

ZONING CHANGE REVIEW SHEETCASE: C14-2021-0125

Austin Sports Facility

DISTRICT: 3ZONING FROM: SF-3-NPTO: CS-MU-CO-NPADDRESS: 1138 1/2 & 1140 Gunter StreetSITE AREA: 0.834 acresPROPERTY OWNER:

GSTF, LLC

(Michael Orsak)

AGENT:

Brown & Ortiz, PC

(Caroline McDonald)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)STAFF RECOMMENDATION:

Staff supports the Applicant's request for rezoning to CS-MU-CO-NP with the condition that the following land uses be prohibited:

Automotive Repair Services**Automotive Washing—of any type****Commercial Blood Plasma Center****Drop-Off Recycling Collection Facilities****Equipment Sales****Funeral Services****Laundry Services****Outdoor Sports and Recreation****Vehicle Storage****Limited Warehousing and Distribution****Alternative Financial Services****Automotive Sales****Bail Bond Services****Construction Sales and Services****Equipment Repair Services****Exterminating Services****Kennels****Off-Site Accessory Parking****Pawn Shop Services****Veterinary Services****Adult Oriented Businesses****Transportation Terminal**

For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

February 22, 2022:

February 8, 2022: To postpone to February 22, 2022, as requested by Planning Commission, on consent.

January 11, 2022: To postpone to February 8, 2022, as requested by Planning Commission, on consent.

December 14, 2021: To postpone to January 11, 2022, as requested by Planning Commission, on consent.

CITY COUNCIL ACTION:

TBD

ORDINANCE NUMBER:

ISSUES:

The Applicant agreed to prohibit Cocktail lounge land use as requested by the Neighborhood; that land use is already prohibited in the requested CS zoning category, so no additional conditional overlay is required.

A petition with 16.95% of property owners' signatures within a 200-foot radius of the rezoning tract has been filed in opposition to this rezoning request. ***Please see Exhibit C- Opposition Petition.***

CASE MANAGER COMMENTS:

The subject property is located approximately 200 feet north of the intersection of Airport Boulevard and Gunter Street and has frontage on both streets. The property is currently zoned SF-3-NP and developed with two single family residences. The property immediately south of the rezoning tract is zoned CS-MU-CO-NP and is also developed with a single family residence. The property immediately northeast of the subject property is zoned SF-3-NP and developed with a single family residence; further north are undeveloped lots zoned CS-MU-CO-NP and residential properties zoned SF-3-NP. These properties all have frontage on Gunter Street. Immediately northwest of the property, with frontage on Airport Boulevard are properties zoned CS-MU-NP that are developed with Restaurant-general and Automotive repair land uses. Across Gunter Street to the east are properties zoned SF-3-NP that are developed with residential uses. Also across Gunter Street to the southeast is CS-MU-NP property developed with Multifamily residential land use, and to the northeast is MF-3-NP zoned land with a mix of residential uses. Across Airport Boulevard to the west are properties zoned CS-CO-NP, GR-MU-NP, and CS-MU-CO-NP that are developed with a mix of commercial land uses. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

Correspondence has been received in opposition to the rezoning request. Additionally, as described in the Issues section, a petition with 16.95% of property owners' signatures within a 200-foot radius of the rezoning tract has been filed in opposition to this rezoning request. ***Please see Exhibits C and D- Opposition Petition and Correspondence.***

Staff supports the rezoning request of CS-MU-CO-NP with the prohibited land uses listed on Page 1 of this report. The property has frontage on both Airport Boulevard and Gunter Street, as does the property immediately to the south, which is also zoned CS-MU-CO-NP. Airport Boulevard is designated a Transit Priority Corridor in the ASMP and has three Capital Metro bus routes. There are CS-MU-NP and CS-MU-CO-NP properties to the north of the rezoning along Airport Boulevard and Gunter Street. In addition to SF-3-NP properties located along Gunter Street are properties zoned CS-MU-NP and MF-3-NP. With the addition of the conditional overlay prohibiting several land uses, CS-MU-CO-NP on this property would be consistent with other CS zoned properties in the area.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
2. *Public facilities and services should be adequate to serve the set of uses allowed by a rezoning.*
3. *Granting of the request should result in an equal treatment of similarly situated properties.*

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|-------|---------------------------------|---|
| Site | SF-3-NP | Single family residential |
| North | SF-3-NP, CS-MU-CO-NP, CS-MU-NP | Single family residential, Undeveloped, Restaurant-general, Automotive repair |
| South | CS-MU-CO-NP | Single family residential |
| East | SF-3-NP, CS-MU-NP, MF-3-NP | Single family residential, Multifamily residential, mixed residential |
| West | CS-CO-NP, GR-MU-NP, CS-MU-CO-NP | Mixed commercial- Restaurant-limited, Retail-limited, etc. |

NEIGHBORHOOD PLANNING AREA: East MLK Combined (MLK)

TIA: Deferred to time of site plan, if required.

WATERSHED: Boggy Creek

NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association

SELTexas

Preservation Austin

Del Valle Community Coalition

Claim Your Destiny Foundation

Friends of Austin Neighborhoods

Neighborhood Empowerment Foundation

Guadalupe Neighborhood Development Corporation

Del Valle Community Coalition

El Concilio Mexican American Neighborhoods

African American Cultural Heritage District

Govalle/Johnston Terrace Neighborhood Plan Contact Team

AISD

Austin Inncity Alliance

Neighbors United for Progress

Sierra Club

Bike Austin

PODER

Friends of Northeast Austin

Black Improvement Association

East Austin Conservancy

United East Austin Coalition

AREA CASE HISTORIES:

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|--|---|---|---|
| C814-2020-0104 Springdale Green PUD | GR-MU-CO-NP and RR-CO-NP to PUD-NP | 2/3/20: To grant with conditions | 4/22/2021: To grant on 1 st reading with conditions; 6/3/3031To grant on 2/3 readings |
| C14-2019-0041 3706 Goodwin | CS-MU-NP to CS-MU-V-NP Not recommended by Staff. | July 23, 2019: Approved CS-MU-V-NP. Anderson, Kenny 2nd. Vote: 9-0. Llanes-Pulido abstained. Shaw, Thompson and Schneider absent. | August 8, 2020: Approved Ord. No. 20190808-123 for CS-MU-V-NP. (8-1) Harper-Madison- 1 st , Pool-2 nd . Casar- Nay; Garza, Alter-Off the dais |
| C14-2015-0121 1023 Springdale Road | CS-CO-NP to CS-CO-NP, to increase to 600 vpd | 11/10/2015: to grant as rec. (11-0) | 12/10/2015: to grant as rec. Ord. 20151210-066 |

| | | | |
|----------------------------------|--|---|--|
| C14-2014-0088 1023 Springdale | RR-CO-NP, GR-MU-CO-NP to CS-CO-NP Prohibit many land uses; 2,000 vpd | 09/09/2014: To grant as rec. (6-0) | 11/06/2014: 1st reading appvd with reduction to 400 vpd and 25' vegetative buffer to north; 2/3 appvd 11/20/2014, Ord . 20141120-138 |
| C14-2013-0055 Airport Cafe | SF-3-NP to CS-MU-CO-NP. CO prohibits A. The following uses are prohibited uses of the Property: Communication svcs facilities, Community events, Congregate living, Counseling svcs, Guidance svcs, Hospital svcs (general), Hospital svcs (ltd), Res treatment, Transitional housing, Adult oriented business, Auto rentals, Auto sales, Bail bond svcs, Comm'l blood plasma center, Convenience storage, Equipment repair svcs, Exterminating svcs, Kennels, Off-site accessory parking, Service station, Maint and svcs facilities, Safety svcs, Transportation terminal, Ag sales and svcs, Auto repair svcs, Auto washing, Bldg maint svcs, Comm'l off street parking, Drop off recycling collection facility, Equipment sales, Alt financial svcs Medical offices > 5,000 sq. ft, Pawn shop svcs, Vehicle storage | 8/13/2013: To grant CS-MU-CO-NP as recommended by Staff | 10/17/2013: To grant CS-MU-CO-NP as recommended |

EXISTING STREET CHARACTERISTICS:

| Name | ROW | Pavement | Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|---------------|------|----------|----------------|-----------|---------------|-------------------------------|
| Airport Blvd | 122' | 58' | Level 3 | Yes | Shoulder | Yes |
| Gunter Street | 50' | 30' | Level 1 | Yes | None | No |

ADDITIONAL STAFF COMMENTS:Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. 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.

Site Plan

1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
2. The site is subject to compatibility standards. Along the north and east property lines, the following standards apply:
 - No structure may be built within 25 feet of the property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - No parking or driveways are allowed within 25 feet of the property line.
 - A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection. Additional design regulations will be enforced at the time a site plan is submitted.
3. This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are

prohibited. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

Parks & Recreation

PR1: There are currently no parkland requirements for uses other than residential and hotel. Given that the application proposes a sports facility, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision. However, should any site plan or subdivision application stemming from this rezoning include residential units, as allowed by the –MU designation, then parkland dedication shall be required.

Transportation

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.

Street characteristics:

| Name | ROW | Pavement | Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|---------------|------|----------|----------------|-----------|---------------|-------------------------------|
| Airport Blvd | 122' | 58' | Level 3 | Yes | Shoulder | Yes |
| Gunter Street | 50' | 30' | Level 1 | Yes | None | No |

Water Utility

AW1. 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 this site is in an area with capacity concerns, and it appears that service extension requests (SER) will be required to provide service to this lot. 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 TO FOLLOW

- A: Zoning Map
- B. Aerial Exhibit
- C. Opposition Petition
- D. Correspondence

B-03

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EXHIBIT A

MF-3-NP

SF-3-NP

CS-MU-NP

CS-MU-CO-NP

CS-MU-CO-NP

SF-3-NP

GR-MU-NP

AIRPORT BLVD

SF-3-NP

C14-2021-0125

L22

MUNSON ST

SF-3-NP

CS-MU-CO-NP

SF-3-NP

CS-CO-NP

BENGSTON ST

SF-3-NP

CS-MU-NP

Austin Sports Facility

ZONING CASE#: C14-2021-0125
LOCATION: 1138 & 1140 Gunter Street
SUBJECT AREA: 0.8356 Acres
GRID: L22
MANAGER: Heather Chaffin



C14-2021-0125

Creek Buffers

ZONING BOUNDARY

FULLY DEVELOPED FLOODPLAIN

1" = 100'

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.

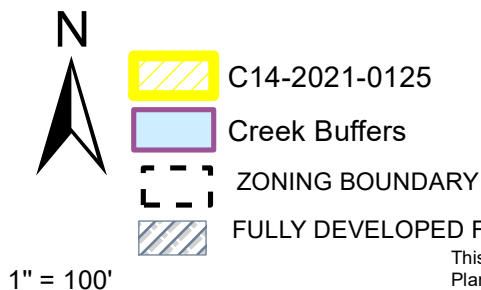


Austin Sports Facility

ZONING CASE#: C14-2021-0125
 LOCATION: 1138 & 1140 Gunter Street
 SUBJECT AREA: 0.8356 Acres
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Case Number:
C14-2021-0125

PETITION

Date: 12/9/2021
Total Square Footage of Buffer: 288138.5699
Percentage of Square Footage Owned by Petitioners Within Buffer: 16.95%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

| TCAD ID | Address | Owner | Signature | Petition Area | Percent |
|--------------|---------------------------------|---|-----------|------------------|---------------|
| 0207160109 | 1140 AIRPORT BLVD 78702 | 1140 AIRPORT LTD | no | 19622.15 | 0.00% |
| 0207160102 | 1144 AIRPORT BLVD 78702 | AUSTIN AFFORDABLE HOUSING CORPORATION | no | 54145.23 | 0.00% |
| 0207170205 | 3605 MUNSON ST 78721 | CASTILLO JOSEPH & MARY JOSEPHI | yes | 8411.60 | 2.92% |
| 0207170326 | 1141 1/2 GUNTER ST AUSTIN 78721 | DIETZ ISAIAH MINOR | no | 6653.56 | 0.00% |
| 0207160220 | 1140 1/2 GUNTER ST 78721 | FIGUEROA CORP | no | 10266.40 | 0.00% |
| 0207160221 | GUNTER ST 78721 | FIGUEROA CORP | no | 8956.66 | 0.00% |
| 0207160223 | 1141 AIRPORT BLVD 78702 | FIGUEROA CORP | no | 13825.20 | 0.00% |
| 0207160222 | 1141 1/2 GUNTER ST 78721 | FIGUEROA CORP | no | 11560.62 | 0.00% |
| 0207170323 | 3604 MUNSON ST 78721 | KNAPE THOMAS WILSON & | no | 3383.18 | 0.00% |
| 0207170218 | 1137 GUNTER ST 78721 | MASON MANOR APARTMENTS LLC | no | 9428.96 | 0.00% |
| 0207170325 | 1141 1/4 GUNTER ST 78721 | MURTHY MANASA SHREE & KRISHAN HIREN PATEL | yes | 9329.97 | 3.24% |
| 0207160232 | 1143 AIRPORT BLVD AUSTIN 78702 | PATTI SON & SONS INC | no | 23883.59 | 0.00% |
| 0207160203 | 1139 AIRPORT BLVD 78702 | R&J PARTNERS LLC | no | 12360.76 | 0.00% |
| 0207160202 | 1138 GUNTER ST 78702 | R&J PARTNERS LLC | no | 10314.36 | 0.00% |
| 0207160201 | 1137 AIRPORT BLVD 78702 | R&J PARTNERS LLC | no | 11856.51 | 0.00% |
| 0207170324 | 1141 GUNTER ST 78721 | SMITH PAUL J | no | 12056.59 | 0.00% |
| 0207160233 | 1142 GUNTER ST 78721 | TALIA HOMES AT GUNTER STREET LLC | no | 16381.74 | 0.00% |
| 0207170233 | 1139 1/2 GUNTER ST 78721 | THATCHER NICOLAS & FRANCES | yes | 9416.50 | 3.27% |
| 207170601 | Address Not Found | 1139 GUNTER CONDOMINIUMS | yes | 8658.72 | 3.01% |
| 0207170501 | Address Not Found | 1139 3/4 GUNTER CONDOMINIUM ASSOCIATION | yes | 13023.61 | 4.52% |
| Total | | | | 273535.90 | 16.95% |

ABBATE CIR

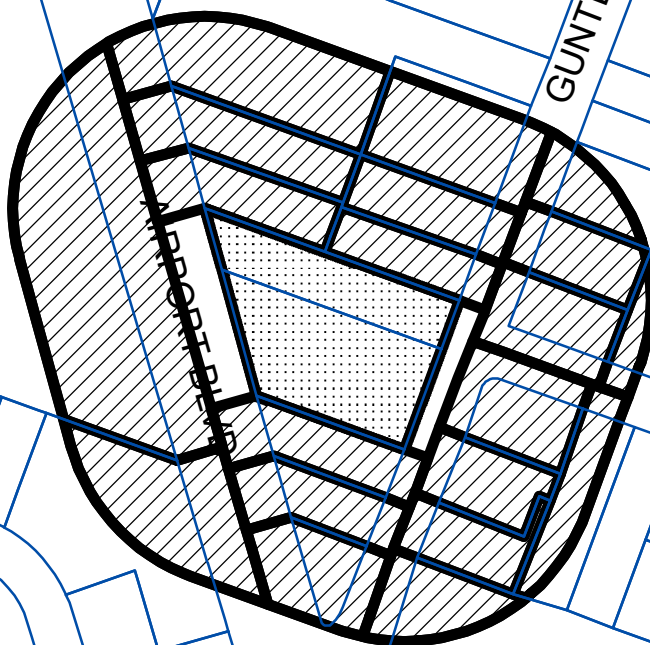
GUNTER ST

MUNSON ST

BENGSTON ST

KAY ST

GOODWIN AVE

**PETITION**

Case#: C14-2021-0125



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

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 Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 200'

PETITION (Plan Amendment Case: NPA-2021-0015.01 // Zoning Case: C14-2021-0125)

Date: 10/27/21File Number: C14-2021-0125

Address of Rezoning Request: 1138 ½ & 1140 Gunter St.

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-1-NP, SF-2-NP, SF-3-NP, SF-4A/B-NP, SF-5-NP or SF-6-NP.

The community and property owners along Gunter and Munson have agreed that 1138 ½ & 1140 Gunter St. should remain residential. The property should serve and blend into the pre-existing neighborhood and should not create further noise/light pollution or traffic. Parking, general congestion, speeding vehicles, and proximity to Airport Blvd. have already caused Gunter to be unsafe. The proposed zoning changes will worsen matters by increasing through traffic along the dangerously busy corridor, especially if the property maintains a Gunter egress, as proposed.

Further, per the filing notice sent on 8/6/2021, the City of Austin itself states that CS-MU-CO-NP zoning is "intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments." Given the city's own description of the zoning designation, we - the owners of property affected by the proposed development - object to the request to upzone.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature - Printed Name - Address

Nicolas Thatcher 1139 ½ Gunter Street Unit A
Frances Thatcher - FRANCES THATCHER - 1139 ½ GUNTER ST
Mary Castillo - Mary Castillo 3605 Munson St.
Joseph Eric Castillo Joseph Eric CASTILLO 3605 MUNSON ST.
Mayra Ibarra-Kenny Mayra Ibarra-Kenny 3607 Munson St. Austin, TX 78721
Matthew Kenny Matthew Kenny 3607 Munson St. Austin, TX 78721
Trevor Boehm Trevor Boehm 3609 Munson St. Austin, TX 78721
Chanelle DePranzo Boehm Chanelle DePranzo Boehm 3609 MUNSON ST. A AUSTIN, TX 78721
James Allison James Allison 3609 Munson St. "B" Austin, TX 78721
Steve Valdez Steve Valdez 3202 Munson St
Steve Valdez Steve Valdez 3710 Munson St

Date:

10/27/2021

Contact Name:

Matthew Wray

Phone Number:

908-938-0892

PETITION (Plan Amendment Case: NPA-2021-0015.01 // Zoning Case: C14-2021-0125)

Date: 10/27/21

File Number: C-142021-0125

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature - Printed Name - Address

| | | |
|------------------|---------------------|------------------|
| Christine Valdez | 3618 Munson St. | Christine Valdez |
| Josie Valdez | 3608 Munson St. | Josie Valdez |
| Steve Valdez | 3610 Munson | Steve Valdez |
| Crystal Esquivel | 3616 B Munson St. | Crystal Esquivel |
| Josie Valdez | 3702 Munson | Josie Valdez |
| Rose M Valdez | 3615 Munson | Rose M Valdez |
| Raymond Limon | 3619 Munson | Raymond Limon |
| Marcelina Leon | 3604 Munson | Marcelina Leon |
| Matthew Wong | 1138 ¾ Gunter St, B | Matthew Wong |

Date: 10/27/2021

Contact Name: Matthew Wong

Phone Number: 908 938 0893

PETITION (Plan Amendment Case: NPA-2021-0015.01 // Zoning Case: C14-2021-0125)

Date: 10/27/21

File Number: C14-2021-0125

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Signature - Printed Name - Address

India Coleman India Coleman 3703 Munson St.
Zach McLean Zach McLean 3703 Munson St.
Elizabeth Martin Elizabeth Martin 3609 Munson St 78721

Date: 10/27/21

Contact Name: Matthew Wong

Phone Number: 928 938 0323

PETITION (Plan Amendment Case: NPA-2021-0015.01 // Zoning Case: C14-2021-0125)

Date: 10/27/21

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Address of Rezoning Request: 1138 ½ & 1140 Gunter St.

To: Austin City Council

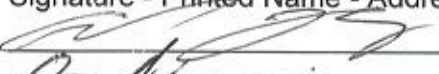


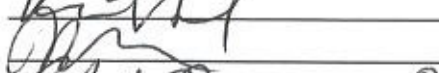
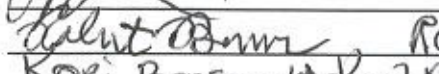
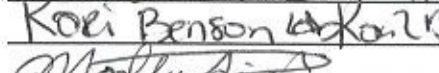
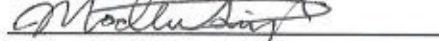
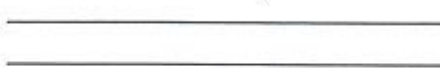
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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature - Printed Name - Address

| | | |
|---|---------------------|--|
|  | Aureliano Perez III | 1139 3/4 A Gunter St. Austin, TX 78721 |
|  | OMAR GHAZNAVI | 1139 3/4 A Gunter St. Austin 78721 |
|  | Manasa Murthy | 1141 1/2 Gunter St Austin 78721 |
|  | KRISHAN PATEL | 1141 1/4 Gunter St, Austin 78721 |
|  | Nicole DeAngelis | 1144 Gunter St. #101 Austin TX 78721 |
|  | ROBERT BENSON | 1144 GUNTER ST #201 AUSTIN, TX 78721 |
|  | Kori Benson | 1144 Gunter St. #201 Austin TX 78721 |
|  | MADHURIMA SINGH | 1139 GUNTER ST UNIT B, 78721 |

Date: 10/27/2021

Contact Name: Matthew Wong

Phone Number: 908 938 0893

PETITION (Plan Amendment Case: NPA-2021-0015.01 // Zoning Case: C14-2021-0125)Date: 11/18/2021File Number: NPA-2021-0015.01

Address of Rezoning Request: 1138 ½ & 1140 Gunter St.

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-1-NP, SF-2-NP, SF-3-NP, SF-4A/B-NP, SF-5-NP or SF-6-NP.

The community and property owners along Gunter and Munson have agreed that 1138 ½ & 1140 Gunter St. should remain residential. The property should serve and blend into the pre-existing neighborhood and should not create further noise/light pollution or traffic. Parking, general congestion, speeding vehicles, and proximity to Airport Blvd. have already caused Gunter to be unsafe. The proposed zoning changes will worsen matters by increasing through traffic along the dangerously busy corridor, especially if the property maintains a Gunter egress, as proposed.

Further, per the filing notice sent on 8/6/2021, the City of Austin itself states that CS-MU-CO-NP zoning is "*intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.*" Given the city's own description of the zoning designation, we - the owners of property affected by the proposed development - object to the request to upzone.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature - Printed Name - Address

Clark Nowlin Clark Nowlin 1139 Gunter St Unit A Austin, TX 78721

Date: 11/18/2021Contact Name: Matthew WongPhone Number: 908-938-0893

On Tue, Aug 17, 2021 at 9:20 AM Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:

Good morning. I put my responses to your questions below in red.

From: Betty Martin

Sent: Wednesday, August 11, 2021 3:18 PM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: Re: Case C14-2021-0125

*** External Email - Exercise Caution ***

Dear Heather:

I am writing concerning a Notice of rezoning application I received in the mail. I have a couple of questions.

1. The definition for CS-MU-CO-NP specifically states that this type of zoning has operating characteristics or traffic service requirements generally incompatible with residential environments. My first question may be a bit naive, but why would an incompatible use even be a candidate for the application process? **This is what the applicant is requesting; it hasn't been reviewed by staff yet, and hasn't been scheduled for Planning Commission or City Council. An applicant can ask for any zoning category but that doesn't mean they will get it. City Council makes the final decision.**

2. I found the application online and it is requesting the rezoning for a "sports facility". I suppose that could be anything from a small niche gym to a Planet Fitness/Gold's type facility all the way up to another splendid arena for soccer. Are you permitted to tell surrounding home owners what the actual plan might be? **I am permitted, but I don't know yet. The application packet didn't include any details, so I am reaching out to the agent today. You can also contact the property owner or agent; their names and phone numbers are on the notice.**

Finally, I'd like to offer a suggestion in the event the rezone is approved. Cars are parking down both sides of Gunter already along the proposed area and spilling over to Munson. Transiting the street is already difficult. Depending on the adequacy of the on-site parking provided by the new business, this situation will become untenable. If the City were to post no parking signs along one side of Gunter from Airport to at least Abbate, or all the way to Oak Springs even, that would go along way in reducing the inconvenience suffered by residents. **Thank you for the information.**

Thank you for your time,

Elizabeth Martin

3609 Munson St.

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From: Michael Orsak
Sent: Wednesday, September 15, 2021 2:14 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Caroline McDonald
Cc: Chaffin, Heather <Heather.Chaffin@austintexas.gov>;
Subject: RE: Questions on Zoning Change Request- Austin Sports Facility
Importance: High

Here are my thoughts on the anticipated responses and some thoughts in bold below in red. If you guys can please review and then adjust as needed it would be appreciated:

Chris – if you disagree or would like to wordsmith my narrative / responses as well please advise!

-Michael

From: Nicolas Thatcher
Sent: Wednesday, September 15, 2021 1:03 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Re: Questions on Zoning Change Request- Austin Sports Facility

Hi Heather/Maureen,

We just received a copy of the Virtual Community Meeting notice for the case C14-2021-0125 and I would like to submit some comments on the case to be included in the Zoom call prior to the community meeting at 6 PM tonight.

1. Will there be residents on this property or will all visitors be day visitors? **There are no plans to have full time residents at this time.**
2. From a traffic perspective, Gunter Street already has very high pass-through traffic and congestion due to cars parking on both sides of the road. The pass-through traffic sometimes speeds by, causing major concern for neighbor safety. Having this development across the street with an entrance on Gunter Street will make these matters worse if not addressed by the city. Has the development team taken this into consideration when working out the entrance/exiting of the property? **While no traffic impact analysis has been performed at this time, any future development would adhere to all local guidelines for safety.**
3. Will there be noise after 9 PM? **The proposed use does not anticipate any noise that does not comply with all local guidelines.**
4. How tall will the building be? **The final height of the building is unknown but will be significantly lower than the proposed limits set by City of Austin CS zoning guidelines.**

I know a lot of this is truly unknown and we want to try and convey assurances to limit any issues but I also do not want to overcommit to anything that may result in restrictions towards a future sale. That make sense? Please review and wordsmith accordingly!!!

Thanks

-Michael

If time permits, I would like to go over these comments and questions during the meeting.

Many Thanks,
Nic

On Tue, Aug 24, 2021 at 12:53 PM Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:

Hi Nick,

I received some additional information from the applicant. They state that they want to develop “a private live/work space that has a gym, bowling alley, sauna. It will have an office component as well.” Please note that the Neighborhood Plan Amendment (NPA) and Rezoning are for more general mixed use land uses (commercial, office, residential) and are not limited to what the applicant has stated that they propose to do.

I put other answers below in red.

Heather

From: Nick Thatcher

Sent: Monday, August 16, 2021 5:03 PM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: Questions on Zoning Change Request- Austin Sports Facility

*** External Email - Exercise Caution ***

Hi Heather,

We recently received two separate zoning request changes in the mail for the property across the street- 1138 ½ & 1140 Gunter Street.

Case Number: C14-2021-0125 from SF-3-NP to CS-MU-CO-NP

1. Case Number: NPA-2021-0015.01 from SF-3-NP to Mixed Use

The project name is called Austin Sports Facility, however, I am not seeing any details on the proposal online. It mentions that there will be a public hearing in the future, which we will be able to attend.

Will the hearing for the two properties be combined or separate? The cases will run concurrently.

Is it common for a developer to request two different zoning requests for a property? These are not two separate zoning cases. One is a Neighborhood Plan Amendment (NPA) and one is a rezoning. They

change two different things but both apply to the property. Please contact Maureen Meredith (above) for questions about the NPA; I can help regarding the rezoning.

Many Thanks,
Nic

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From: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Sent: Thursday, September 16, 2021 8:43 AM
To: Matthew Wong
Cc: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: RE: Gunter Rezoning Hearing

Matthew:
Thank you for your comments. I've forwarded them to Heather Chaffin the zoning case manager. We will include your comments to our staff reports when the cases are scheduled for Planning Commission and City Council.
Maureen

From: Matthew Wong <
Sent: Wednesday, September 15, 2021 5:53 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Gunter Rezoning Hearing

*** External Email - Exercise Caution ***

Hi Maureen,

I am Matthew Wong, a resident of the 1139 3/4 Gunter, Unit B.

I have some serious concerns about the property across the street being rezoned for commercial use.

The neighborhood is already loud. Inviting a commercial property that will have a bowling alley is a major concern for quietness. This is a residential neighborhood where families live. Rezoning this property creates huge risks around long term livability of this area and will negatively impact property values.

Further, the traffic on Gunter is incredibly bad. Parking is already congested and cars race down Gunter and Munson. The traffic will get even worse with a commercial property unless it has an entrance off of Airport Blvd.

The residents of the 1139 Gunter Units already have significant issues with traffic and parking and I want to make sure this was brought to your attention.

Thank you,
Matthew Wong

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From: Matthew Wong
Sent: Monday, September 20, 2021 1:35 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: Gunter Rezoning

*** External Email - Exercise Caution ***

Hi Maureen and Heather,

I'm Matthew Wong, a resident of 1139 3/4 Gunter St., Unit B. I was at the hearing last week on the Gunter rezoning request.

I wanted to reach out to let my feelings be heard about the rezoning request and provide some context about my concern. I also had a few questions with respect to process.

I've been in this property for about 6 years. In that time, the 1139 Gunter and 1139 1/2 Gunter units were used in a way that created a lot of headache for the neighborhood. The former property owner and his renters threw huge parties on the property that caused neighborhood disturbances, ran a business that it wasn't zoned for, etc. My former neighbor, Christian Hartnett, ended up suing in order to get the property owner and renter to stop using the space in such a manner. [It received some press attention at the time.](#)

I'm writing because after leaving the hearing the other week, I was very disconcerted by what we heard. The lawyer, Carolyn McDonald, who was representing the land owners, was incredibly evasive. She could not provide a straight answer as to how the property would be used beyond saying it'd be a private facility for two real estate developers in Austin.

There were some major inconsistencies to her story - she said the company only had 2 employees and some secretarial staff, but alleged the property was going initially going to be used as a private gym for the company; she said that the facility would be only as an office for local developers but that they still built living quarters in the facility for "late nights," this despite being local; she said there wouldn't be much traffic in and out because of the small staff, but yet the facility has a planned parking lot with quite a few spaces.

If one were to read between the lines, it sounds like this space will become a flex space used by the owners to do whatever they want, much like the 1139 units used to be used. Carolyn said as much when describing the facility as a private playpen (or something to that effect) for her clients. Rezoning the facility to be more than residences would give them carte blanche to do whatever they'd like. This will naturally negatively impact the neighborhood, which is mostly family residences.

While my neighbors and I are still coming to a clearer understanding of how we might work with the developer, I did want this concern to be raised.

In terms of my questions:

- (1) What are the next steps the city will take before the case is presented to the Land Use Commission? I know a traffic impact study is involved, but was curious to hear more.
- (2) Does the city factor in the concerns of private citizens around rezoning efforts as listed above? When do those considerations get factored in, i.e. with the Land Use Commission, by the case managers, etc.?
- (3) I know a petition was discussed on the call - is there a due date for something like a petition?

Thank you for your time. It's much appreciated!

Best,
Matthew Wong

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From: Matthew Wong
Sent: Thursday, September 23, 2021 12:54 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Re: Gunter Rezoning

Thank you, Heather. The community met for an hour last night and we'll be starting a petition over the next few weeks to ensure we're ahead of the curve. Full disclosure, the community requires two things: (1) an egress off of Airport and *not* Gunter; (2) explicit clarity around how that space will be used rather than the vague generalities that have been bandied about thus far. If those two conditions aren't met, it simply won't go over with the community.

Further, some of the historical residents (the Castillos who own much of Munson are particularly concerned) and most of the rest of the community want to ensure that lot be used for residences that blend into the rest of the neighborhood. There is a lot of commercial development around the neighborhood already. The city is facing residential shortages, so to build a commercial facility in a ~1 acre residential area makes very little sense and will disrupt the neighborhood.

If that facility ends up having commercial use, we want the facility to serve the neighborhood, i.e. bike shop, doctor's office, etc. That said, we'd also expect an egress of airport and not Gunter in the case of any non-residential usage.

Thanks to you both for the info.

On Thu, Sep 23, 2021 at 10:04 AM Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:

Hi Matthew. I put my answers in blue below so it will all be in one place.

Heather

On Wed, Sep 22, 2021 at 11:19 AM Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:

Matthew:

My answers are below in red. Heather can provide more details on the zoning-related issues.

Maureen

*** External Email - Exercise Caution ***

In terms of my questions:

(1) What are the next steps the city will take before the case is presented to the Land Use Commission? Staff will make a recommendation on the zoning and the FLUM change request. Eventualy we will schedule the cases for Planning Commission and City Council and work with the E. MLK NPCT on when we will need their recommendation so we can add it to staff case reports. I know a traffic impact study is involved, but was curious to hear more. It was my understanding that the TIA determination was held until site plan stage. Heather can provide more information on that process. Maureen is correct. Austin Transportation Department (ATD) has deferred the requirement at time of site plan. At the time of zoning we don't know what is actually going to be built or what the use will be, so we don't know what the parking or traffic will be. Please note that a traffic impact analysis isn't required for every project, only if the project generates traffic surpassing levels established in City Code.

(2) Does the city factor in the concerns of private citizens around rezoning efforts as listed above? I reported back to my team the concerns from the participants at the virtual community meeting so those were taken into consideration when our team met. When do those considerations get factored in, i.e. with the Land Use Commission, by the case managers, etc.? People can sign up to speak at both the Planning Commission and City Council hearings once those dates are determined. Maureen and I will also attach any correspondence we receive with our staff reports that go to Planning Commission and City Council.

(3) I know a petition was discussed on the call - is there a due date for something like a petition? The zoning petition applies to the zoning case at City Council. I will let Heather provide more information on the zoning petition process. If you haven't found it already, here's a link to zoning petitions: <https://austintexas.gov/faq/petition-rights-zoning-petition>. Maureen is correct. A Valid Petition is a very specific document, more than an informal petition. By state law, a Valid Petition requires a super majority vote by City Council to approve a rezoning instead of a simple majority. I would be happy to discuss Valid Petitions with you after staff has finalized our recommendations on the NPA and rezoning.

Thank you for your time. It's much appreciated!

Best,

Matthew Wong

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From: Madhu Singh

Sent: Thursday, October 21, 2021 2:56 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Cc: Caroline McDonald <>; Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: Re: E MLK NPCT Rec? - NPA-2021-0015.01_1138 1/2 & 1140 Gunter St

*** External Email - Exercise Caution ***

Hi there,

here is my letter--it's the same as my neighbor's :)

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-1-NP, SF-2-NP, SF-3-NP, SF-4 A/B-NP, SF-5-NP or SF-6-NP.

The community and property owners along Gunter and Munson have agreed that 1138 ½ & 1140 Gunter St. should remain residential. The property should serve and blend into the pre-existing neighborhood and should not create further noise/light pollution or traffic. Parking, general congestion, speeding vehicles, and proximity to Airport Blvd. have already caused Gunter to be unsafe. The proposed zoning changes will worsen matters by increasing through traffic along the dangerously busy corridor, especially if the property maintains a Gunter egress, as proposed.

Further, per the filing notice sent on 8/6/2021, the City of Austin itself states that CS-MU-CO-NP zoning is *"intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments."* Given the city's own description of the zoning designation, we - the owners of property affected by the proposed development - object to the request to upzone.

Sincerely,

Madhu Singh--

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From: Betty Martin

Sent: Monday, October 25, 2021 12:03 PM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Re: E MLK NPCT Rec? - NPA-2021-0015.01_1138 1/2 & 1140 Gunter St

*** External Email - Exercise Caution ***

Heather/Maureen:

Please let me know if you need an actual separate letter or if this will suffice.

Dear Planning Commission and City Council:

I am just 4 houses down Munson from the proposed changes (NPA-2021-0015.01 and C14-2021-0125) at 1138 1/2 and 1140 Gunter Street. I generally hate over reacting to change, but 3 specific concerns about this project have me very concerned.

First, at the previous Zoom meeting the representatives apparently said the project was a small gym for the use of the developers employees after hours (of other gyms apparently). That just seems highly unlikely.

Second, running into the agent handling the property they said they had signed an NDA about its use. Totally respect their obligation and the lack of info given the NDA. But in light of my first issue this all seems to be wrapped in a lot of unnecessary cloak and dagger.

Third, I understand they are looking to put the entrance on Gunter. There is an inordinate amount of parking on Gunter and through traffic from Airport to Springdale often speeds down Gunter and Munson (right past my house) already. Adding the entrance for this project on Gunter is only going to exacerbate all that.

I respectfully request that these exceptions to existing zoning and property use be denied until the developer is forthright about their use intent. If community reservations are sufficiently assuaged at that point, I also request that access/egress be on Airport not Gunter.

I understand there is apparently some code requiring access and egress points off of Airport to be 200 feet apart? Right now McDonalds, the mechanic shop and the Tropicana are hardly 200 feet apart in total. So adding this additional access/egress point just beyond them shouldn't be too contentious.

Thank you for your time and consideration.

Elizabeth Martin
3609 Munson St
78722

From: Matthew Wong
Sent: Tuesday, November 2, 2021 9:50 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: Re: E MLK NPCT Rec? - NPA-2021-0015.01_1138 1/2 & 1140 Gunter St

*** External Email - Exercise Caution ***

Hi Maureen and Heather,

An update for you both - the community will be meeting with the developer's lawyer, Caroline, today to discuss our petition. I was wondering if there's an update on its validation status?

I also just wanted to reiterate my issues with the rezoning project. As I've written previously, the neighborhood is already loud. Inviting a commercial property that will have a bowling alley is a major concern for quietness. This is a residential neighborhood where families live. Rezoning this property creates huge risks around long term livability of this area as well as safety.

For a city that is already experiencing residential housing shortages, taking a property that is clearly built for residential use as it does not have the ability to have an Airport egress is really unwise. The traffic on Gunter is incredibly bad. Parking is already congested and cars race down Gunter and Munson to shortcut towards Springdale. The traffic will get even worse with this proposed property.

Further, based on discussions held, it sounds like this property is not even a property that will serve the community. It has been described by the developer's own representation as an adult "playground" during the first community hearing. To suggest it deserves rezoning, to me, is wildly irresponsible and demonstrates that money in this city can override the well being of the community. There was 0 consideration on their part to understanding how their plans would impact historical and recent residents.

Thank you!

Matthew Wong - 1139 3/4 Gunter St. Unit B

On Sep 15, 2021, at 13:02, Nicolas Thatcher < wrote:

Hi Heather/Maureen,

We just received a copy of the Virtual Community Meeting notice for the case C14-2021-0125 and I would like to submit some comments on the case to be included in the Zoom call prior to the community meeting at 6 PM tonight.

1. Will there be residents on this property or will all visitors be day visitors?
2. From a traffic perspective, Gunter Street already has very high pass-through traffic and congestion due to cars parking on both sides of the road. The pass-through traffic sometimes speeds by, causing major concern for neighbor safety. Having this development across the street with an entrance on

Gunter Street will make these matters worse if not addressed by the city. Has the development team taken this into consideration when working out the entrance/exiting of the property?

3. Will there be noise after 9 PM?

4. How tall will the building be?

If time permits, I would like to go over these comments and questions during the meeting.

Many Thanks,

Nic

On Tue, Aug 24, 2021 at 12:53 PM Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:

Hi Nick,

I received some additional information from the applicant. They state that they want to develop “a private live/work space that has a gym, bowling alley, sauna. It will have an office component as well.” Please note that the Neighborhood Plan Amendment (NPA) and Rezoning are for more general mixed use land uses (commercial, office, residential) and are not limited to what the applicant has stated that they propose to do.

I put other answers below in red.

Heather

From: Nick Thatcher <

Sent: Monday, August 16, 2021 5:03 PM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: Questions on Zoning Change Request- Austin Sports Facility

*** External Email - Exercise Caution ***

Hi Heather,

We recently received two separate zoning request changes in the mail for the property across the street- 1138 ½ & 1140 Gunter Street.

1. Case Number: C14-2021-0125 from SF-3-NP to CS-MU-CO-NP

2. Case Number: NPA-2021-0015.01 from SF-3-NP to Mixed Use

The project name is called Austin Sports Facility, however, I am not seeing any details on the proposal online. It mentions that there will be a public hearing in the future, which we will be able to attend.

Will the hearing for the two properties be combined or separate? **The cases will run concurrently.**

Is it common for a developer to request two different zoning requests for a property? **These are not two separate zoning cases. One is a Neighborhood Plan Amendment (NPA) and one is a rezoning. They change two different things but both apply to the property. Please contact Maureen Meredith (above) for questions about the NPA; I can help regarding the rezoning.**

Many Thanks,
Nic

Sent from [Mail](#) for Windows

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Nicolas Thatcher

From: Nicolas Thatcher
Sent: Tuesday, November 2, 2021 9:50 AM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Re: Questions on Zoning Change Request- Austin Sports Facility

Hello Heather/Maureen,

I am submitting comments for the rezoning request for The plan amendment and zoning cases for 1138 ½ and 1140 Gunter Street (NPA-2021-0015.01 and C14-2021-0125)

As the owner across the street of 1139 1/2 Gunter Street, Unit A and B, I would like deny any commercial or mixed use of the property. Since the egress is going to be on Gunter, I believe this will cause more issues with the already bad traffic and safety challenges that the street has.

I believe that the lot should remain single family zoning.

Many Thanks
Nic Thatcher

On Sep 15, 2021, at 13:02, Nicolas Thatcher < > wrote:

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3. Will there be noise after 9 PM?
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To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: Questions on Zoning Change Request- Austin Sports Facility

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Many Thanks,
Nic

Sent from [Mail](#) for Windows

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--

Nicolas Thatcher
[LinkedIn](#)

From: Candice DePrang Boehm
Sent: Tuesday, November 2, 2021 10:05 AM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: 1138 1/2 & 1140 Gunter

*** External Email - Exercise Caution ***

Hi Heather,

I live a stone's throw from the properties in the subject line and am opposed to the current development plan. Gunter cannot withstand more traffic - I likely would only support something with an entrance from Airport Blvd. - and the current plan is private, not open to the neighborhood. The Gunter / Munson pocket needs more neighbors that are invested in our area, not a private complex.

I sincerely hope you will not approve the current development plan or at the very least pass on my feedback.

Respectfully,
Candice

--

Candice DePrang Boehm
281/433.0737

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From: Jim Callison <hotp2t@yahoo.com>
Sent: Tuesday, November 2, 2021 1:23 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Proposed zoning changes on Gunter Street

*** External Email - Exercise Caution ***

RE: NPA-2021-0015.01 and C14-2021-0125

Dear Planning Commission and City Council,

I'm a resident who lives on Munson Street, my house is located just (4) houses down from where Munson St. intersects Gunter St. Both parking AND traffic are already (and will continue to be) a big problem in this area and I only see it being compounded exponentially if a "secretive" developer sways the City Planning Dept. and be granted alterations to already existing Zoning Code statutes for whatever kind of business they are trying to do or build. This development scenario would have a profound domino-effect disaster for our neighborhood, which is already suffering from over-crowded parking on the very narrow residential street of Gunter, the subsequent parking overflow from it onto Munson, and the fact that more and more traffic on these two streets is coming from "non-neighborhood" drivers who use both Munson and Gunter Streets as "short-cuts" between Airport Blvd and Springdale Road, just to avoid the stoplight located there. There is just no way a development of any kind would NOT affect our neighborhood in a negative way, especially one that wants to use Gunter Street as their entrance and egress to whatever it is they want to build...it would just compound the problems we already have and deal with on a daily basis.

Some recent improvements have happened on both Munson and Gunter Streets for which I am grateful for but in the name of safety, more needs to happen before there's a tragedy...and mark my words, it will happen if the City fails to listen to us. Firstly, a sidewalk was recently added the length of Munson St. from Gunter St. to Springdale Rd. which before, any pedestrians on Munson St. literally had to walk in the road with vehicular traffic. Secondly, the City recently installed (3) "NO PARKING" signs on Gunter St. to try and stop people from parking right on the corner of Gunter & Munson and also directly across the street

from that corner where a fire hydrant is located. That signage so far has had mixed results...sometimes people heed the signs and sometimes they don't. As narrow as Gunter St. is and with the current parking nightmare, it's literally a challenge to safely pass in either direction an oncoming vehicle. "Most" of the time (but NOT ALL the time) drivers will wait to the side for an oncoming vehicle to pass before they feel it's safe to drive the short distance on Gunter St. from Munson St. to Airport Blvd. What NEEDS TO HAPPEN is a full-on designation of NO PARKING on one side of Gunter St. from Airport Blvd. to Oak Springs Dr.

As I mentioned above, a majority of the traffic we neighbors see on a daily basis on both Gunter and Munson Streets is NOT local residents, it is non-local drivers using both of these streets as "short-cuts" between Springdale Road and Airport Blvd to avoid the stoplight at that intersection. The speed limit on ANY residential neighborhood street is 25MPH and that's a basic DMV-101 question on a drivers license exam. Yet day after day (and especially night after night!) there is a certain amount of bozo drivers who use Munson St. as their own personal NASCAR racetrack and floor it to in excess of freeway speeds from one end to the other. I've looked up and down and on both sides of Munson and Gunter Streets...THERE ARE NO SPEED LIMIT SIGNS POSTED ANYWHERE ON THESE STREETS!! This is in reference to the part I wrote of where I said "MARK MY WORDS"...there is going to be a tragedy one of these days on one or both of these two streets because of some speeding bozo driver. I absolutely hate with a passion streets with speed-bumps or other kinds of traffic measures to slow down vehicles. But the way a lot of drivers using Munson St. are excessively speeding up and down it, it's only a matter of time before someone is hit and killed and I for one would embrace some kind of traffic measures taken on Munson St. in order to force people to slow down.

In closing, I reiterate what I said before...whatever this developers plans are for building something that needs the City Planning Dept. granting them a waiver to bend or alter the existing Zoning Codes to allow them to proceed will only compound the problems we already have concerning traffic and parking in our neighborhood. As Nancy Reagan always said "JUST SAY NO!" Thank you for your time and consideration.

Respectively,

James Callison
3609 Munson St. - Unit 2
Austin, TX 78721

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

From: Eric Castillo <airx55@yahoo.com>
Sent: Tuesday, November 2, 2021 1:35 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Rezoning of 1138 1/2 & 1140 Gunter St.

*** External Email - Exercise Caution ***

Good afternoon,

Wanted to express our concerns about the rezoning of 1138 1/2 & 1140 Gunter St., I have lived on Munson Street. all my life (54 years). My parents live at 3702 Munson Street, where I lived

until I got married. My husband and I bought our home at 3605 Munson Street and have lived there for over 32 years. Our neighborhood has changed so much!

Our concerns in the rezoning of 1138 1/2 & 1140 Gunter St:

- Parking / Congestion: vehicles from the Lupine Terrace Apartments are not allowed to park in the apartment complex, if they do not have a permit, therefor the overflow of vehicles park on Gunter Street & Munson Street.
- Traffic: the traffic is terrible due to the cars that are parked on both sides of the street along side Gunter Street & Munson Street. If you are trying to pull out of Munson Street onto Gunter Street and a vehicle turns off from Airport Blvd to Gunter Street, you are almost guaranteed that you will need to pull over to one side of the street, if a space is available or will have to reverse back onto Munson Street, if a school bus is turning, you are really stuck then.
- Speeding: Gunter Street & Munson Street are used for a short cut from Airport Blvd., vehicles speed thru Gunter Street & Munson Street to get onto Springdale Road. We have to be very careful when we are pulling out of our driveway. My daughter has been hit by a car that turned onto Munson Street from Gunter Street. It has caused Gunter Street & Munson Street to be unsafe.

The proposed zoning changes will make matters worse by increasing through traffic along an already dangerous busy corridor, especially if the property maintains egress, as proposed.

My husband & I would like to see the property remain residential as it has all of my life.

Sincerely,
Joseph & Mary Castillo

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Matt

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Thanks,
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Thank you,
Nadia

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If you can, I'd recommend dropping a brief email to Heather.Chaffin@austintexas.gov and Maureen.Meredith@austintexas.gov about your feelings on the rezoning and let folks who might not be on this chain know as well. While our petition is submitted it hasn't been validated yet - the collective opinions of the community will be just as important to whatever recommendation the city makes.

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Thanks!

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817.372.9415 c
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cldeprangboehm@gmail.com; madhusingh827@gmail.com; lianoperez93@gmail.com; Nicolas Thatcher
<nick.citydiscount@gmail.com>; Mrs. Thatcher <francesthatcher92@gmail.com>;
emlkchair@gmail.com; cammiecastillo98@gmail.com; sarah.a.matchett@gmail.com;
clark@drinkgoldenratio.com
Subject: Re: NPA-2021-0015.01_1138 [1/2 & 1140 Gunter St.](#) (E. MLK NP Area)

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After discussing with my neighbors (they are all copied on this email) last night after the call, we are all in agreement that we do not want the lots to be upzoned from Residential to Commercial Mixed Use.

We're pulling deed restrictions from title and would also like to request a copy of the rezoning application, and proposed plan for reference in our petition.

Please advise on how to proceed.

Best,

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Thank you,
Co-Chairs, [East MLK Neighborhood Plan](#) Contact Team
Angela B Garza, Melonie House-Dixon, Dianna Dean, Alexandria Anderson, Nadia Barbot

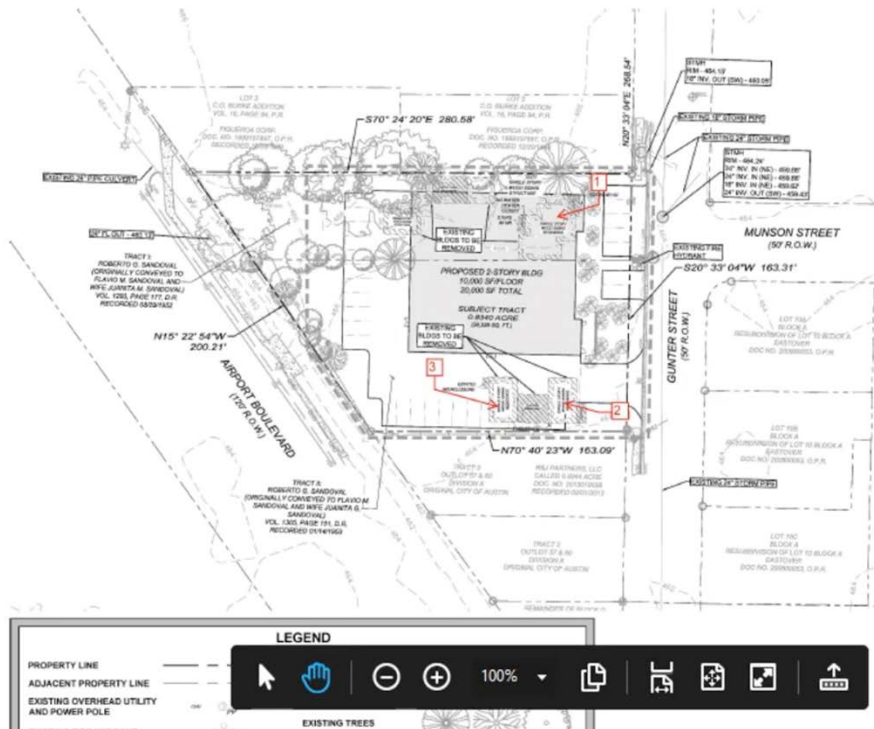
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Sent: Sunday, November 14, 2021 1:27 PM
To: Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com>
Cc: Candice DePrang Boehm <cldeprangboehm@gmail.com>; Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Clark Nowlin <jclarknowlin@gmail.com>; EMLKCT Chair <emlkchair@gmail.com>; Madhu Singh <madhusingh827@gmail.com>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Mrs. Thatcher <francesthatcher92@gmail.com>; Nicolas Thatcher <nick.citydiscount@gmail.com>; Sarah Matchett <sarah.a.matchett@gmail.com>; avesworzel@gmail.com; bafitness907@gmail.com; cammiecastillo98@gmail.com; erinnshaffer@gmail.com; lianoperez93@gmail.com
Subject: Re: NPA-2021-0015.01_1138 1/2 & 1140 Gunter St. (E. MLK NP Area)

Hey Omar,

The original hearing call is online if Paul is interested.

https://www.speakupaustin.org/npa/news_feed/virtual-cmtty-mtg-mpa-2021-0015-01_1138-1-2

They have the diagram which I screenshotted below.



On Sun, Nov 14, 2021 at 1:17 PM Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com> wrote:

I managed to get a hold of Paul, the owner of Krishan and Manassa's neighbor. He seems to be 50/50 based on everything I told him.

Does anyone have a plan for what they're proposing to build? It was something he wanted to see before deciding.

On Sun, Nov 14, 2021 at 11:54 AM Matthew Wong <> wrote:

Thanks, Nic. I think that's a good summary. I would be on board with all the above as a fallback to push the city on.

The one thing I'd note is that with respect to the ingress/egress, I do think it's a city issue. The property was initially zoned as residential and was not planned for commercial use. Because of that, the property is prohibited from having an Airport egress (the city won't budge on this). In my mind, because it isn't possible, the property shouldn't be commercial, full stop. I don't think it changes anything with respect to what you note above, but it's something I'd still like to press the city on during the hearings. There's a reason why the property has a Gunter address and not an Airport address.

I thought I should update everyone on the petition, too. So far, we have not met the threshold of 20% due to the 200 ft. radius restriction. You'll see the preliminary analysis in the attached PDFs. At the moment it doesn't count 1139 3/4 and 1139 properties since we are HOAs (we just need to send our HOA docs to them). Once those properties are counted, it should bring us to approximately 15%. If we can get Kristian's neighbors to sign (and the Castillos do know the owners of the Tropicana), we can crack 20%. That said, it still could get overridden by the city.

Nic, I agree - we need to show up in person for the Planning Commission. It'd be wise to reiterate the petition, but if the city is intent on moving forward or our petition fails, I think we should also be unified in the contingencies you recommend.

On Sun, Nov 14, 2021 at 11:16 AM Nicolas Thatcher <nick.citydiscount@gmail.com> wrote:
Hi All,

I just listened to the video of the meeting and had a couple of comments.

In preparation for the December 14th Planning Committee meeting, I believe that having the immediate community unified on our conditional requests for the development is imperative; if it does end up getting approved.

From what I gathered, there are three core concerns that we all share:

1. **Street Parking:** Too many cars are currently parked along Gunter and Munson that don't belong to residents of the homes on those streets. This causes issues with visibility when coming around the corner and out of driveways.
 1. **Recommendation:** Require more 'No Parking' zones along Gunter Street and/or change street parking to residential-only. I would go so far as to say making the entire Gunter Street and Munson Street resident-only parking. This is the first of many commercial developments that are earmarked for the area and we have to make sure that we look to protect our street now and in the future.
2. **Noise and Light Pollution:** Because of previous related events, the neighborhood is mainly concerned with the amount of noise that is going to be emitted from the property. We also want to ensure that there are no bright signs that will emit along Gunter Street.
 1. **Recommendation:** The Austin noise [ordinance](#) already restricts business from making excess noise between 10:30 PM and 7:00 AM. My guess is that a similar restriction is in place to prevent bright signs from illuminating residential streets. Beyond the city ordinances, the only other resolution would be to move forward with a petition of limiting the zoning to residential.
3. **Through Traffic & Speed:** Right now there are a lot of cars that are passing through Gunter Street from Airport to Oak Springs and vice versa. This is often associated with speed. Oftentimes cars reach upwards to 50 miles an hour down the road which is a huge concern for the neighborhood, especially families with kids and pets.
 1. **Recommendation:** Ask the city to install speed bumps along Gunter Street to disincentivize through traffic. I would also like to put forward the option for us to convert all or part of Gunter and Munson into a [living street](#).

Is there anything else I am missing from above? Am I correct in saying that we are unified on the above issues?

Additionally, I know there were some concerns around ingress/egress from property and aligning the development with the community wants/needs. Though I think these are important considerations, these requests would fall out of the purview of the city.

Does anyone have details on the December 14th Planning Commission meeting? To understand who is all attending in-person, I think it would be a good idea to create a calendar invite and share out with the group.

Thanks again to all for staying on top of this and working together to ensure that our neighborhood remains safe and fun to live in!

Nic

On Tue, Nov 2, 2021 at 9:42 PM Matthew Wong <_> wrote:
Hey Candice,

No problem. I'd be interested for sure.

On Nov 2, 2021, at 9:18 PM, Candice DePrang Boehm < wrote:

Thanks so much for this update. I'd really like to get our city council person's policy lead involved. I reached out to her a month ago but it didn't sound like this group was interested in meeting with her at the time. Has that changed? Ultimately, city council will vote on the recommendation, right?

If y'all would be willing to get on a call or have a beer / front yard get together to voice our concerns with them, please let me know and I'll set it up. — Candice

On Nov 2, 2021, at 9:05 PM, Matthew Wong <_> wrote:

Hi everyone,

Wanted to report back on how the meeting with the developer went. His name is **Michael Orsak** - I believe he's one of 2 or 3 - and his lawyer, Caroline McDonald, was also on the call. Omar joined me on the call. Nadia, Ben, and Angela also joined from the neighborhood contact teams.

I didn't start recording the call until midway through, but will send that over in case anyone is interested.

The broad strokes:

1. **We explained the community petition.** We noted that 1. we have serious concerns around traffic due the 1138 1/2 and 1140 property only being zoned for a Gunter egress and 2. we do not want any additional noise or light pollution and felt this couldn't be guaranteed based-off of how cagey they've been about the property's future use. Omar made it clear that we can't speak on behalf of all our neighbors but those two were the shared fundamental concerns.
2. **Michael and Caroline started off polite but got fairly combative and dismissive.** They suggested they were willing to work with the community around our concerns, but punted the traffic issue back to the city, and refused to be clear on how the property would be used. The one thing they did say which was different than last time was that they planned on leasing the property to

businesses within their "portfolio." When Omar asked for more details, Michael told him it wasn't any of our business.

3. **They made it clear they were moving forward with the project, regardless of community concern.** They noted that Heather and the team in charge of the project now will recommend for the rezoning because, from what I understood, FLUM suggests Airport corridor properties should be zoned for commercial use. (This does seem to neglect the fact that the property is actually a Gunter Street property.) The way they spoke suggested their development was an inevitability.
4. **The call ended with my suggesting that if the developers wanted to alleviate the concerns of the community that they figure out how to reach out to all of us collectively,** otherwise we'd just continue to move forward with the petition since there wasn't much additional clarity around the space's use or what they would proactively do about the traffic issue beyond possibly seeking to share an entrance with the Tropicana.

In short, not much changed but I do think Omar and I left with a very bad taste in our mouths. The developer was still very cagey and refused to make any substantive promises. At times, he was somewhat rude. Omar, feel free to chime in if you saw things differently.

Because the Planning Commission meeting is pushed until December 14th, I'd recommend everyone reach out to write into Heather and Maureen from the city (heather.chaffin@austintexas.gov, Maureen.Meredith@austintexas.gov) about our concerns. Also, tell your neighbors who aren't on this thread - communications to the city about this issue doesn't just have to be property owners.

Also, it's really important that we reserve December 14th to show up at the Planning Commission hearing in person. Angela mentioned that this would ultimately be our greatest piece of negotiating power in case our petition isn't fully validated. I very much agree - without our community showing up, the developers will always have more influence than the neighborhood petition would. It seems like we can't bank on the petition at all.

If anyone has any other ideas, I'm very open to them. Beyond the petition and making sure we show up in person, I'm not sure what else can be done.

Here's a link to the recording of the call: <https://drive.google.com/file/d/1bd4HQxTfKMzaRVdxfIOaDnEjZFbdXx9q/view?usp=sharing>

Here's a link, again, to our petition: <https://docs.google.com/document/d/1FayojJb8tHocjJlot73kJGbmbm96a8NdbzlvuCFHNiw/edit?usp=sharing>

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Subject: Re: NPA-2021-0015.01_1138 1/2 & 1140 Gunter St. (E. MLK NP Area)

Hi everyone,

I wanted to give a quick update on last night's East MLK Contact Team meeting.

Angela invited Omar, Josie, Theresa, and myself to attend to speak on behalf of the neighborhood. The East MLK Contact Team oversees community response to developments in the area and writes recommendations to the city on whether they endorse specific upzoning projects. The Gunter development was one of two items on last night's meeting.

Because we were the second item, we were able to see a developer present on a proposed MF-4 upzone for an SF-3 property not too far from us. It's for 140 residential units, 30% of which will be affordable housing. Omar and I noted it was eye opening to see how much work the developer put into his presentation and to hear about how his team had been trying to work with the community for well over a year to take their concerns (also largely around traffic) into account before moving ahead with their project. It was eye-opening to see how they had committed to a ton of community benefits: a certain amount of greenspace, a cafe, etc. even beyond the 30% affordable units. It was pretty impressive.

When it was our turn, only the developer's lawyer, Caroline, showed up. She gave the same presentation she gave during our first hearing months ago - no new developments beyond committing to adding a conditional overlay prohibiting a bar on the site. There was no firm commitment on avoiding a Gunter egress or coming up with some way to address potential traffic issues. Further, Caroline

pivoted back to suggesting that the facility would be a private office, which is the third time she has changed her story on the facility's usage.

The four residents of Gunter and Munson then spoke about our concerns that are detailed in the petition. Josie and Theresa provided some really important historical perspective.

When Caroline was given time to respond, she suggested she had tried to reach out to the community about our concerns. As y'all know, this simply hasn't been the case and we let the contact team know that there has been 0 proactive outreach from their side apart from letting Omar and me know about the conditional overlay hours before the meeting. Pretty simply, the developer has not committed to take action on our two primary concerns: traffic exacerbation on Gunter/Munson and transparency around the facility's future use. We're effectively in the same position we've been in since the initial hearing.

In the end, the Contact Team had 11 unanimous votes against the development and will write a recommendation to the city outlining the concerns. It was pretty interesting to hear the commentary of the team after the developers left the meeting - one of the chairs noted that Caroline's proposal might have been the worst and most vague presentation by a developer he'd ever seen.

I hope this helps provide some context. The recommendation I think will bolster our petition, but ultimately it'll be most important to show up in person for the December 14th Planning Commission hearing and ultimately before the City Council.

I think we all want that lot used to the benefit of the livability and property values of the neighborhood, but thus far we simply haven't been given any concrete assurances around traffic or the facility's intended use.

On Sun, Nov 14, 2021 at 4:25 PM Matthew Wong <_> wrote:

Yes, the Castillo's know the owner of the Tropicana. Eric and Josie said they'd try to reach out to see where they are with it. They'd account for a big %.

On Nov 14, 2021, at 4:01 PM, Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com> wrote:

I'm pretty sure if we get the owner of Tropicana that'll push us over.

On Sun, Nov 14, 2021 at 3:58 PM Nicolas Thatcher <nick.citydiscount@gmail.com> wrote:

The low percentage makes sense now. I see it's considering the % square footage within the 200 yard range.

@Nadia or Josie- do you know the property owners of the commercial properties in the area? i sense that if we get their buy-in then we would greatly increase our overall %

On Sun, Nov 14, 2021 at 15:37 Matthew Wong <_> wrote:

Sorry about that, everyone. Forgot to attach it.

Nic, yes - y'all's properties are counted and not as an HOA.

On Sun, Nov 14, 2021 at 2:37 PM Nicolas Thatcher <nick.citydiscount@gmail.com> wrote:
Hi Matt-

To confirm, Frances and I don't have an HOA on our two properties. It was never officially registered with the city and when we bought the house we decided to opt out.

Can you resend the PDF- I am not seeing it attached

Thanks,
Nic

Created, reviewed and sent from my iPhone.

On Nov 14, 2021, at 11:54, Matthew Wong <[_](#)> wrote:

Thanks, Nic. I think that's a good summary. I would be on board with all the above as a fallback to push the city on.

The one thing I'd note is that with respect to the ingress/egress, I do think it's a city issue. The property was initially zoned as residential and was not planned for commercial use. Because of that, the property is prohibited from having an Airport egress (the city won't budge on this). In my mind, because it isn't possible, the property shouldn't be commercial, full stop. I don't think it changes anything with respect to what you note above, but it's something I'd still like to press the city on during the hearings. There's a reason why the property has a Gunter address and not an Airport address.

I thought I should update everyone on the petition, too. So far, we have not met the threshold of 20% due to the 200 ft. radius restriction. You'll see the preliminary analysis in the attached PDFs. At the moment it doesn't count 1139 3/4 and 1139 properties since we are HOAs (we just need to send our HOA docs to them). Once those properties are counted, it should bring us to approximately 15%. If we can get Kristian's neighbors to sign (and the Castillos do know the owners of the Tropicana), we can crack 20%. That said, it still could get overridden by the city.

Nic, I agree - we need to show up in person for the Planning Commission. It'd be wise to reiterate the petition, but if the city is intent on moving forward or our petition fails, I think we should also be unified in the contingencies you recommend.

On Sun, Nov 14, 2021 at 11:16 AM Nicolas Thatcher <nick.citydiscount@gmail.com> wrote:
Hi All,

I just listened to the video of the meeting and had a couple of comments.

In preparation for the December 14th Planning Committee meeting, I believe that having the immediate community unified on our conditional requests for the development is imperative; if it does end up getting approved.

From what I gathered, there are three core concerns that we all share:

1. **Street Parking:** Too many cars are currently parked along Gunter and Munson that don't belong to residents of the homes on those streets. This causes issues with visibility when coming around the corner and out of driveways.
 1. **Recommendation:** Require more 'No Parking' zones along Gunter Street and/or change street parking to residential-only. I would go so far as to say making the entire Gunter Street and Munson Street resident-only parking. This is the first of many commercial developments that are earmarked for the area and we have to make sure that we look to protect our street now and in the future.
2. **Noise and Light Pollution:** Because of previous related events, the neighborhood is mainly concerned with the amount of noise that is going to be emitted from the property. We also want to ensure that there are no bright signs that will emit along Gunter Street.
 1. **Recommendation:** The Austin noise [ordinance](#) already restricts business from making excess noise between 10:30 PM and 7:00 AM. My guess is that a similar restriction is in place to prevent bright signs from illuminating residential streets. Beyond the city ordinances, the only other resolution would be to move forward with a petition of limiting the zoning to residential.
3. **Through Traffic & Speed:** Right now there are a lot of cars that are passing through Gunter Street from Airport to Oak Springs and vice versa. This is often associated with speed. Oftentimes cars reach upwards to 50 miles an hour down the road which is a huge concern for the neighborhood, especially families with kids and pets.
 1. **Recommendation:** Ask the city to install speed bumps along Gunter Street to disincentivize through traffic. I would also like to put forward the option for us to convert all or part of Gunter and Munson into a [living street](#).

Is there anything else I am missing from above? Am I correct in saying that we are unified on the above issues?

Additionally, I know there were some concerns around ingress/egress from property and aligning the development with the community wants/needs. Though I think these are important considerations, these requests would fall out of the purview of the city.

Does anyone have details on the December 14th Planning Commission meeting? To understand who is all attending in-person, I think it would be a good idea to create a calendar invite and share out with the group.

Thanks again to all for staying on top of this and working together to ensure that our neighborhood remains safe and fun to live in!

Nic

On Tue, Nov 2, 2021 at 9:42 PM Matthew Wong <> wrote:

Hey Candice,

No problem. I'd be interested for sure.

On Nov 2, 2021, at 9:18 PM, Candice DePrang Boehm wrote:

Thanks so much for this update. I'd really like to get our city council person's policy lead involved. I reached out to her a month ago but it didn't sound like this group was interested in meeting with her at the time. Has that changed? Ultimately, city council will vote on the recommendation, right?

If y'all would be willing to get on a call or have a beer / front yard get together to voice our concerns with them, please let me know and I'll set it up. — Candice

On Nov 2, 2021, at 9:05 PM, Matthew Wong <_> wrote:

Hi everyone,

Wanted to report back on how the meeting with the developer went. His name is **Michael Orsak** - I believe he's one of 2 or 3 - and his lawyer, Caroline McDonald, was also on the call. Omar joined me on the call. Nadia, Ben, and Angela also joined from the neighborhood contact teams.

I didn't start recording the call until midway through, but will send that over in case anyone is interested.

The broad strokes:

1. **We explained the community petition.** We noted that 1. we have serious concerns around traffic due the 1138 1/2 and 1140 property only being zoned for a Gunter egress and 2. we do not want any additional noise or light pollution and felt this couldn't be guaranteed based-off of how cagey they've been about the property's future use. Omar made it clear that we can't speak on behalf of all our neighbors but those two were the shared fundamental concerns.
2. **Michael and Caroline started off polite but got fairly combative and dismissive.** They suggested they were willing to work with the community around our concerns, but punted the traffic issue back to the city, and refused to be clear on how the property would be used. The one thing they did say which was different than last time was that they planned on leasing the property to businesses within their "portfolio." When Omar asked for more details, Michael told him it wasn't any of our business.
3. **They made it clear they were moving forward with the project, regardless of community concern.** They noted that Heather and the team in charge of the project now will recommend for the rezoning because, from what I understood, FLUM suggests Airport corridor properties should be zoned for commercial use. (This does seem to neglect the fact that the property is actually a Gunter Street property.) The way they spoke suggested their development was an inevitability.
4. **The call ended with my suggesting that if the developers wanted to alleviate the concerns of the community that they figure out how to reach out to all of us collectively,** otherwise we'd

just continue to move forward with the petition since there wasn't much additional clarity around the space's use or what they would proactively do about the traffic issue beyond possibly seeking to share an entrance with the Tropicana.

In short, not much changed but I do think Omar and I left with a very bad taste in our mouths. The developer was still very cagey and refused to make any substantive promises. At times, he was somewhat rude. Omar, feel free to chime in if you saw things differently.

Because the Planning Commission meeting is pushed until December 14th, I'd recommend everyone reach out to write into Heather and Maureen from the city (heather.chaffin@austintexas.gov, Maureen.Meredith@austintexas.gov) about our concerns. Also, tell your neighbors who aren't on this thread - communications to the city about this issue doesn't just have to be property owners.

Also, it's really important that we reserve December 14th to show up at the Planning Commission hearing in person. Angela mentioned that this would ultimately be our greatest piece of negotiating power in case our petition isn't fully validated. I very much agree - without our community showing up, the developers will always have more influence than the neighborhood petition would. It seems like we can't bank on the petition at all.

If anyone has any other ideas, I'm very open to them. Beyond the petition and making sure we show up in person, I'm not sure what else can be done.

Here's a link to the recording of the call: <https://drive.google.com/file/d/1bd4HQxTfKMzaRVdxflOaDnEjZFbdXx9q/view?usp=sharing>

Here's a link, again, to our petition: <https://docs.google.com/document/d/1Fayojb8tHocjJlot73kJGmbbm96a8NdbzlvuCFHNiw/edit?usp=sharing>

Matt

On Tue, Nov 2, 2021 at 3:02 PM Nicolas Thatcher <nick.citydiscount@gmail.com> wrote:
Thank you Nadia,

To confirm- we are able to show up in person and deliver comments on this development on the 14th of December at 6 PM at Coty Hall, correct?

Thanks,
Nic

On Tue, Nov 2, 2021 at 14:51 EMLKCT Chair <emlkchair@gmail.com> wrote:
Hi folks- I just saw an email from the City staffer Maureen that there was an technology glitch and they didn't send out the proper notifications for Planning Commission next week, and so this case has been moved to the next PC meeting:

"Our notification department experienced some technical issues that made it impossible to notify the zoning and NPA cases for the November 9th Planning Commission meeting. We will renotify the cases for the **December 14, 2021 Planning Commission hearing date**. If you would like to submit updated information for our staff case reports for the Dec. 14 PC hearing date, please email it to me and Heather no later than **Tuesday, December 7, 2021 by 4:30 pm** which is when are reports are due. If we get it after that date and time, it will be submitted as late back up material to the Commissioners."

I'm not sure if it was said on the other thread but for everyone to know- residents who want to speak on the case at Planning Commission can do so, but it must be in person. Planning Commission meetings are held starting at 6pm on Tuesday evenings at City Hall- if you park beneath the building, you will get your parking validated so that it is free. Pretty much as many people who want to speak can- there will be some "lead" speakers that you can designate upfront who can give a presentation. And I mentioned this to Omar when we all first got the notice for this case- postponements are very common and it is totally fine for the neighborhood to request one (or more) if you want to. I believe postponement was not expected to be useful in this situation, since the neighbors don't feel like the developer is proceeding in good faith, but just wanted to let you know, it is very very common. We'll (EMLK Contact team) be in touch throughout, trying to support you as best we can, no matter what the timeline ends up being.

Thank you,
Nadia

On Tue, Nov 2, 2021 at 9:56 AM Matthew Wong <_> wrote:
Hi folks,

I just sent this to the community text chain so apologies if it's repetitious. If you got the text, feel free to ignore.

I believe everyone has already received an email from the city, but the Planning Commission meeting for the Gunter rezoning is scheduled for November 9th. **November 2nd**, today, is the deadline for having your opinion included in the package before the commission meeting.

If you can, I'd recommend dropping a brief email to Heather.Chaffin@austintexas.gov and Maureen.Meredith@austintexas.gov about your feelings on the rezoning and let folks who might not be on this chain know as well. While our petition is submitted it hasn't been validated yet - the collective opinions of the community will be just as important to whatever recommendation the city makes.

I'll follow up via email since I think there are more folks on that thread, too. Due date for emails is by 4:30PM today. If they aren't received and dated by then, they won't be considered during the Commission meeting. Thanks!

Matt

On Thu, Sep 16, 2021 at 4:34 PM Clark Nowlin <clarknowlin@gmail.com> wrote:

Thanks!

Clark Nowlin
817.372.9415 c
[Get Some Gold](#)

On Thu, Sep 16 2021 at 16:13, Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com> wrote:
Copying Blaine Amory and Avery Worzel.

On Thu, Sep 16, 2021 at 3:57 PM Clark Nowlin <clark@drinkgoldenratio.com> wrote:

Clark
Founder
[Golden Ratio](#)

On Thu, Sep 16 2021 at 12:43, Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com> wrote:

On Thu, Sep 16, 2021 at 12:40 PM Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com>
wrote:
Thanks. Copying Erin.

On Thu, Sep 16, 2021 at 10:42 AM Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:

From: Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com>
Sent: Thursday, September 16, 2021 10:20 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Matthew Wong <>;
cldeprangboehm@gmail.com; madhusingh827@gmail.com; lianoperez93@gmail.com; Nicolas Thatcher
<nick.citydiscount@gmail.com>; Mrs. Thatcher <francesthatcher92@gmail.com>;
emlkchair@gmail.com; cammiecastillo98@gmail.com; sarah.a.matchett@gmail.com;
clark@drinkgoldenratio.com
Subject: Re: NPA-2021-0015.01_1138 [1/2 & 1140 Gunter St.](#) (E. MLK NP Area)

*** External Email - Exercise Caution ***

Copying Sarah Matchett and Clark Nowlin.

On Thu, Sep 16, 2021 at 9:54 AM Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com>
wrote:

Copying the Castillo's on the email.

On Thu, Sep 16, 2021 at 9:53 AM Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com> wrote:

Hi Maureen,

This is Omar from the meeting last night concerning the rezoning of 1138 [1/2](#) and [1140 Gunter St.](#)

After discussing with my neighbors (they are all copied on this email) last night after the call, we are all in agreement that we do not want the lots to be upzoned from Residential to Commercial Mixed Use.

We're pulling deed restrictions from title and would also like to request a copy of the rezoning application, and proposed plan for reference in our petition.

Please advise on how to proceed.

Best,

Omar

713-377-8317

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Thank you,
Co-Chairs, [East MLK Neighborhood Plan](#) Contact Team

Angela B Garza, Melonie House-Dixon, Dianna Dean, Alexandria Anderson, Nadia Barbot

From: Ms. Angela Benavides Garza <>
Sent: Thursday, November 18, 2021 7:25 AM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: ben ramirez <Caroline McDonald <>; Nadia Barbot <>
Subject: Good Morning! - NPA-2021-0015.01_1138 1/2

*** External Email - Exercise Caution ***

Hello Heather,

I am writing as a Neighbor Member of SANA.

I hope you are having a fabulous Thursday! Would you send us an update of where we are at with the petition for Gunter Street?

There is a neighborhood association in this area - SANA - that is going through a rebuilding process. Mr. Ben Ramirez is the president. Our area was both destroyed by covid and we experienced a record number of gentrification. My family alone lost 11 family members to covid in less than 12 months. Many families have either been infected with covid or had family members who passed away. The former President of SANA is currently selling both their family's properties in the area.

With regard to this specific case, I need your guidance here Heather. We know that the applicant has been in contact with you. We need to know if a shared commercial egress facing Airport Blvd is even possible. To this date we have not found one neighbor who is favoring the project. TX Dot has a primary egress code block on this property per the applicant. This will force the applicant to create an entry and exit towards the residential street. Causing many challenges for the neighbors of this street.

Thank You for helping us understand if a shared commercial egress is an option for the applicant so that the neighbors of this area know how to respond.

Thank You,
Angela

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From: Nicolas Thatcher <nick.citydiscount@gmail.com>
Sent: Thursday, November 18, 2021 12:34 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: Re: NPA-2021-0015.01_1138 1/2 & 1140 Gunter St. (E. MLK NP Area)

Hello Maureen and Heather,

Regarding the rezoning request for 1138 and 1140 Gunter Street, I would like to share some comments to be considered during the hearing on December 14th. The sentiment is shared with a few of the neighbors as well.

From what I gathered, there are three core concerns that we all share:

1. **Street Parking:** Too many cars are currently parked along Gunter and Munson that don't belong to residents of the homes on those streets. This causes issues with visibility when coming around the corner and out of driveways.
 1. **Recommendation:** Require more 'No Parking' zones along Gunter Street and/or change street parking to residential-only. I would go so far as to say making the entire Gunter Street and Munson Street resident-only parking. This is the first of many commercial developments that are earmarked for the area and we have to make sure that we look to protect our street now and in the future.
2. **Noise and Light Pollution:** Because of previous related events, the neighborhood is mainly concerned with the amount of noise that is going to be emitted from the property. We also want to ensure that there are no bright signs that will emit along Gunter Street.
 1. **Recommendation:** The Austin noise [ordinance](#) already restricts businesses from making excess noise between 10:30 PM and 7:00 AM. My guess is that a similar restriction is in place to prevent bright signs from illuminating residential streets. Beyond the city ordinances, the only other resolution would be to move forward with a petition of limiting the zoning to residential.
3. **Through Traffic & Speed:** Right now there are a lot of cars that are passing through Gunter Street from the Airport to Oak Springs and vice versa. This is often associated with speed. Oftentimes cars reach upwards to 50 miles an hour down the road which is a huge concern for the neighborhood, especially families with kids and pets.
4. **Recommendation:** Ask the city to install speed bumps along Gunter Street to disincentivize through traffic. I would also like to put forward the option for us to convert all or part of Gunter and Munson into a [living street](#)

Also, would you be able to share with us the details of the December 14th meeting? I am not sure of the location or time.

Thank you,
Nic

On Thu, Sep 16, 2021 at 10:38 AM Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:

Here are the documents. I may need to send in multiple emails.

Maureen

From: Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com>

Sent: Thursday, September 16, 2021 10:20 AM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Matthew Wong <_>; cldeprangboehm@gmail.com; madhusingh827@gmail.com; lianoperez93@gmail.com; Nicolas Thatcher <nick.citydiscount@gmail.com>; Mrs. Thatcher <francesthatcher92@gmail.com>; emlkchair@gmail.com; cammiecastillo98@gmail.com; sarah.a.matchett@gmail.com; clark@drinkgoldenratio.com

Subject: Re: NPA-2021-0015.01_1138 1/2 & 1140 Gunter St. (E. MLK NP Area)

*** External Email - Exercise Caution ***

Copying Sarah Matchett and Clark Nowlin.

On Thu, Sep 16, 2021 at 9:54 AM Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com> wrote:

Copying the Castillo's on the email.

On Thu, Sep 16, 2021 at 9:53 AM Muhammad Ghaznavi <muhammad.omar.ghaznavi@gmail.com> wrote:

Hi Maureen,

This is Omar from the meeting last night concerning the rezoning of 1138 1/2 and 1140 Gunter St.

After discussing with my neighbors (they are all copied on this email) last night after the call, we are all in agreement that we do not want the lots to be upzoned from Residential to Commercial Mixed Use.

We're pulling deed restrictions from title and would also like to request a copy of the rezoning application, and proposed plan for reference in our petition.

Please advise on how to proceed.

Best,

Omar

713-377-8317

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From: Jim Young
Sent: Tuesday, February 1, 2022 6:34 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: C14-2021-0125 support letter

*** External Email - Exercise Caution ***

Maureen-

My name is Jim Young. I am one of the codevelopers of the Goodwin Apartments, at 3706 Goodwin, Austin Texas.

I am writing to offer my support for the rezone on Gunter Street: c14-2021-0125.

I think this rezone, particularly since it fronts Airport Boulevard, will be a much higher and better use to the community than it's current zoning.

Jim Young, CCIM
512-565-7509
-typed from mobile-

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