

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Central West Austin Combined (Windsor Road)

CASE#: NPA-2022-0027.01

DATE FILED: February 6, 2022 (In-cycle)

PROJECT NAME: SHQ W 35th

PC DATE: June 28, 2022
June 14, 2022

ADDRESS/ES: 1809 W. 35th Street

DISTRICT AREA: 10

SITE AREA: 0.27 acs / 11,767 sq. ft.

OWNER/APPLICANT: MEA Real Estate Ventures, LLC

AGENT: Thrower Design, LLC (Ron Thrower and Victoria Haase)

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Neighborhood Commercial

To: Neighborhood Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2022-0021

From: LR-NP

To: LO-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: September 23, 2010

CITY COUNCIL DATE:

July 28, 2022

ACTION: Postponed to September 1, 2022 at the request of staff.

September 1, 2022

ACTION:

PLANNING COMMISSION RECOMMENDATION:

June 28, 2022 – After discussion, approved the applicant’s request for Neighborhood Mixed Use land use. [J. Shieh – 1st; G. Anderson – 2nd] Vote: 10-0 [Y. Flores, P. Howard, and S.R. Praxis absent].

June 14, 2022 – Postponed to June 28, 2022 on the consent agenda at the request of the neighborhood. [R. Schneider 1st; J. Thompson- 2nd] Vote: 9-0 [Y. Flores, C. Hempel, J. Mushtaler and J. Shieh absent].

STAFF RECOMMENDATION: Recommended for applicant’s request for Neighborhood Mixed Use land use.

BASIS FOR STAFF’S RECOMMENDATION: Staff supports the applicant’s request for Neighborhood Mixed Use land use to accommodate the inclusion of four residential units to the office use. The property is located with frontage on W. 35th Street, which is an activity corridor where mixed use developments are encouraged.

The Central West Austin Neighborhood Plan supports small neighborhood-serving businesses and apartments.

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

L.2.7

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

Objective 3: All redevelopment should be compatible with the character of the adjacent neighborhood and should be guided by green design principles. (Note these are guidelines, not standards)

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Neighborhood Commercial

Lots or parcels containing small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale.

Purpose

1. Accommodate low-intensity commercial services that serve surrounding neighborhoods; and
2. Encourage small-scale retail within walking distance from residential areas.

Application

1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single- family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
2. May be used to encourage high intensity commercial to transition to residential uses.

PROPOSED LAND USE ON THE PROPERTY

Neighborhood Mixed Use - An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

Purpose

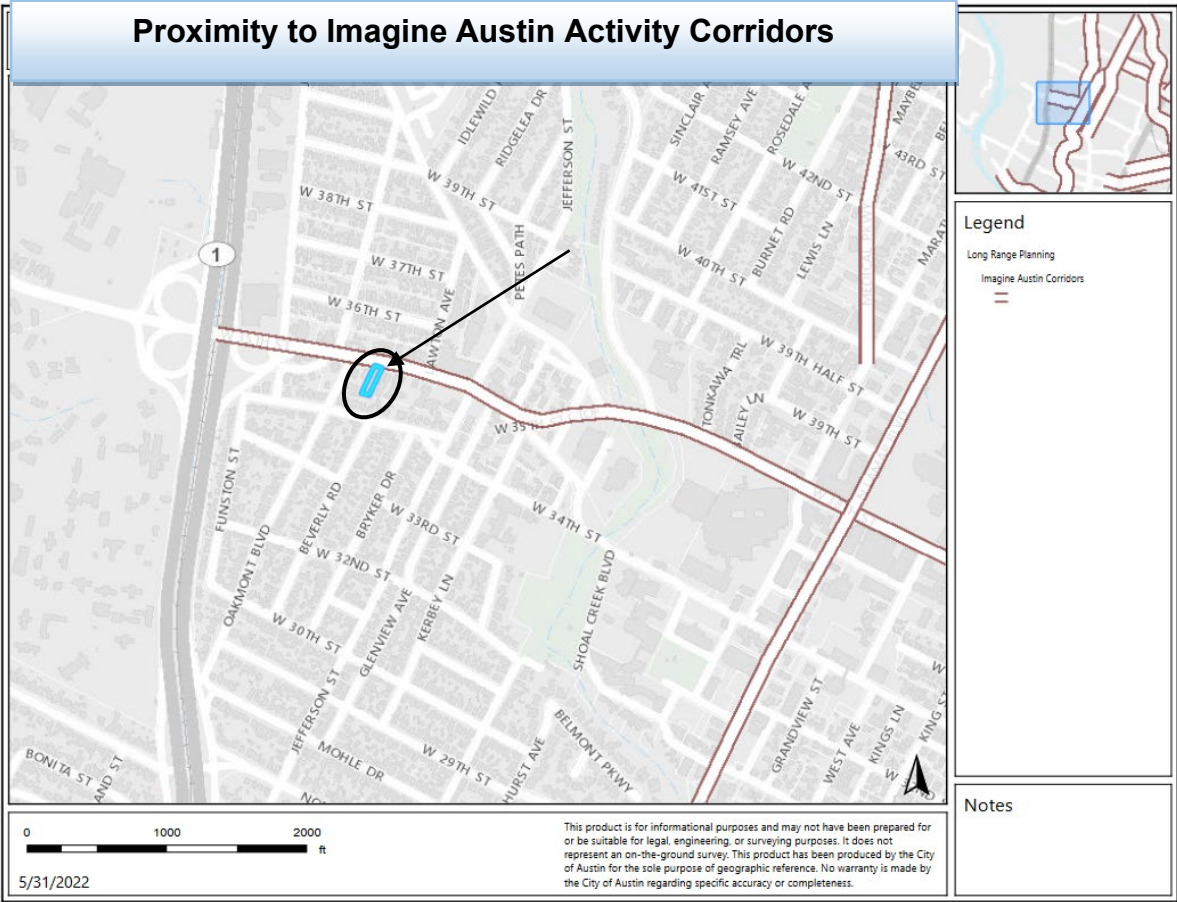
1. Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
2. Provide transition from residential use to high intensity commercial or mixed use.

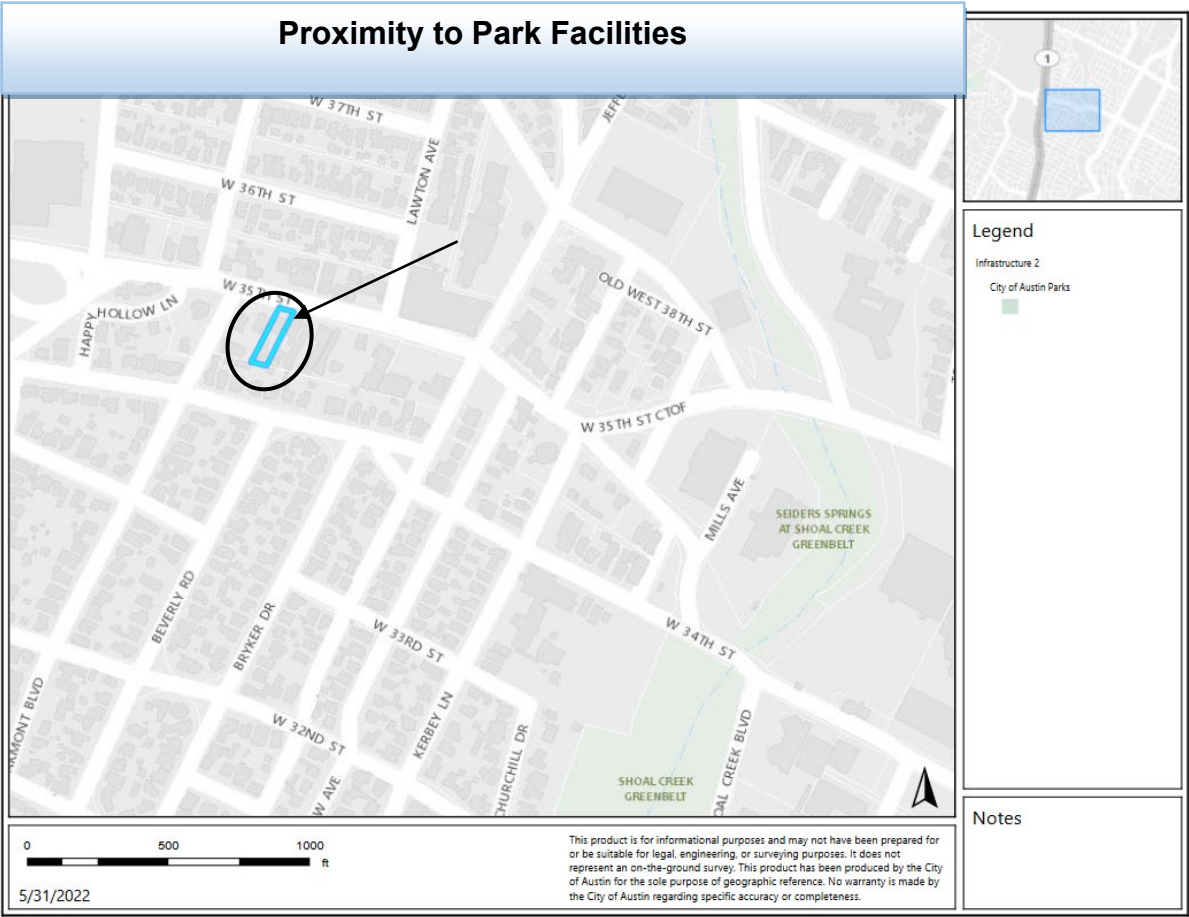
Application

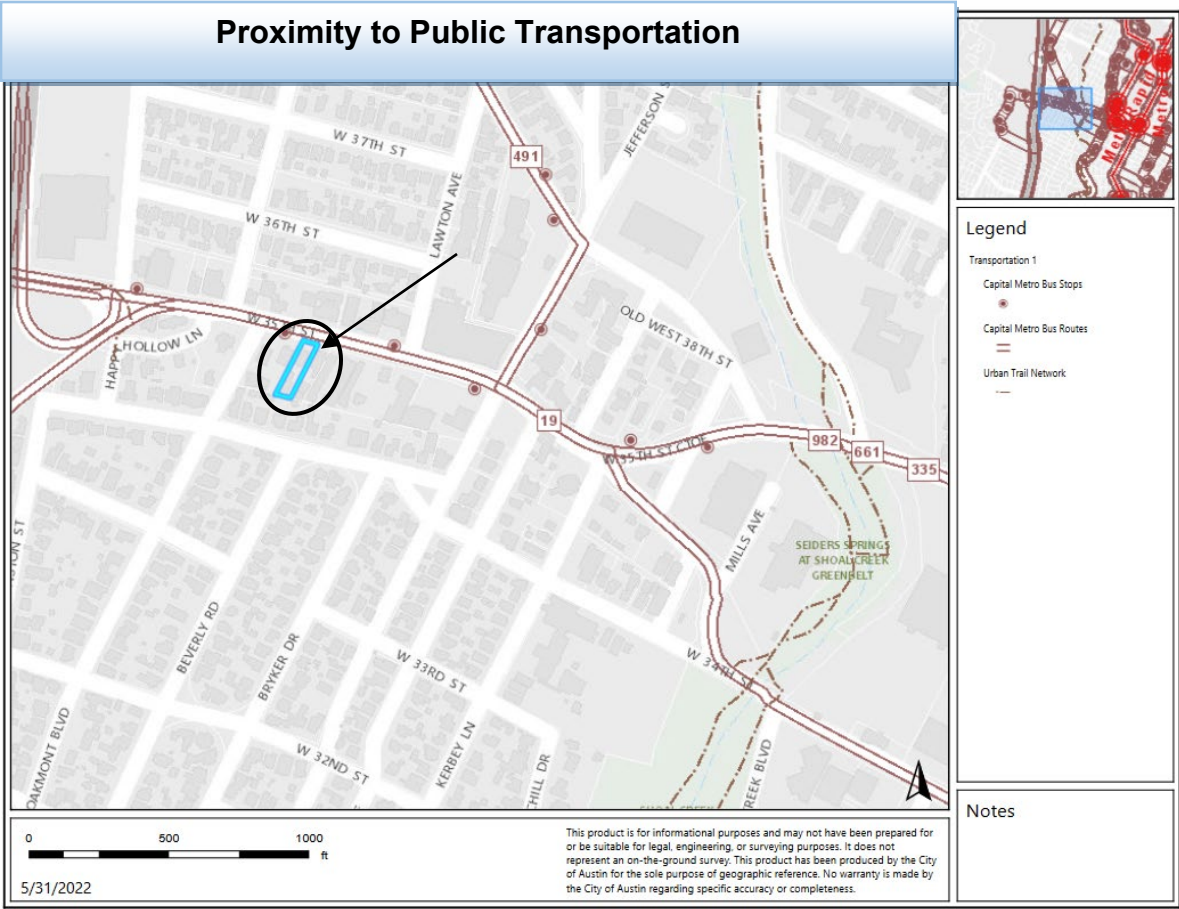
1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single- family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

Yes	Imagine Austin Decision Guidelines
Compact and Connected Measures	
Yes	Imagine Austin Growth Concept Map: Located close to, within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified on the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none">• W. 35th Street is an activity corridor
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none">• There is a bus route on W. 35th Street
Yes	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none">• This section of W. 35th Street is a low-comfort bike lane

	<ul style="list-style-type: none"> There are sidewalks on W. 35th Street
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> W. 35th Street has numerous businesses
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Is located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreational area, park and/or walking trail.
Yes	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, specialized outpatient care.) <ul style="list-style-type: none"> Ascension Seton Hospital is less than one mile to the east on W. 38th Street.
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable houses.
Yes	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. <ul style="list-style-type: none"> Applicant proposes to add four housing units for employees along with an office building.
Yes	Mixed Use: Provides mixed use development (minimum 10% residential and 10% non-residential floor area).
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
7	Total Number of "Yes's"
Imagine Austin Priority Program Bonus Features (Extra Points)	
Yes	Small Area Plan Policies: Supports applicable Small Area Plans, including the Future Land Use Map, goals, objectives, actions and text. List three small area plan policies that relate to this project. Name of Small Area Plan: Central West Austin Combined (Windsor Road) <ul style="list-style-type: none"> See info under Basis for Staff Recommendation in report
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Culture and Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially an industry that is currently not represented in particular area or that promotes a new technology.
	Workforce Development, the Economy and Education: Promotes educational opportunities or workforce development training.
Imagine Austin Priority Program PUD Specific Bonus Features (Extra Points)	
	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
	Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources in excess of ordinance requirements.
	Water/Waste Water Infrastructure: Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques in excess of ordinance requirements.
1	Total Number of "Yes's" Under Bonus Features







1809 West 35th Street

Windsor Road, Austin, 78703

Commute to **Downtown Austin**

12 min

33 min

18 min

58 min

View Routes

Favorite

Map

Nearby Austin Apartments on Redfin

Looking for a home for sale in Austin?

Walk Score

84

Very Walkable

Most errands can be accomplished on foot.

Transit Score

42

Some Transit

A few nearby public transportation options.

Bike Score

88

Very Bikeable

Biking is convenient for most trips.

About your score

Add scores to your site

7

IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The plan amendment application was filed on February 6, 2022 which is in-cycle for neighborhood planning areas located on the west side of I.H.-35.

The applicant proposes to change the future land use map from Neighborhood Commercial to Neighborhood Mixed Use land use.

The applicant proposes to change the zoning on the property from LR-NP (Neighborhood Commercial district – Neighborhood Plan) to LO-MU-NP (Limited Office-Mixed Use-Neighborhood Plan) to build a professional office and residential uses. For additional information on the proposed zoning, please see case report C14-2022-0021.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on March 28, 2022. The recorded meeting can be found here:

<https://www.speakupaustin.org/npa>. Approximately 435 meeting notices were mailed to utility account holders and property owners who live within 500 feet of the subject tract, in addition to neighborhood and environmental groups who requested notification for the area on the Community Registry.

Two city staff members attended the meeting, Mark Walters, Principal Planner and Maureen Meredith, Senior Planner. Two of the applicant's agents attended, Victoria Haase and Ron Thrower from Thrower Design and the property owner/applicant Mike Ebrahimi. Twenty people from the neighborhood were also in attendance.

After staff gave a brief presentation outlining the applicant's plan amendment and zoning requests, Victoria Haase made the following comments. Her complete presentation is at the back of this report.

- The property was originally built with a single-family home and was converted to a commercial use.
- A second dwelling unit was built sometime in the 1950's.
- The mix of uses has existed on this site for several decades, which is why we are asking for a zoning from LR to LO-MU, which is a down-zoning, but the request is to allow the residential uses.
- The main reason the property owners wants to down-zone the property is because the FAR under LO is greater than the FAR under LR. The LO zoning increases the FAR by 0.2 which increases the maximum development from 5,883 sq. ft. to 8,282 sq. ft.

Site Development Parameters					
	Standard Regulations	Maximum Development @1809 W 35th	Standard Regulations	Maximum Development @ 1809 W 35th	
	LR	LR	LO	LO	
Min. Lot Size (sf):	5,750	11,767	5,750	11,767	exceeds
Min. Lot Width:	50	55ft	50	55 ft	exceeds
Max. Height:	40ft. / 3 flrs	40ft. / 3 flrs	40ft. / 3 flrs	40ft. / 3 flrs	same
Min. Setbacks:					
Front:	25ft	20-25ft	25ft	20-25ft	same
Interior Side:	0ft	0ft	5	5 ft	increased
Rear:	0ft	16ft	5	16 ft	same
Coverage:	50%	50% = 5,917.5 sf	50%	50% = 5,917.5sf	same
Max. Impervious Cover:	80%	80% = 9,413.6sf	70%	70% = 8,284.5 sf	decreased
Max. F.A.R.	0.5:1	0.5:1 = 5,883.5sf	0.7:1	0.7:1 = 8,284.5sf	increased

SHQ W 35th - 1809 W 35th - NPA-2022-0027.01
Neighborhood Plan Amendment Meeting - March 28, 2022

Thrower Design
LAND PLANNERS

- The proposed building will be three-stories, 40-ft height building, podium style with ground floor parking (18 spaces). The second floor will be a 4,300 sq. ft. office and the third floor will be four residential units at approximately 800 sq. ft. each.
- On a normal business day, there will be eight to ten employees. The company has about 20 employees here in Austin but half of them work from home.
- The units will be for rent to house employees of the company who live here in Austin.
- The units will orient to the west.
- One unit is planned to be used periodically by out-of-town employees or their guests. When not in use that unit will have the same ability to be used as an STR as similar

- buildings the area. The property owner and three employees will be on site and have high assurance they will be good neighbor.
- 26 parking spaces will be required and the redevelopment will use parking reduction of 20% reduction for being inside urban core and other parking reduction provisions, such as compact parking.
 - We don't have any concept plans to show at this time.

Q: Will the applicant agree that variances will not be requested?

A: Our goal is not having variances, but some projects have waivers, that don't have public hearings, but are more administrative.

Q: Will VMU be requested?

A: We have not asked for VMU, only the MU.

Q: If the property is sloped toward the residential properties, will this be addressed?

A: Any redevelopment will have to comply with current water quality and detention requirements. We can't speak to how it will be addressed until the site planning stage and an engineer is hired.

Q: Are you agreeing to not build higher than 40 feet?

A: We will not seek any bonus for additional height.

Q: What is the applicant willing to give to the neighborhood for the additional square feet of development?

A: Much better street presence and pedestrian environment than what exists to day and the site is going to address the issue with drainage leaving the site to the south. What would the neighborhood like to see or what would be helpful in the neighborhood that could be accommodated through this development?

Q: What assurances will the balconies be oriented to the north and not the south?

A: The lot is long and narrow, so designing a building on a long narrow lot would be difficult to orient the units to the back. We will take this into consideration with the architect to provide privacy.

Q: I'd like to know more about the property owner/business owner?

A: We are a software company based in Austin. We help businesses improve their on-line presence.

Q: Who will the architect be?

A: Michael Diani of Mad-works.

Q: Will the owner be living in one of the units?

A: There are no plans for owner to live in one of the units, but he will be there during office hours. Employees will live in the units so if something goes wrong, Michael will be notified and make sure the unit is taken care of and used appropriately.

Q: Will it be a Commercial STR or Homestead one?

A: It's a commercial property, so I believe it would be a Commercial STR and not a Homestead, but I will have to look into this because I'm not too familiar with STR regulations.

Q: Will the office be rented to other people?

A: No, the office space will be used by his employees.

Q: How many people will be working and living here?

A: Eight to ten people will be working there on a normal office day with 18 parking spaces. There will not be many people visiting there as customers.

Q: Where has this been done elsewhere in Austin?

A: Some of my staff are pushed out of Austin because they can't afford to buy here. We have a hybrid work schedule so not everyone will be working in the office. For people who live outside of Austin, they will need a place to stay in Austin for the few days they are working.

Q: Do you see in the future a need for more employees where there won't be enough parking spaces and then there is overflow parking in the neighborhood?

A: I see there will probably be a need for fewer employees because almost everyone prefers to work from home, and it's considered a perk to work from home. There are no plans for overflow parking. Because the property is on an activity corridor that has public transit, my hope is that people will use public transit as well.

Q: If your business grows and you outgrow the building will you move or expand?

A: My business has doubled every year with fewer people working in the office. We needed a place so we don't have to move every year. We will make it work.

Q: What is the occupancy limit for a 700 sq. ft. living space?

A: I don't know.

Q: What if you end up being fully remote, will the employee apartments become rentals?

A: Are intention is not to be fully remote or I wouldn't be investing in this. It's important for us to meet with employees because we are most creative when we meet in person.

Q: Is there a way to re-route the drainage towards W. 35th Street?

A: It's doubtful because there is no storm sewage line or drainage infrastructures in front of the property for us to tie into, but we can ask.

Q: What is the required parking?

A: For office space it's 1 space per 275 square feet. Residential units require 1.5 spaces for every one bedroom and 0.5 space for every additional bedroom, so two space for two-bedroom units for eight parking spaces. There is a parking reduction allowed for urban core and other reductions if you provide showers for bike riders. For 18 spaces that is 30% parking reduction. We are parking the property to Code.

Comments:

- It would be good to provide a massing model.
- Tell the architect to lower the plate height per floor so you won't need all 40 feet.
- Appropriate scale and mass - not a max build.
- Give us an idea of what this building will look like, even if it's a sketch on a napkin.

Applicant Summary Letter from Application

September 1, 2022



February 1, 2021

Ms. Rosie Truelove
Housing & Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

RE: SHQ W 35th – 1809 W 35th Street, Austin, TX 78703

Dear Ms. Truelove,

On behalf of the property owner of 1809 W 35th Street, we submit the Neighborhood Plan Amendment and Rezoning applications herein. The subject site is 0.27 acres fronting the south side of W. 35th Street and legally described as Lot 1 & 6ft of Lot 2, Blk 10, Camp Mabry Heights subdivision.

The property has Neighborhood Commercial-Neighborhood Plan (LR-NP) district zoning, and the Central West Austin Combined Neighborhood Plan Future Land Use Map applies with a designation of Neighborhood Commercial.

The request is to amend the Future Land Use Map from *Neighborhood Commercial* to *Neighborhood Mixed Use* and to rezone the property from *Neighborhood Commercial (LR)* to *Limited Office – Mixed Use – Neighborhood Plan (LO-MU-NP)* district zoning in preparation for a redevelopment of the site to accommodate a professional office use in combination with residential use.

The LO zoning district is permitted by the current FLUM category of Neighborhood Commercial and alone, does not require a neighborhood plan amendment. However, the longstanding residential use of the property is legal/non-complying with the existing zoning. The FLUM amendment is necessary to bring residential use into compliance with zoning so that the site can retain the ability for a residential use with redevelopment of the site.

The property is in an ideal location to accommodate a mixed-use development and it is supported by the following Imagine Austin Planning Principles.

P.O. BOX 41957, AUSTIN, TEXAS 78704

1. Creating complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offering a variety of transportation options, and having easy access to daily needs such as schools, retail, employment, community services, and parks and recreations options.
2. Supporting the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
3. Protecting neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers, corridors, redevelopment, and Infill site.
4. Expanding the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
5. Ensuring harmonious transitions between adjacent land uses and development intensities.
6. Protecting Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserving open space and protecting the function of the resource.
7. Encouraging active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.

While the Neighborhood Plan/FLUM does not permit the mixed-use overlay, the site has operating as mixed use for several decades. Corridors like W. 35th Street should continue to accommodate a mix of uses, including live/work opportunities that can alleviate workday traffic congestion and encourage use of alternative transit modes since the property is on an ASMP Transit Priority Network with existing transit services.

For these reasons, Thrower Design respectfully requests a favorable recommendation, and we are available for questions or discussion as needed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria Haase', with a yellow speech bubble icon placed near the middle of the signature.

Victoria Haase

cc: Wendy Rhoades, Housing & Planning Department (via electronic delivery)

**Letter of Recommendation from the Central West Austin
Neighborhood Plan Contact Team**

From: Mike Cannatti

Sent: Wednesday, May 4, 2022 9:17 AM

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

Cc: 'Victoria' <Victoria@throwerdesign.com>; Ron Thrower
<ront@throwerdesign.com>; 'august@' <august@>;
'panchonixon@' <panchonixon@>; 'east@>;
<east@>; 'harris@' <harris@>;
'Roya@' <Roya@>; 'bradypedneau@>;
<bradypedneau@>; 'blake.tollett@>;
<blake.tollett@>; 'jbasiano@' <jbasiano@>;
'mcmediate@' <mcmediate@>; 'Diane Umstead'
<dedeumstead@>; 'rick crump' <rcrumpatx@>; 'Callie Hester'
<callieahester@>

Subject: Central West Austin Neighborhood Plan Amendment NPA-2022-0027.01
(1809 W. 35th)

*** External Email - Exercise Caution ***

Dear Maureen:

After considering the information provided by Applicant at the March 28 community meeting with the Central West Austin Neighborhood Plan Contact Team (NPCT) and additional input from neighbors regarding the requested amendment to our neighborhood plan for 1809 W. 35th Street to change the Future Land Use Map (FLUM) from Neighborhood Commercial to Neighborhood Mixed Use, **I am writing to provide the contact team's recommendation that the FLUM amendment request be allowed based on the following conditions.** First, Applicant will agree to entering into a restrictive covenant that is enforceable by nearby neighbors which limits the height of the project to 40 feet and which incorporates the current compatibility setback requirements under the City Code requirements existing on April 28, 2022. Second, Applicant will agree to entering a conditional overlay on the property which specifies that any short term rental use of the property will require a minimum stay of two (2) weeks. Finally, we expect Applicant to fully comply with all legal requirements to prevent flooding or drainage to adjacent property owners from new development by ensuring that any drainage to such properties is at least as good or better than currently exists.

Since these conditions directly reflect the project description provided by Applicant made at the March 28 community meeting, we do not expect there to be any objection from Applicant to complying with these conditions. In addition, Applicant's representative has represented to the neighbors that a restrictive covenant on at least the height limit would be acceptable. Accordingly, this conditional approval would be implemented by having the affected nearby neighbors sign the restrictive covenant concurrently with any zoning change entered for the property in question.

Respectfully submitted,

Michael Rocco Cannatti

Chair, Central West Austin Neighborhood Plan Contact Team

CENTRAL WEST AUSTIN NEIGHBORHOOD PLAN CONTACT TEAM

Organized 2010

"To facilitate the implementation of the Central West Austin Combined Neighborhood Plan."

OFFICERS

Michael Cannatti
Chair

August Harris
Vice Chair

Joyce Basciano
Secretary

EXECUTIVE COMMITTEE

Rick Crump
Michael Curry
Callie Hester
Roya Johnson
Mark Nixon
Thomas Pantin
Brady Pedneau
Blake Tollett
Diane Umstead

City of Austin - Planning & Development Review Dept.
c/o Maureen Meredith
505 Barton Springs Rd.
Austin, Texas 78704

April 28, 2022

Re: *Central West Austin Neighborhood Plan Amendment NPA-2022-0027.01 (1809 W. 35th)*

Dear Maureen:

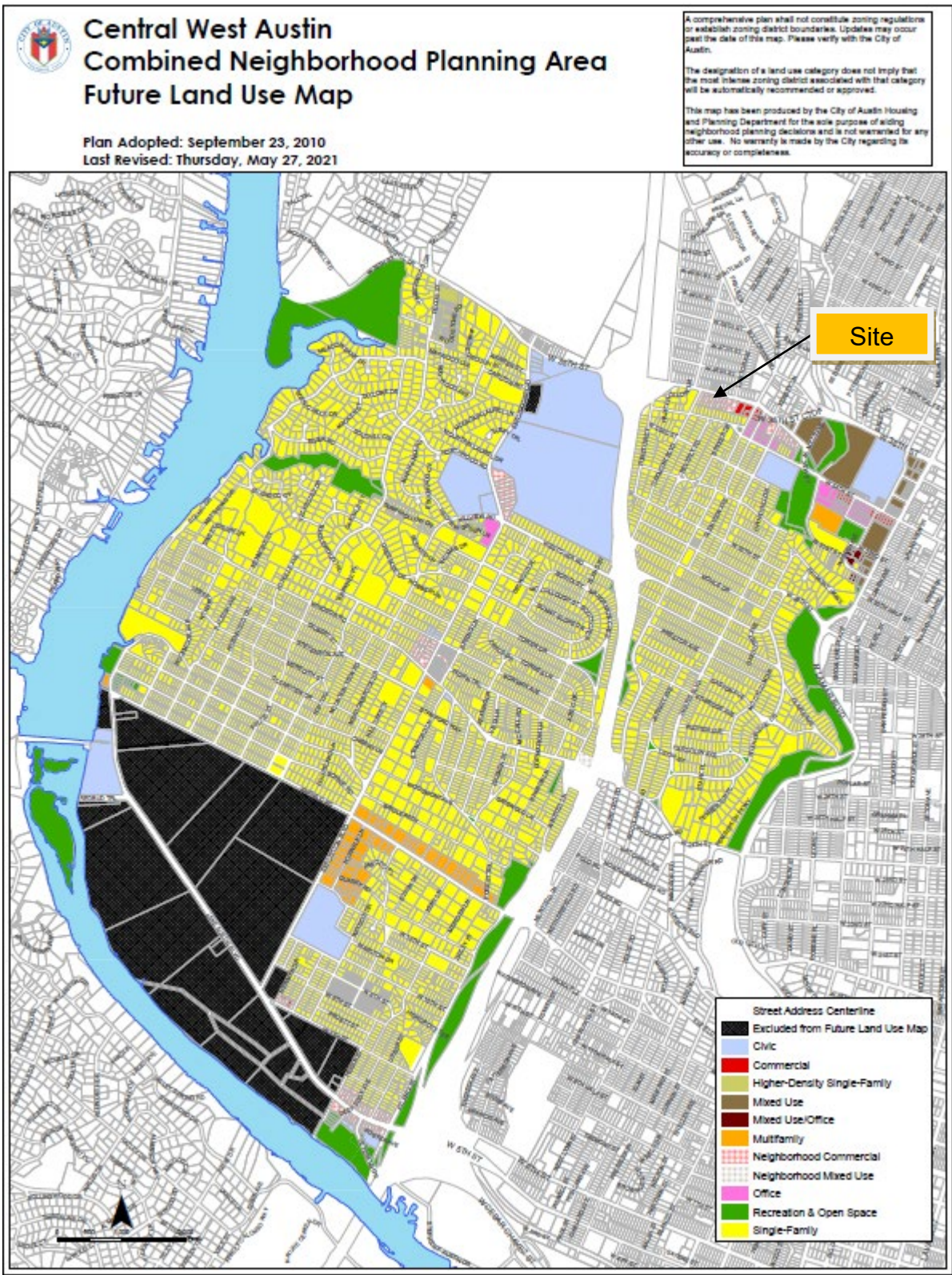
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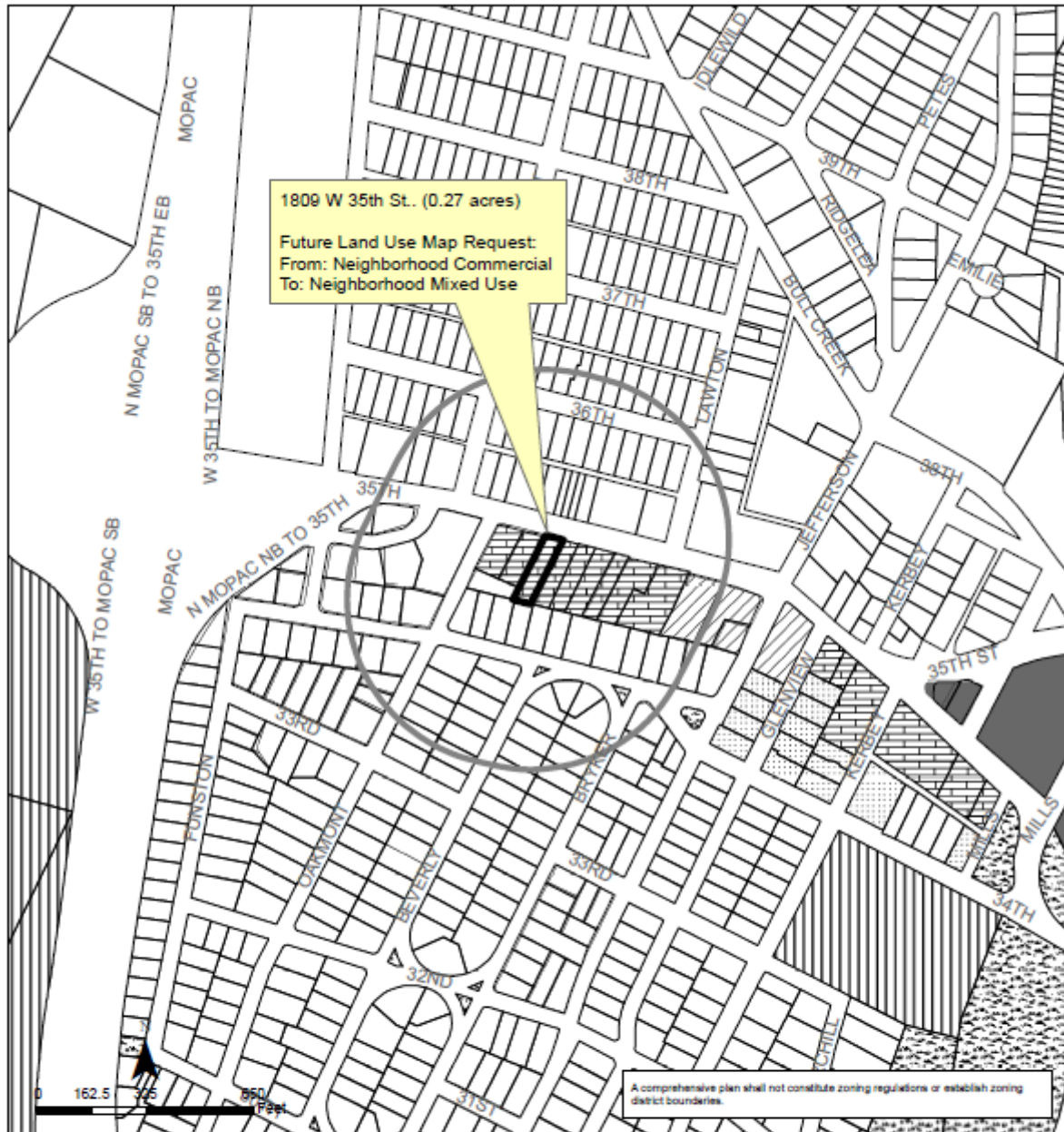
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Respectfully submitted,

Michael Rocco Cannatti

Chair, Central West Austin Neighborhood Plan Contact Team





Central West Austin Combined (Windsor Road) Neighborhood Planning Area
NPA-2022-0027.01

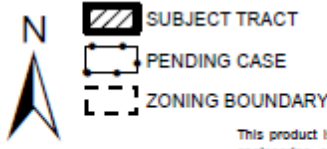
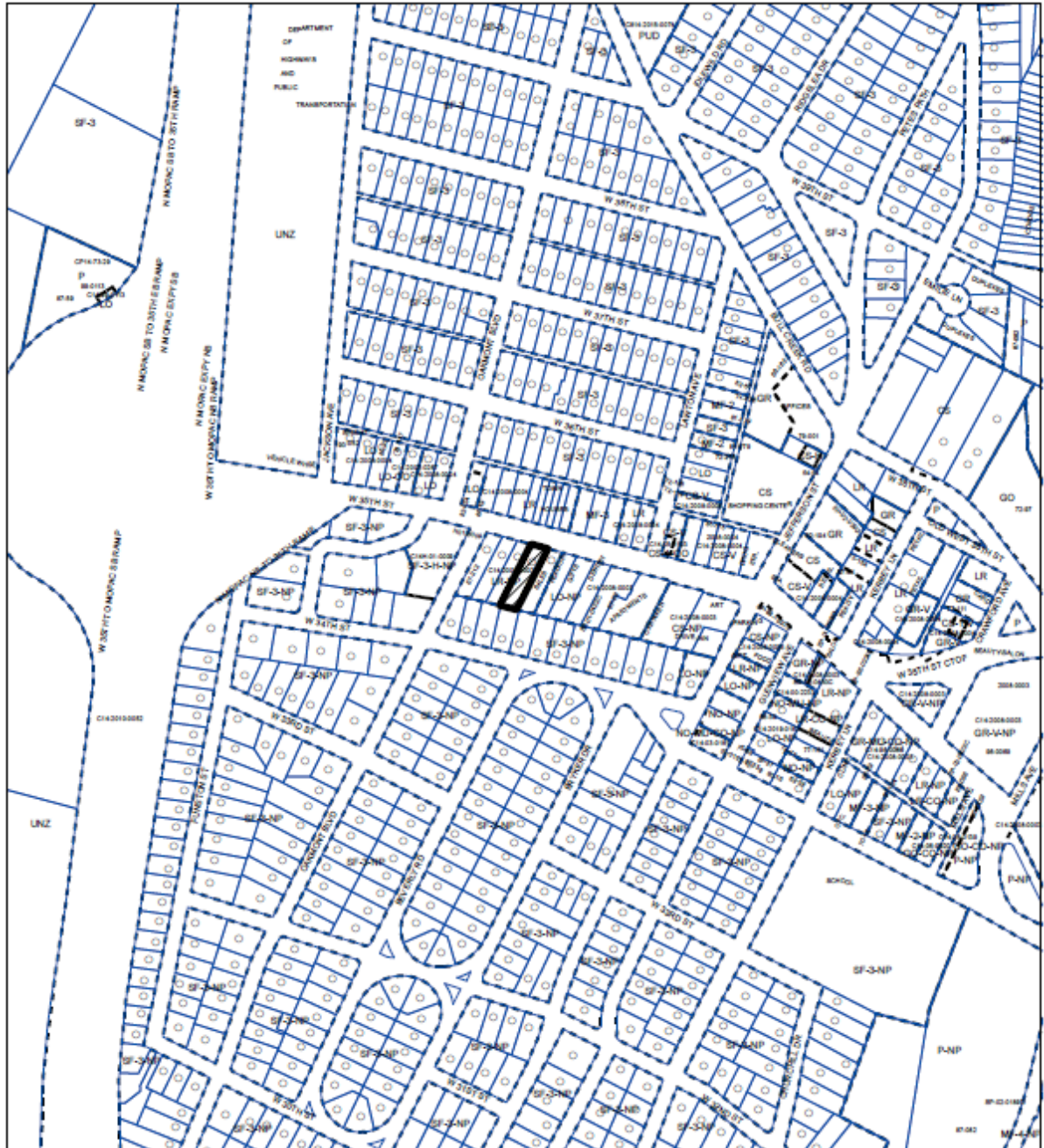
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City of Austin
Housing and Planning Department
Created on 3/1/2022, by: MeeksS

Future Land Use



1" = 400'

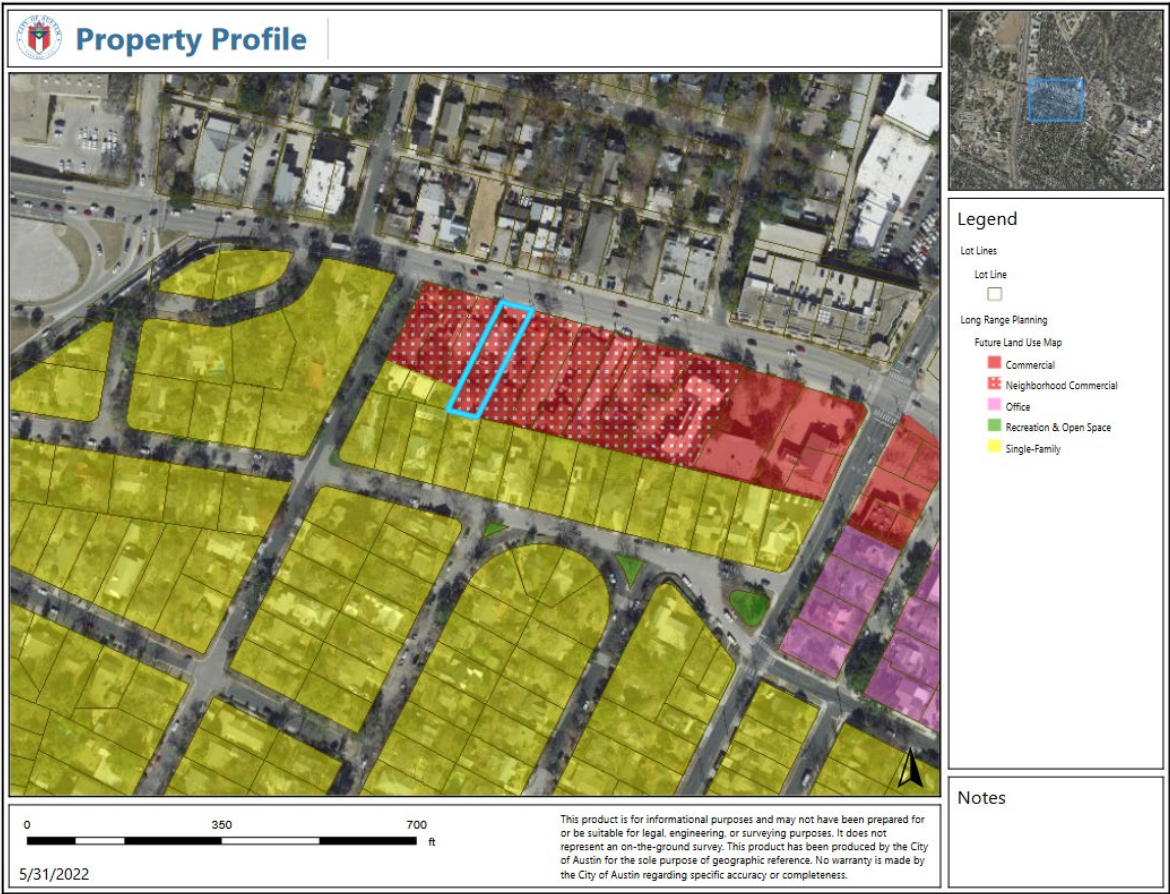
ZONING
ZONING CASE#: C14-2022-0021

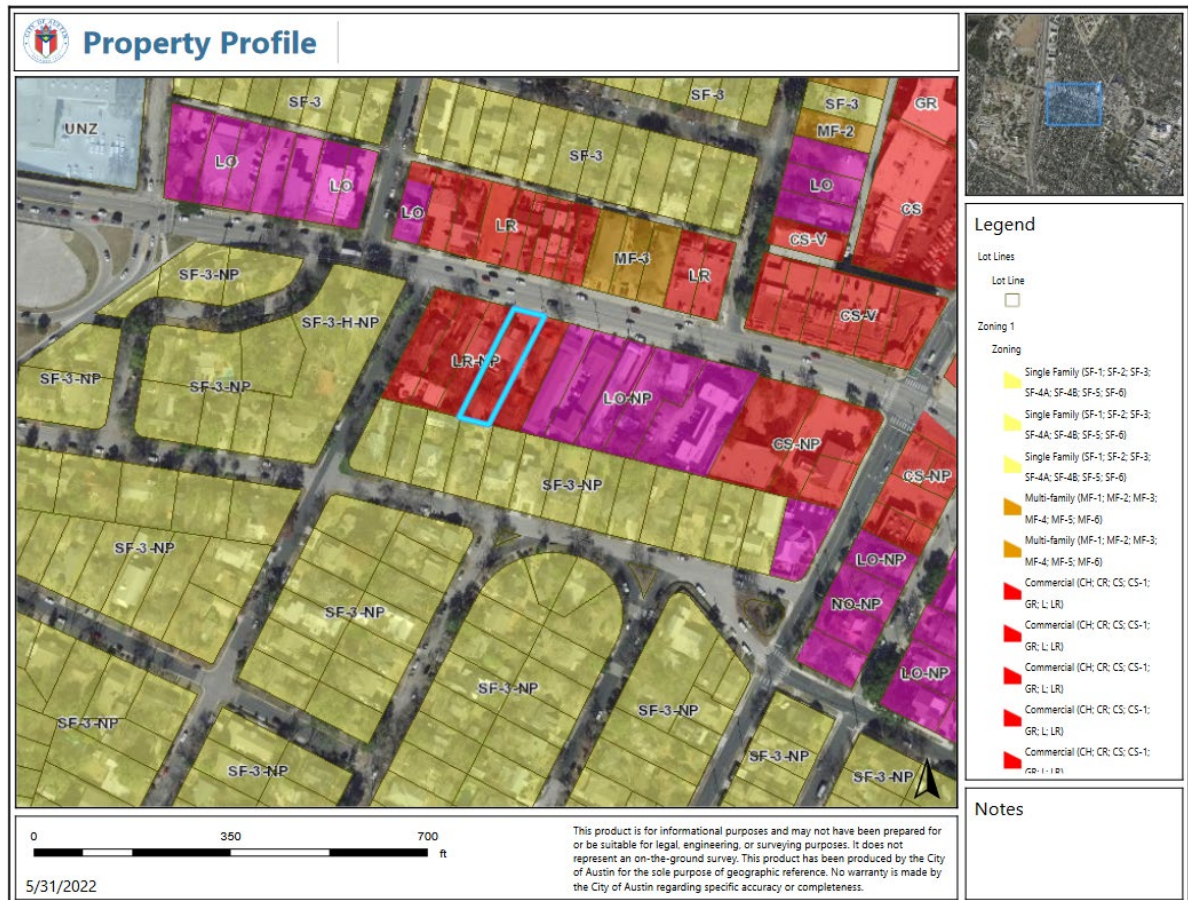
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Created: 3/2/2022











**Applicant's Presentation at the March 28, 2022
Community Meeting**



SHQ W 35th – 1809 W 35th – NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022

Throver Design
LAND PLANNERS



SHQ W 35th – 1809 W 35th – NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022

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FLUM Amendment Request

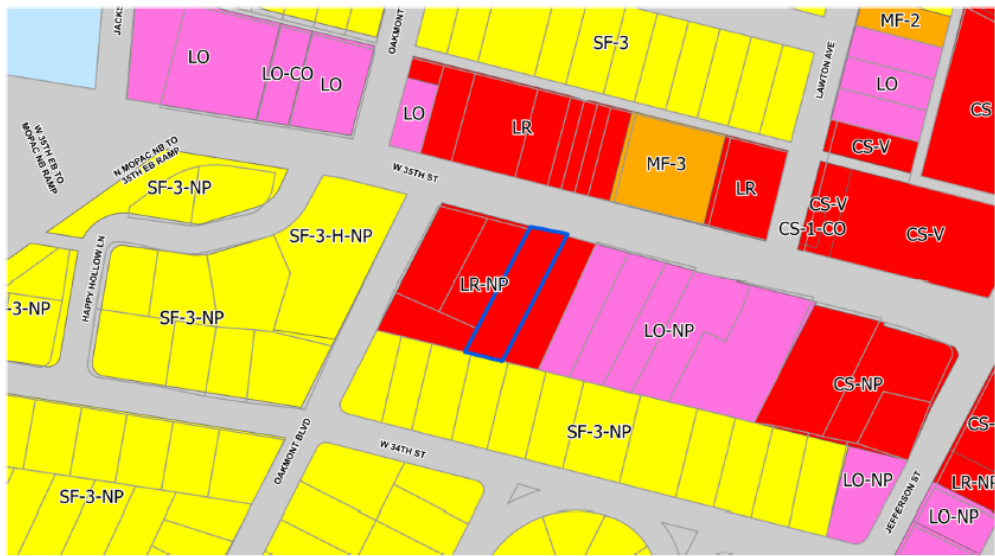


SHQ W 35th – 1809 W 35th - NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022



Zoning Request – LO-MU-NP



SHQ W 35th – 1809 W 35th - NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022



Commercial Zoning Districts

	Less Intense					More Intense										
	NO	LO	GO	CR	LR	GR	L	CBD	DMU	W/LO	CS	CS-1	CH*	IP	MI	LI
Max Lot Size (sf):	5,750	5,750	5,750	20,000	5,750	5,750	5,750	—	—	43,560**	5,750	5,750	20,000	43,560	50 ac.	5,750
Min. Lot Width:	50	50	50	100	50	50	50	—	—	100	50	50	100	100	250	50
Max. Height:	35 or 2 flrs	40 or 3 flrs	60	40	40 or 3 flrs	60	200	*	120	25 or 1 flr **	60	60	*	60	120	60
Min. Setbacks:																
Front:	25	25	15	50	25	10	10	—	—	25	10	10	50	25	—	—
Street Side:	15	15	15	50	15	10	10	—	—	25	10	10	50	25	—	—
Interior Side:	5	5	5	20	—	—	—	—	—	5	—	—	25	*	*	*
Rear:	5	5	5	20	—	—	—	—	—	25	—	—	25	*	*	*
Coverage:	35%	50%	60%	25%	50%	75%	50%	100%	100%	—	95%	95%	85%	50%	75%	75%
Cover:	60%	70%	80%	60%	80%	90%	50%	100%	100%	70%	95%	95%	85%	80%	80%	80%
Max. F.A.R.	0.35:1	0.7:1	1:1	0.25:1	0.5:1	1:1	8:1	8:1	5:1	0.25:1	2:1	2:1	3:1	1:1	1:1	1:1

Requested

Current

SHQ W 35th – 1809 W 35th – NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022

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Uses by Zoning District

Uses Lost

- Alternative Financial Services
- Consumer Convenience
- Consumer Repair
- Financial Services
- Food Sales
- General Retail Sales (Convenience)
- General Retail Sales (General)
- Pedicab Storage and Dispatch
- Personal Improvement Services
- Pet Services
- Plant Nursery
- Printing and Publishing
- Restaurant (General)
- Restaurant (Limited)
- Services Station
- Custom Manufacturing
- Guidance Services

Uses Gained

- Communication Services
- Convalescent Services

+ Residential Uses

SHQ W 35th – 1809 W 35th – NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022

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Site Development Parameters

	Standard Regulations	Maximum Development @1809 W 35th	Standard Regulations	Maximum Development @ 1809 W 35th	
	LR	LR	LO	LO	
Min. Lot Size (sf):	5,750	11,767	5,750	11,767	exceeds
Min. Lot Width:	50	55ft	50	55 ft	exceeds
Max. Height:	40ft. / 3 flrs	40ft. / 3 flrs	40ft. / 3 flrs	40ft. / 3 flrs	same
Min. Setbacks:					
Front:	25ft	20-25ft	25ft	20-25ft	same
Interior Side:	0ft	0ft	5	5 ft	increased
Rear:	0ft	16ft	5	16 ft	same
Coverage:	50%	50% = 5,917.5 sf	50%	50% = 5,917.5sf	same
Max. Impervious Cover:	80%	80% = 9,413.6sf	70%	70% = 8,284.5 sf	decreased
Max. F.A.R.	0.5:1	0.5:1 = 5,883.5sf	0.7:1	0.7:1 = 8,284.5sf	increased

SHQ W 35th – 1809 W 35th - NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022



Proposed Re-Development

3 story/ 40ft Building – Podium Style

- Ground floor = Parking (18 spaces)
- 2nd Floor = Office @ 4,300sf
- 3rd Floor = Residential (4 units @ 800sf)

SHQ W 35th – 1809 W 35th - NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022



Proposed Development



SHQ W 35th – 1809 W 35th - NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022

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Bryker Woods Neighborhood Meeting

February 23, 2022

- How many residential units?
- How many employees?
- Units for sale or rent?
- How will the residential units orient?
- Will the units have balconies?
- Is there a willingness to prohibit STR?
- What assurance can be given that the development will not seek additional height through a “bonus program” offered by the City?
- Is there a design vision for the development?
- How many parking spaces will be required?
- Will the project request reductions?

SHQ W 35th – 1809 W 35th - NPA-2022-0027.01

Neighborhood Plan Amendment Meeting – March 28, 2022

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LAND PLANNERS

-----Original Message-----

From: A X

Sent: Tuesday, March 15, 2022 9:03 PM

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

Subject: Case No NPA-2022-007.01

*** External Email - Exercise Caution ***

Hi Maureen -

I'd like to lodge my objection to this rezoning request for 1809 W 35th Street. Given the significant development efforts in our area (Oakmont, Rosedale, Ridglea, etc), what is COA doing to ensure sufficient and sustainable infrastructure for the number of rezoning changes?

The nearby Grove (mixed use) and Westminister developments have increased traffic and non-stop construction/noise for 2-3 years. Our neighborhoods are now more unsafe and less enjoyable than they were 10 years ago. Urban density does not lead to better and more affordable housing (see Austin, Seattle, and Portland as examples).

Other than MEA Real Estate Ventures would like to make money, how does rezoning this property improve our neighborhood and quality of life?

Thanks for listening,
Angela

From: Michael Curry

Sent: Monday, June 27, 2022 5:09 PM

To: Shaw, Todd - BC <BC-Todd.Shaw@austintexas.gov>; Schneider, Robert - BC <BC-Robert.Schneider@austintexas.gov>; Thompson, Jeffrey - BC <bc-Jeffrey.Thompson@austintexas.gov>; Praxis, Solveij - BC <BC-Solveij.Praxis@austintexas.gov>; Mushtaler, Jennifer - BC <BC-Jennifer.Mushtaler@austintexas.gov>; Hempel, Claire - BC <BC-Claire.Hempel@austintexas.gov>; Howard, Patrick - BC <BC-Patrick.Howard@austintexas.gov>; Llanes, Carmen - BC <bc-Carmen.Llanes@austintexas.gov>; Cox, Grayson - BC <BC-Grayson.Cox@austintexas.gov>; Azhar, Awais - BC <BC-Awais.Azhar@austintexas.gov>; Anderson, Greg - BC <bc-Greg.Anderson@austintexas.gov>; Flores, Yvette - BC <bc-Yvette.Flores@austintexas.gov>; Shieh, James - BC <bc-James.Shieh@austintexas.gov>; Singh, Arati - BC <BC-Arati.Singh@austintexas.gov>

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

Subject: June 28 Agenda Items 1 and 2 - NPA-2022-0027.01; C14-2022-0021

*** External Email - Exercise Caution ***

Dear Chairman Shaw and Commissioners,

Please see the attached letter submitted on behalf of the Bryker Woods Neighborhood Association. Greg Underwood, BWNA President, is out of town and asked me to file this with you.

Thank you,

Michael Curry



Bryker Woods Neighborhood Association
Austin, Texas

June 27, 2022

Chairman Todd Shaw and
Members of the Planning Commission

Re: C14-2022-0021; NPA-2022-0027.01
1809 W 35th Street

Dear Chairman Shaw and Commissioners,

We thank the Commission for the additional time for the parties to work on this case. We had hoped to arrive at a resolution before your June 28th hearing, but we ran out of time due to the inevitable communication delays. The neighbors and the neighborhood association will, of course, continue to work with the applicant in an effort to resolve outstanding issues before this case reaches the City Council.

This case involves the redevelopment of property on West 35th Street between MoPac and Jefferson Street into a mixed-use development. Directly behind (abutting) the rear of the redeveloping property are homes that front on W. 34th St.

The neighborhood and the applicant have been working through coexistence issues. Without rehashing points that appear to be resolved, two primary ones remain.

The first involves drainage. West 35th Street is higher than West 34th Street at this location. Water, if unmanaged, floods from the property in question onto the W. 34th St. properties to the South. This condition has created well-documented drainage/flooding problems for some of the homes. The neighbors understandably want to make sure that redevelopment addresses this problem.

The second unresolved issue involves a proposed roof-top deck on the three-story building. The neighbors are opposed to a roof-top deck. There are families, including families with young children, just across the fence. An open-air roof-top deck is unnecessarily intrusive for a

PUBLIC HEARING COMMENT FORM

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

City of Austin
Housing and Planning Department
Maureen Meredith
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2022-0027.01
Contact: Maureen Meredith, Ph: 512-974-2695 or
Maureen.Meredith@austintexas.gov
Public Hearing: July 28, 2022 - City Council

☐ I am in favor
☒ I object

Irene Pickhardt

Your Name (please print)

3311 Bryker Dr

Your address(es) affected by this application

Irene Pickhardt

Signature

Date

Comments: The applicant refused the neighbors reasonable conditions

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Maureen.Meredith@austintexas.gov
Public Hearing: July 28, 2022 - City Council

☒ I am in favor
☐ I object

Rosanne Buttek

Your Name (please print)

1803A W 35th St

Your address(es) affected by this application

Rosanne Buttek

Signature

Date

Comments: A Quiet and historic area that would cause great traffic and heavy building of business there to be built - NOT to exclude NO PARKING!!