

ZONING CHANGE REVIEW SHEET

CASE:C14-2021-0137 – 3427 Jefferson Street DISTRICT: 10

ZONING FROM: LR-NP TO: CS-NP

ADDRESS: 3427 Jefferson Street

SITE AREA: 0.16 acres (6,969 sq. ft.)

PROPERTY OWNER:

Estate of Tom Wiley
(Lindabeth Doby, Executor)

AGENT:

Metcalf Wolff Stuart & Williams, LLP
(Michele Rogerson Lynch)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – neighborhood plan (CS-NP) combining district zoning. *For a summary of the basis of staff's recommendation, see case manager comments on pages 2 – 3.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

October 26, 2021:

October 12, 2021: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO OCTOBER 26, 2021, BY CONSENT*

[R. SCHNEIDER; J. SHIEH – 2ND] (9-0) S. PRAXIS – NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA; A. AZHAR, J. CONNOLLY, C. HEMPEL – ABSENT

CITY COUNCIL ACTION:

November 18, 2021:

ORDINANCE NUMBER:

ISSUES:

Neither building elevations nor site plans were submitted with the rezoning application. Telephone calls to staff from neighbors focused on their concern about the potential height or scale of the building and volume of additional traffic that will be generated from the building. All correspondence received is attached at the back of this packet.

CASE MANAGER COMMENTS:

The rezoning tract ("Tract") is a through lot with frontage on Jefferson Street and Glenview Avenue. The Tract is 0.16 acres (6,969 square feet) and currently has neighborhood commercial-neighborhood plan (LR-NP) combining district zoning. Applicant proposes to assemble the adjacent general commercial services-neighborhood plan (CS-NP) combining district zoned lots with the rezoned subject Tract to develop an office and commercial building. The combined area of the general commercial services-neighborhood plan (CS-NP) combining district zoned lots and the Tract is 0.464 acres (20,210 square feet). The proposed building would have about 36,000 square feet of office uses and 5,000 square feet of Commercial uses.

West 35th Street is a Core Transit Corridor and classified in the Austin Strategic Mobility Plan (ASMP) as a level 3 road. Jefferson Street is a level 2 road. There are 2 through lanes and a bike lane in each direction and a center turn lane. Both sides of W. 35th St. have sidewalks. Using the #19 MetroBus: the trip to the UT Keeton Station is 16 minutes. The trip to Republic Square Station is 28 minutes including the 5-minute (0.2 mile) walk to the stop at W. 35th and Crawford Ave. W. 35th St. is also served by routes 335 and 491.

Neighborhood Plan

The rezoning tract is in the Windsor Road Neighborhood Planning Area, a part of the Central West Austin Combined Neighborhood Plan. The Future Land Use Map shows the area as commercial and encourages development of commercial activities and employment centers. No plan amendment is required because the requested CS zoning is consistent with the plan. (See "Comprehensive Planning" comments in Other Staff Comments below).

BASIS OF RECOMMENDATION:

The Staff recommendation is to grant general commercial services-neighborhood plan (CS-NP) combining district zoning.

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

General commercial services (CS) district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. Neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

A Neighborhood Plan Amendment is **not** required because the area is designated commercial in the Future Land Use Map (FLUM). The proposed CS-NP zoning permits the proposed office and commercial land uses. West 35th is a significant Street. It's a Core Transit Corridor and classified in the Austin Strategic Mobility Plan as a level 3 roadway with 2 lanes in each direction and center turn lane as well as having on-street bike paths on both sides. W. 35th St. is an Imagine Austin Comprehensive Plan Activity Corridor where development is supposed to be compact and connected, walkable and bicycle friendly. Activity Corridors are supposed to be places to find goods and services, education, entertainment, and employment. The proposed office and commercial uses are consistent with the commercial district requested, the FLUM and the Activity Corridor location.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

All four quadrants of the W. 35th St. and Jefferson St. have CS zoning. The half mile stretch between MoPac Expressway (western boundary of Neighborhood Plan Area) to Ascension Seton Medical Center, W. 35th St. is a busy commercial area with restaurants, banking, salons and professional offices in addition to pharmacies, flower shops, allied health offices and services. The office and commercial development continues east as W. 35th St. transitions into W. 38th Street between Kerby Lane and Shoal Creek Blvd. Continuing eastbound, W. 38th St. has medical offices all the way to the eastern boundary of the Neighborhood Plan area at N. Lamar Blvd.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	LR-NP	Vacant restaurant (former Burger King)
North	CS-NP	Parking for restaurant
South	LO-NP; NO-NP; NO-MU-CO-NP	Professional offices; Administrative offices; Professional offices
East	GR-NP; NO-MU-NP; LO-NP	(across Glenview Ave.) Restaurant; surface parking, Professional offices and surface parking
West	CS-NP, LO-NP	(across Jefferson St.) Banking, retail

NEIGHBORHOOD PLANNING AREA: Central West Austin Combined N.P. (20100923-102) with Windsor Road N.P. (20100923-103). Land use shown on Future Land Use Map: Commercial. Proposed land use with rezoning application: Commercial. Plan Amendment is not required.

TIA: The Transportation Impact Assessment determination is deferred until site plan application, when land use and intensity is finalized.

WATERSHED: Shoal Creek – Urban

OVERLAYS: ADU Approximate Area Reduced Parking Residential Design Standards:
LDC/25-2-Subchapter F

SCHOOLS: AISD

Bryker Woods Elementary School O’Henry Middle School Austin High School

COMMUNITY REGISTRY LIST:

Austin Independent School District	Neighborhood Empowerment Foundation
Austin Lost and Found Pets	Preservation Austin
Austin Neighborhoods Council	Ridgelea Neighborhood Assn.
Bryker Woods Neighborhood Association	SELTexas
Central Austin Urbanists	Save Historic Mundy District
Central West Austin Neighborhood Plan	Shoal Creek Conservancy
Contact Team	Sierra Club, Austin Regional Group
Friends of Austin Neighborhoods	West Austin Neighborhood Group
Homeless Neighborhood Association	

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-96-0069 Kerbey Lane Village 1507-1513 W 35 th St	From SF-3 to GR	To Grant GR-MU-CO Conditions: no vehicle access to Kerby Lane; max 2,000 daily vehicle trips; Site Development Stds per “LR” district; List of prohibited uses; List of conditional uses.	Apvd. 08/15/1996 Ord.# 960815-B
C14-2019-0163 3405 Glenview Ave	Rezone 0.1791 ac from NO-NP to LO-NP	To grant	Apvd. 03/12/2020 Ord.# 20200312-058
C14-03-0161 1608 W 34 th St	Rezone SF-3 to NO. Staff Rec NO	To grant NO-MU-CO. Conditions: list of 16 prohibited uses; if existing structure replaced, FAR not to exceed 0.26:1	Apvd. 02/26/2004 Ord.# 040226-Z-6
C14-06-0139	Rezone P to GO-CO:	To grant	Apvd. 08/24/2006

Number	Request	Commission	City Council
Mills Ave Parking Rezoning 3401 Mills Ave	Conditions: List of 20 prohibited uses.		Ord.# 20060824-083
C14-00-2233 3409 Glenview Ave	SF-3 to LO. Amended to NO-MU	To grant	Apvd. 01/18/2001 Ord.# 010118-77
C14-2008-0003 Windsor Road NP Vertical Mixed Use Bldg Opt In/Opt Out	Rezone 27.46 ac	To grant	Apvd. 05/22/2008 Ord.#20080522-045(V) Apvd. 06/18/2008 Ord.# 20080618-079 (VMU)
C14-05-0103 3500 Jefferson St Ste 101	Rezone CS to CS-1-CO (1,557 sq. ft.). Conditions: max 300 trips/day	To grant	Apvd. 10/31/2005 Ord.# 20051020-054
C14-06-0020 Gallery Shoal Creek 1500 W 34 th St	Rezone LO to GO-CO: Conditions: development stds. per LO district; list of 5 prohibited uses	To grant	Apvd. 05/04/2006 Ord.# 20060504-036
C14-2008-0004 Rosedale Nbhd NPA Vertical Mixed Use Opt In/Opt out	Rezone 27.4 ac. to add vertical mixed use building (V) and to exclude certain tracts.	To grant	Apvd. 04/10/2008 Ord.# 20080410-065

RELATED CASES:

C14-2008-0003: Windsor Road Neighborhood Planning Area Vertical Mixed Use Building Opt In / Opt Out – Ord. 20080522-045 (Tract 4: 3427 Jefferson St; Excluded from VMU).

LEGAL DESCRIPTION:

Lot 18, Glenview Addition, Volume 3, Page 109

OTHER STAFF COMMENTS:Comprehensive Planning

This zoning case is located near the southeast corner of West 35th Street and Jefferson Street, and contains a 2,900 square foot former fast-food restaurant, which is situated on a 0.16 acre lot. This property is located near the **35th Street Activity Corridor** and within the boundaries of the Central West Austin Combined Neighborhood Plan (Windsor Road). Surrounding land uses

include retail uses to the north and east; there is a bank to the west, and residential to the south. The request is to rezone the property from Zone LR to CS, demolish the building, and combine with the adjacent CS-NP zoned tract on the north, construct a building with 36,000 square feet of office space, and 5,000 square feet of commercial space. Zone CS permits a building height up to 60 feet.

Connectivity: Public sidewalks and bike lanes are located along both sides of Jefferson Street and 35th Street. A public transit stop is located 100 feet from the subject property. Connectivity and mobility options in this area are good.

Central West Austin Combined Neighborhood Plan (CWACNP)

The CWACNP Future Land Use Map (FLUM) designates this portion of the planning area as ‘**Commercial,**’ which is intended for retail sales, services, motels/hotels, and all recreational services that are predominately privately owned and operated for profit. This FLUM category is intended to encourage employment centers, commercial activities, and other non-residential development. Zones LR, CS and GR are permitted under the Commercial land use category.

The following text, goals, objectives and recommendations are taken from the CWACNP:

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

L.2.7 - The residential scale and character along W. 35th Street should be preserved, and in particular its existing building by building, horizontal collection of small neighborhood-serving businesses, stores, and apartments. Harmony with the abutting single family houses on the south side of this block, facing 34th Street, should be maintained. Pg 44

L.2.8 - The neighborhood office blocks between 34th and 35th Streets and Jefferson Street and Mills Avenue should remain small scale neighborhood office and residential uses that are harmonious with the Bryker Woods Elementary School and the existing single family neighborhood. Retaining the converted single-family homes is desirable. Returning these structures to single family residential use would also be welcome by the neighborhood. Pg. 44

The Central West Austin NP has a future land use designation of ‘Commercial’ and the policies and FLUM category appears to support neighborhood serving uses and small-scale office development in this portion of the planning area.

Imagine Austin (IACP)

The property is situated along an Activity Corridor, which are characterized by a variety of land uses, including shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. The following Imagine Austin policies are also applicable to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.

- **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.

Based upon the policies in the CWACNP policies that support office and commercial uses at this property, and the property being located along an **Activity Corridor**, which supports a variety of commercial and office uses, the proposed zone change supports the Imagine Austin Comprehensive Plan.

Environmental

The site is located over the Edwards Aquifer Verification Zone. A hydrologic or geologic analysis of the site will be necessary to confirm the recharge zone status. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Parks and Recreation

There are currently no parkland requirements for uses other than residential and hotel. Given that the application is for CS-NP, with proposed office and retail uses, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Transportation

ASMP Assessment

The Austin Strategic Mobility Plan (ASMP) calls for 60 feet of right-of-way for Jefferson Street. It is recommended that 30 feet of right-of-way from the existing centerline should be dedicated for Jefferson Street according to the Transportation Plan with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

Transportation Assessment

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Jefferson Street	56'-60'	40'-45'	Level 2	Yes	Bike Lane	Yes
Glenview Street	50'	30'	Level 1	Yes	None	Yes

Austin Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Correspondence Received



1" = 75'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

3427 Jefferson Street

ZONING CASE#: C14-2021-0137

LOCATION: 3427 JEFFERSON STREET

SUBJECT AREA: .16 Acres

GRID: H25

MANAGER: Wendy Rhoades



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

October 11, 2021

Wendy Rhoades
City of Austin

VIA Email wendy.rhoades@austintexas.gov

Re: Case number C14-2021-0137 – 3427 Jefferson

Dear Ms. Rhoades:

We are writing to indicate our **SUPPORT** for the rezoning. Our firm has been officing across 35th Street from the project for more than a year. We welcome any replacement of the abandoned Burger King on this major corridor. We understand that an office and commercial project is proposed that will provide underground parking and generates less traffic than the Burger King. We welcome a new project that will provide additional office space and commercial services to this area.

Sincerely,



A. Lee Rigby



Cathleen C. Slack

cc: Michele Rogerson Lynch (*via email*)



THE LAW OFFICE OF

BECKY BEAVER

3500 JEFFERSON
SUITE 210
AUSTIN, TEXAS 78731

TEL 512/474.5791
FAX 512/474.4169

BECKYBEAVERLAW.COM

BECKY BEAVER

BOARD CERTIFIED FAMILY LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

KJ MIRI

ASSOCIATE ATTORNEY

ELIZABETH ANGELONE

ASSOCIATE ATTORNEY

AARON WISE

BOARD CERTIFIED PARALEGAL
FAMILY LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

CHRISTINA SNELL

PARALEGAL

October 11, 2021

Via Email

Ms. Wendy Rhoades
City of Austin
Wendy.rhoades@austintexas.gov

Re: Case #14-2021-0137 – 3427 Jefferson – Burger King site
rezoning

Dear Ms. Rhoades:

This letter is in SUPPORT of the proposed rezoning of the above-referenced site. I both live in the neighborhood, and my office is across from the site of the proposed redevelopment. My office window looks directly onto the site. We in our office welcome any redevelopment of that old Burger King site, but I am particularly impressed with the design and commitment to neighborhood sensitivities of the firms working on this particular project. We like the fact that the site will have more than adequate underground parking, and a design that integrates well into both the adjacent residential and commercial properties. And we also welcome into the neighborhood an attractive commercial site providing much needed additional office space.

Thank you for your consideration of this supportive communication, and please feel free to reach out to me if you have any questions or would like to discuss further.

Sincerely,

LAW OFFICE OF BECKY BEAVER

Becky Beaver

BB

From: [Kelly Molak](#)
To: [Graham, Mark](#)
Subject: C14-2021-0137 - Opposition - 2427 Jefferson St
Date: Wednesday, September 8, 2021 12:44:11 PM

*** External Email - Exercise Caution ***

Hi Mark,

We are a homeowner in Brykerwoods and would not be in support of the rezoning of Lot 18, Glenview Addition to CS-NP.

Per the 2010 approved Central West Austin Neighborhood plan, please note the following objectives:

L.2.7 The residential scale and character along W. 35th Street should be preserved, and in particular its existing building by building, horizontal collection of small neighborhood-serving businesses, stores, and apartments. Harmony with the abutting singlefamily houses on the south side of this block, facing 34th Street, should be maintained. P

L.2.8 The neighborhood office blocks between 34th and 35th Streets and Jefferson Street and Mills Avenue should remain smallscale neighborhood office and residential uses that are harmonious with the Bryker Woods Elementary School and the existing single family neighborhood. Retaining the converted single-family homes is desirable. Returning these structures to singlefamily residential use would also be welcome by the neighborhood

Many people in the City and our community have worked tirelessly to preserve the fabric our community. We are strongly opposed to this zoning change.

Frankly, they can redevelop the front tract with their desired zoning...if I were them I would work with the neighborhood association to try and work within their existing zoning on the .16 acre tract and develop something that would be fiscally desirable for the developer and meet the objectives of the approved neighborhood plan.

Best, Kelly

Kelly C. Molak

Soledad Builders, LLC
1004 Mopac Circle, Ste 200
Austin, Texas 78746

O 512-306-8310
C 512-422-6903

From: [Wendy Serrell](#)
To: [Graham, Mark](#)
Subject: Case Number: C14-2021-0137
Date: Wednesday, September 8, 2021 3:11:59 PM

*** External Email - Exercise Caution ***

Dear Mark,

I am writing to protest the rezoning and development of the former Burger King lot on the corner of Jefferson and 35th in Brykerwoods. It is a coveted family neighborhood that does not need additional office/commercial space, particularly since the red brick building across the street has had several vacancies for years. This type of development would only add to the congestion at that intersection and increase the already over-used, heavily-travelled Jefferson Street corridor. As it is, the area has suffered through several years of construction trucks grinding their way to The Grove and they continue to do so.

Please add my name to the list of protesters of this development.

Best,
Wendy Serrell

--

Wendy Serrell
2814 Jefferson Street
Austin, TX 78703
203-517-8911

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From: [Sonya Spielberg](#)
To: [Mia Carameros](#); [Graham, Mark](#)
Subject: C14-2021-0137 protest
Date: Wednesday, September 8, 2021 3:44:10 PM

*** External Email - Exercise Caution ***

Mark:

I'm writing as an impacted homeowner (and attorney) to formally protest this application for a zoning change. I live only one block from this proposed development, which would significantly change the character of our neighborhood. My neighbors are similarly concerned. Please advise us of next steps to be taken and when we might appear at a hearing.

Best regards,

Sonya Spielberg

1703 W 34th St, Austin, TX 78703

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From: [Paul Kapsner](#)
To: [Graham, Mark](#)
Cc: [Caroline Kapsner](#)
Subject: Case Number: C14-2021-0137
Date: Wednesday, September 8, 2021 4:14:34 PM

*** External Email - Exercise Caution ***

Hi Mark,

My wife and I are born and raised Austinites, and the property owners of 3314 Kerbey Lane, a property within 500 ft of this proposed rezoning. We would like to voice our opposition to this rezoning.

We believe that rezoning the property to CS-NP will negatively impact the Bryker Woods Neighborhood. This is an historic neighborhood known for its charm and building a high rise office building a block away would have a huge negative impact.

We purchased our house this year with the knowledge that the area between 34th and 35th street was zoned LR-NP. If a multi-story office building were built in this location, the office would be looking down at our back yard, and completely eliminate the privacy of our backyard and the privacy of most of my neighbors' backyards. Our quality of life and home value would significantly decrease.


This would also negatively impact the traffic around the area, which would be dangerous for the children that walk around this area right next to Brykerwoods Elementary.

There is a reason this was originally coded as LR-NP to be a neighborhood commercial district serving the Brykerwoods neighborhood. Changing it to CS-NP would benefit one property owner at the expense of the thousands of residents of the Brykerwoods neighborhood.

Thank you for your consideration.

Best,

--

Paul Kapsner
512-740-3485


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From: [Deborah Hornickel](#)
To: [Graham, Mark](#)
Subject: C14-2021-0137 Brykerwoods
Date: Wednesday, September 8, 2021 5:23:37 PM

*** External Email - Exercise Caution ***

Mr. Graham,

I am a long time - 30+ years - resident of Brykerwoods and a 50 years resident of Austin. Needless to say I have seen massive changes across our once "sleepy" little town as well as my wonderful post WWII Brykerwoods subdivision. I know I sound like an old fuddy duddy, but it does break my heart to see such a major shift in the warm neighborly feelings and completely out of scale architecture creeping in due to recent development.

Please let this email serve as notice of my opposition to the request for a zoning change as set forth in the above case number. The current zoning is sufficient for our neighborhood and does not require changing simply to accommodate an out of state investor's wishes. The concerns and desires of those of us who live here must be primary.

Thank you for your consideration.

Deborah Hornickel
3206 Oakmont Blvd.
Austin 78703
512.632.2454

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From: [Theresa Bond](#)
To: [Graham, Mark](#)
Subject: Case Number: C14-2021-0137
Date: Thursday, September 9, 2021 9:57:45 AM

*** External Email - Exercise Caution ***

I am advocating that we fight against this rezoning application. This goes against the very ethos of Brykerwoods-- we love it because of the quaint mom-and-pop feel of our neighborhood. The ability to walk to a coffee shop down the road with your kiddos and pup or ride your bike to pick up flowers at AFC Flower Market. We love to see our little ones running in the front yard in the sprinklers and getting to know your neighbor(s) and serving them well. (JB brings me flowers from his garden and leaves them on my porch). This is why people covet this neighborhood in Austin! This is why we love it! Let's protect it from losing its charm.

Theresa Bond
1503 West 30th Street

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From: [Chris Mosser](#)
To: [Graham, Mark](#)
Subject: Burger King building
Date: Tuesday, September 14, 2021 6:33:03 AM

*** External Email - Exercise Caution ***

Mark, saw discussion amongst my Bryker Woods neighbors about how horrible a larger building at 38th and Jefferson would be, and for the life of me I can't figure out the negative impact, as long as said structure can also handle its own parking as the commercial building catty-corner from it does. My neighbors let their privilege gang out a bit much sometimes and occasionally trip over it.

I am interested in exactly what's being proposed though, if you would be kind enough to provide it.

Chris Mosser
1706 W 29th

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From: [Amy Newman](#)
To: [Graham, Mark](#)
Subject: Case C14-2021-0137
Date: Monday, September 13, 2021 11:00:48 AM

*** External Email - Exercise Caution ***

Hi Mark:

I would like to express my adamant opposition to the rezoning of Case # C14-2021-0137. I live less than a block from that site and I cannot imagine how much the traffic that would increase on Jefferson. We are already dealing with valets up and down Glenview, Kerbey and Bryker parking cars for Olive and June, a restaurant at 3411 Glenview. I believe their lot consists of approximately 10 spaces for a 6328 sf building with numerous levels of outdoor seating as well.

On a side note, a no parking sign has been removed from Glenview across from Olive and June and pitched behind the vacant Burger King.

I walked over there this morning and failed to find any notices posted regarding the proposed zoning change on any of the buildings.

I do not know why a neighborhood TIA was not required for this project; I am happy to write Jerry Rusthoven and ask him myself. The existing address for the single, two-story building on this parcel is: 3407 Jefferson on the west side and 3406 Glenview on the east side, both residential streets, not 35th Street. Jefferson is a two-lane very narrow street that does not allow for parking. As you probably already know, Jefferson is a neighborhood street that receives a substantial amount of traffic from drivers wishing to avoid Mopac.

The proposed ground floor commercial site of 5,000 sf is twice the size of the existing fast-food restaurant, which generated a substantial amount of traffic, particularly during meal times. The site is within two blocks of a neighborhood elementary school, Bryker Woods. Many students bike and walk to this school from Oakmont Heights, Ridgelea and now The Grove. A crossing guard is stationed at this corner to assist with kids walking across this busy intersection. I would hope whatever commercial use is allowed for this site takes the children into account.

Thanks,
Amy Newman
3302 Bryker Drive

CAUTION: This email was received at the City of Austin, from an EXTERNAL source.

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.

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: C14-2021-0137

Contact: Mark Graham, 512-974-3574

Public Hearing: October 12, 2021, Planning Commission

OCT 07 2021

NHCD / AHFC

MARY ELIZABETH DEANE

Your Name (please print)

1808 W. 35TH #8 ATX 78703

Your address(es) affected by this application

McDeane

Signature

10/2/21
Date

Daytime Telephone: 512-775-1523

Comments: The traffic is bad enough as it is. There are 2 lanes going East, 2 west - do you know what happens when someone turns left? A whole lane of traffic is halted waiting for the one idiot. Other cars zip + dart into other lane to avoid getting stuck. There needs to be 3 lanes, in EACH direction, w/ one of those curbs between lane preventing left turns. Also, the conditions up + down 35TH + also Medical Pkwy + Burn RD are any indication, the city can't fill a pothole much less update + adding lanes. WHY CAN'T THIS BE A PARK ???
If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

Mark Graham

P. O. Box 1088, Austin, TX 78767

Or email to: do that ??

Mark.Graham@austintexas.gov

Too many people, too much traffic, not sufficient

DO OH A' ROADS, + ITS PRICING US OUT

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.

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: C14-2021-0137

Contact: Mark Graham, 512-974-3574

Public Hearing: October 12, 2021, Planning Commission

OCT 14 2021

Roger A. de la Garza

Your Name (please print)

3315 Glenview Ave.

☐ I am in favor
☒ I object

Your address(es) affected by this application

Roger de la Garza

10/12/21

Signature

Date

Daytime Telephone: 512-587-4259

Comments: I have owned my residence since 1987. I am at the corner of 34th St. and Glenview, less than one block from the property. The zoning change appears to grant a more intensive zoning. The development's parking lot request is incompatible with this neighborhood's residential environment. When combined with existing vehicle flow from the Olive, June restaurant; the law practice of Friday, Milner, Lambert, Turner; and various smaller businesses between 34th street and 35th street may result in compounded growth in traffic. It will also impact Bryker elementary on 34th and Kerby Lane. The parking lot will only provide spaces, but will not result in manageable traffic flow.

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City of Austin, Housing & Planning Department

Mark Graham

P. O. Box 1088, Austin, TX 78767

Or email to:

Mark.Graham@austintexas.gov

Thank you for considering my input.

From:
To: [Chair Todd Shaw](#)
Cc: [Graham, Mark](#); [Rhoades, Wendy](#);
Subject: Re: Case Number C14-2021-0137; 3427 Jefferson.
Date: Monday, October 11, 2021 6:39:34 PM

*** External Email - Exercise Caution ***

Dear Chair Shaw and Planning Commission Members,

The Executive Committee of the Bryker Woods Neighborhood Association respectfully requests a two-week postponement of the hearing in the above-referenced case to allow it additional time with the community. The applicant's representative Michele Rogerson Lynch has indicated that the applicant is amenable to this postponement.

We would appreciate your approval for this postponement.

Best Regards,

Greg Underwood, President
Bryker Woods Neighborhood Association
Sent from my iPhone

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