for “fee in lieu” calculations to be reexamined, as the payoff from developers is out of line with current costs for land, development and housing in Austin. It is our understanding that any “fee in lieu” funds will be accumulated and deployed within the surrounding neighborhoods.

Additionally, for any future cases such as this, the Contact Team would appreciate notice and the opportunity to participate in discussions, before, during, and continuing after any site plan approval. All Neighborhood Contact Teams should be “interested parties” to projects within their boundaries.

We respectfully ask for you to please **deny this appeal**. If we want Austin to continue to be the green city we say it is, more parkland, accessible to all is needed within the city, and especially so in this East South Congress area.

Thank you,

Mario Cantu, Keena Miller, Gwen Jewiss, & SCCNPCT



NOTICE OF PUBLIC HEARING SITE PLAN APPEAL

Este aviso le informa de una audiencia pública tratando de un propuesto desarrollo o cambio dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al (512) 974-9116.

Mailing Date: January 22, 2021

Case Number: SP-2019-0600C

The City of Austin has sent this letter to inform you that we have received an appeal of a site plan. We are notifying you because City Ordinance requires that all property owners within 500 feet, residents who have a City utility account address within 500 feet, and registered environmental or neighborhood organizations whose declared boundaries are within 500 feet be notified when the City receives an application.

Applicant:	Mike McHone, (512) 554-8440
Owner:	Congress 4802, LLC, Mitch Ely, (512) 476-1976
Project Name:	Wilder
Project Address:	4802 S Congress Avenue

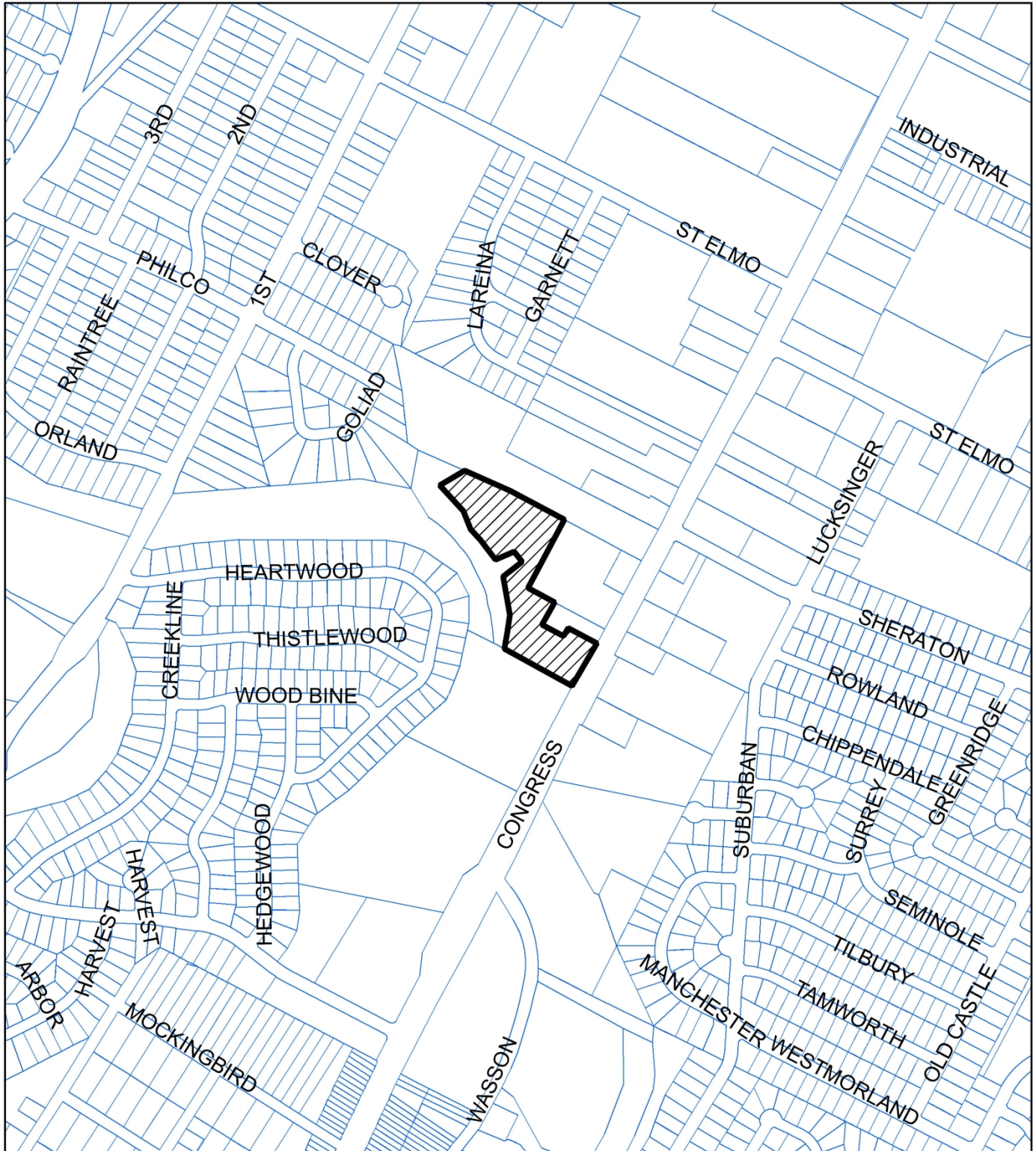
Project Description and Waiver/Variance Requested:



The applicant is proposing to construct 125 multi-family units along with associated improvements. The Parks and Recreation Department is requiring that the applicant dedicate land as part of the site plan. The applicant is appealing this decision and is requesting to pay fee in lieu of parkland dedication.

This application is scheduled to be heard by the Planning Commission on February 9, 2021. The meeting will be held online and viewable at <http://www.atxn.tv> beginning at 6:00 p.m. To find out how to participate in the meeting, please contact the case manager listed below by email or phone or go to the following website: Planning Commission: <http://www.austintexas.gov/content/planning-commission>. You must register in advance to speak at the hearing.

You can find more information on this site plan by inserting the case number at the following Web site: https://www.austintexas.gov/devreview/a_queryfolder_permits.jsp. For additional information about the project please contact the applicant, Mike McHone, 512-554-8440. For information about the appeal process, please contact the Parks and Recreation Department, at 512-974-9457 or via e-mail at scott.grantham@austintexas.gov or and refer to the case number located on this notice.

For additional information on the City of Austin's land development process, please visit our web site www.austintexas.gov/devservices.



 Subject Tract
 Base Map

CASE#: SP-2019-0600C
 LOCATION: 4802 S CONGRESS AVENUE

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Development Services Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

PUBLIC HEARING INFORMATION

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 a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

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

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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SP-2019-0600C

Contact: Scott Grantham, (512) 974-9457

Public Hearing: Planning Commission, February 9, 2021

Your Name (please print)

☐ I am in favor
☐ I object

Your address(es) affected by this application

Signature

Date

Daytime Telephone: _____

Comments: _____

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

City of Austin

Scott Grantham

P. O. Box 1088

Austin, TX 78767-1088

INFORMACIÓN DE AUDIENCIA PÚBLICA

Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia publica, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia publica, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo o cambio. Usted también puede contactar a una organización de protección al medio ambiente o organización de vecinos que ha expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia publica, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o recomendar aprobar o negar la aplicación. Si la comisión anuncia fecha y hora especifica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación publica.

La decisión de la Comisión puede ser apelada por una persona con pie de recurso o por una persona que ha sido identificado como una parte interesada. El organismo obteniendo la audiencia publica determinara si una persona esta legitimada para apelar una decisión.

Una enmienda de la ordenanza de zonificación puede incluir una superposición condicional que incluiría las condiciones aprobadas por la Comisión de Uso de la Tierra o el Ayuntamiento. Si la aprobación final es por la acción del Consejo de la Ciudad, no hay apelación de la acción de la Comisión de Uso de la Tierra.

Una parte interesada, se define como una persona que es el solicitante o el titular de registro de la propiedad en cuestión o que se comunica el interés de una junta o comisión por:

- la entrega de una declaración por escrito a la junta o comisión, antes o durante la audiencia pública que generalmente se identifica los temas de interés (que puede ser entregado al contacto que aparece en un anuncio), o
- que aparecen y habla por el registro en la audiencia pública, y
- ocupa una residencia principal que se encuentra dentro de 500 pies de la propiedad en cuestión o el desarrollo propuesto,
- es el registro dueño de la propiedad dentro de 500 pies de la propiedad en cuestión o desarrollo propuesto,
- es un funcionario de medio ambiente o la organización de la vecindad que tiene un interés o cuyos límites declarados son de 500 pies de la propiedad en cuestión o el desarrollo propuesto.

Un aviso de apelación debe ser presentada con el director del departamento responsable, a más tardar 14 días después de la decisión. Un formulario de apelación puede estar disponible en el departamento responsable.

Para obtener información adicional sobre el proceso de desarrollo de la ciudad de Austin, visite nuestro sitio Web: www.austintexas.gov/devservices.

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia publica. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia publica, el número de caso, y el nombre de la persona designada en la noticia oficial.

Numero de caso: SP-2019-0600C

Persona designada: Scott Grantham, (512) 974-9457

Audiencia Pública: Planning Commission, February 9, 2021

Su Nombre (en letra de molde)

Su domicilio(s) afectado(s) por esta solicitud

Firma

Fecha

Comentarios: _____

Si usted usa esta forma para proveer comentarios, puede retornarlos a:
City of Austin
Scott Grantham
P. O. Box 1088
Austin, TX 78767-1088