NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: East Cesar Chavez

CASE#: NPA-2022-0002.01 **DATE FILED**: June 29, 2022 (out-of-cycle)

PROJECT NAME: 1700 E. 2nd Street

PC DATE: November 8, 2022

ADDRESS/ES: 1700 E. 2nd Street & 205 Chalmers Ave.

DISTRICT AREA: 3

SITE AREA: 0.51 acres

OWNER/APPLICANT: 2nd Street, LLC

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Maureen Meredith **PHONE:** (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Multifamily Residential **To:** Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2022-0091
From: CS-MU-CO-NP **To:** CS-MU-V-NP

NEIGHBORHOOD PLAN ADOPTION DATE: May 13, 1999

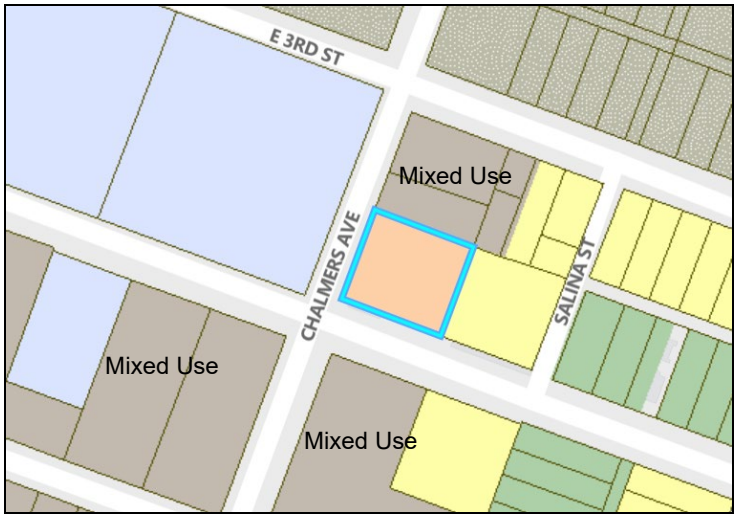
CITY COUNCIL DATE: December 8, 2022 **ACTION:**

PLANNING COMMISSION RECOMMENDATION:

November 8, 2022 – Motion approved to close the public hearing and approve the staff's recommendation of Mixed Use land use on the consent agenda. [C. Hempel – 1st; J. Shieh – 2nd] Vote: 11-0 [R. Schneider absent. One vacancy on the dais].

STAFF RECOMMENDATION: Staff supports the applicant's request to change the future land use map from Multifamily Residential to Mixed use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Mixed Use land use because there is existing Mixed Use land use to the north and south of the property. The property is located near public transportation and numerous commercial uses. It is approximately 0.4 miles from the Plaza Saltillo TOD Station. The property is in an area where a mixed use is appropriate.



Below are sections of the East Cesar Chavez Neighborhood plan that supports the applicant's request.

1. Land Use, Zoning and Neighborhood Character

Goal 1: Provide zoning for a mix of business and residential land uses in the commercial corridors and selected other commercial areas.

Goal 2: Ensure that new structures and renovations are compatible with the existing neighborhood and protect homes from incompatible business or industry.

Primary resources: City of Austin and public and private sector.

Objective 1: Ensure that all new or redevelopment projects are compatible with the existing character of the area in scale, density, design, and parking.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Multifamily Residential - Higher-density housing with 3 or more units on one lot.

Purpose

1. Preserve existing multifamily and affordable housing;
2. Maintain and create affordable, safe, and well-managed rental housing; and
3. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.
4. Applied to existing or proposed mobile home parks.

Application

1. Existing apartments should be designated as multifamily unless designated as mixed use;
2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and
3. Changing other land uses to multifamily should be encouraged on a case-by-case basis

PROPOSED LAND USE ON THE PROPERTY

Mixed Use - An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;

3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;

4. Create viable development opportunities for underused center city sites;

5. Encourage the transition from non-residential to residential uses;

6. Provide flexibility in land use standards to anticipate changes in the marketplace;

7. Create additional opportunities for the development of residential uses and affordable housing; and

8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

Application

1. Allow mixed use development along major corridors and intersections;

2. Establish compatible mixed-use corridors along the neighborhood's edge

3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);

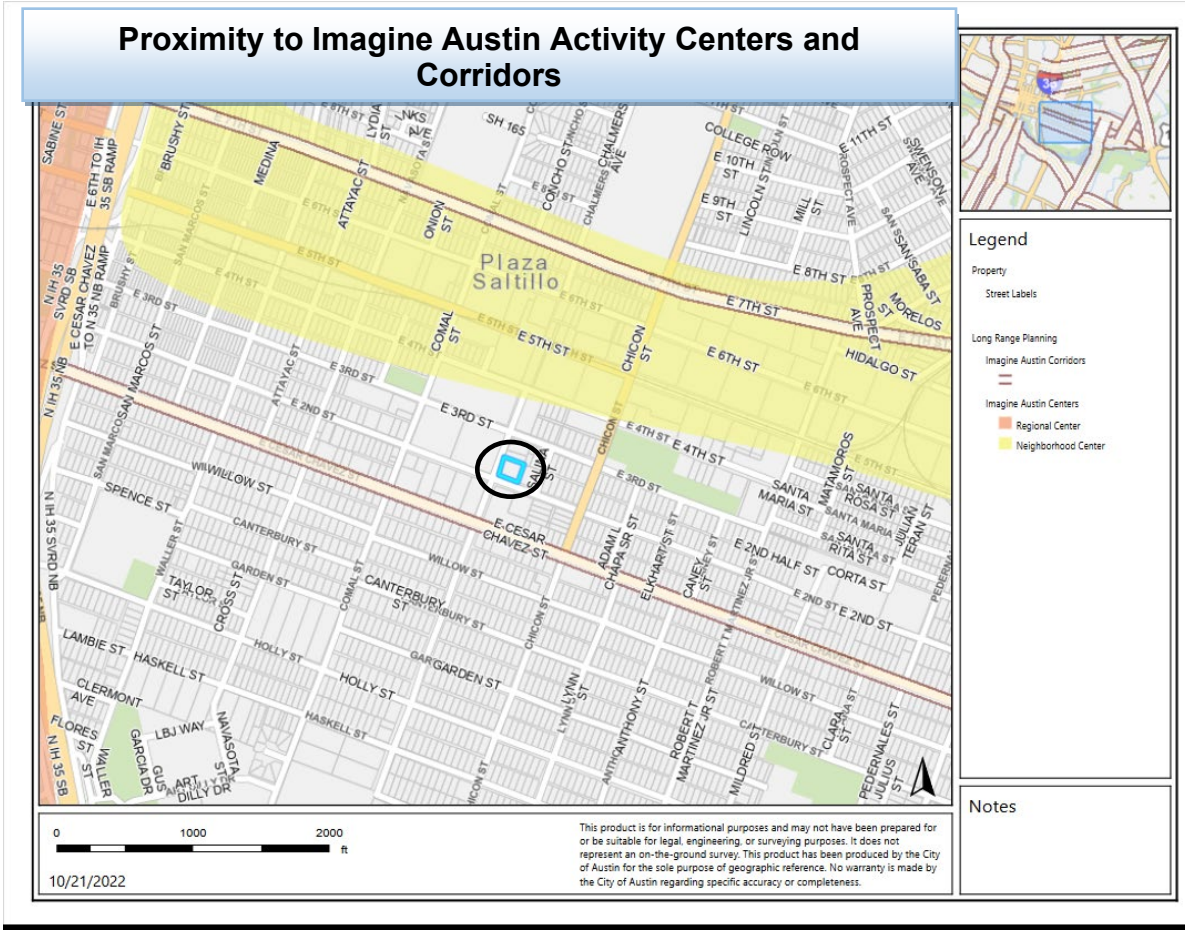
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;

5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and

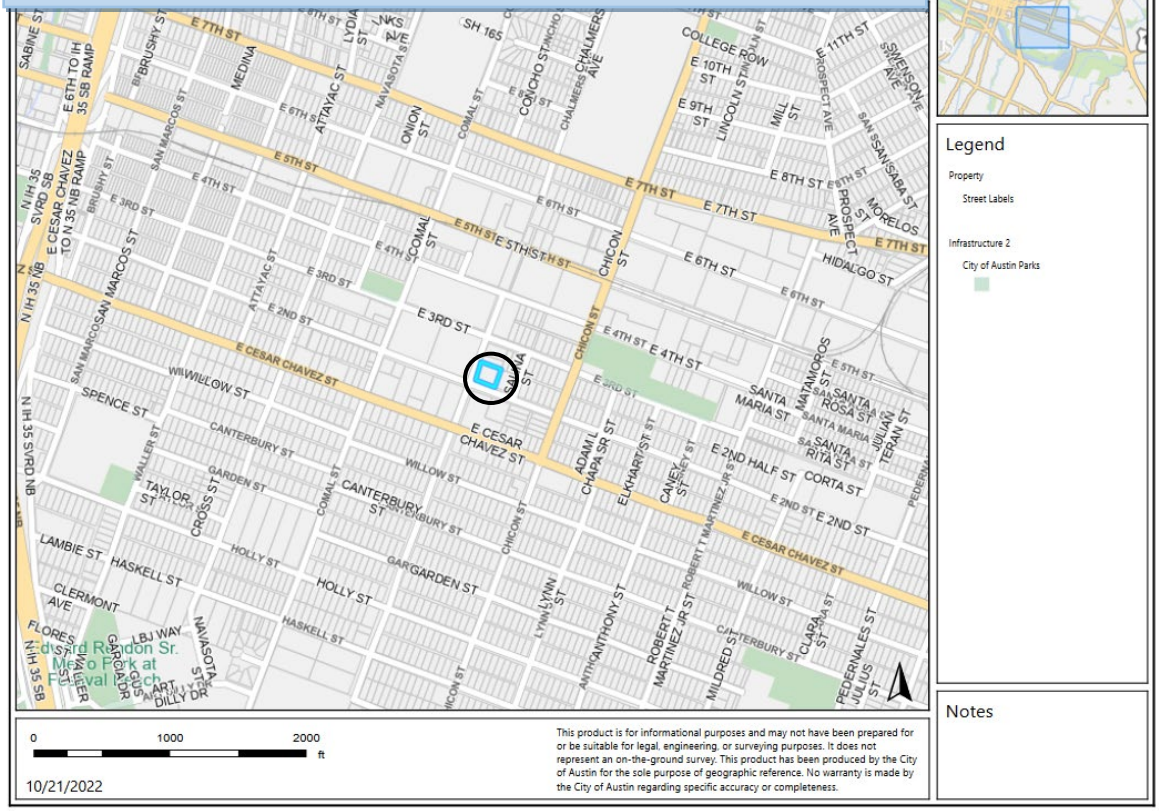
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

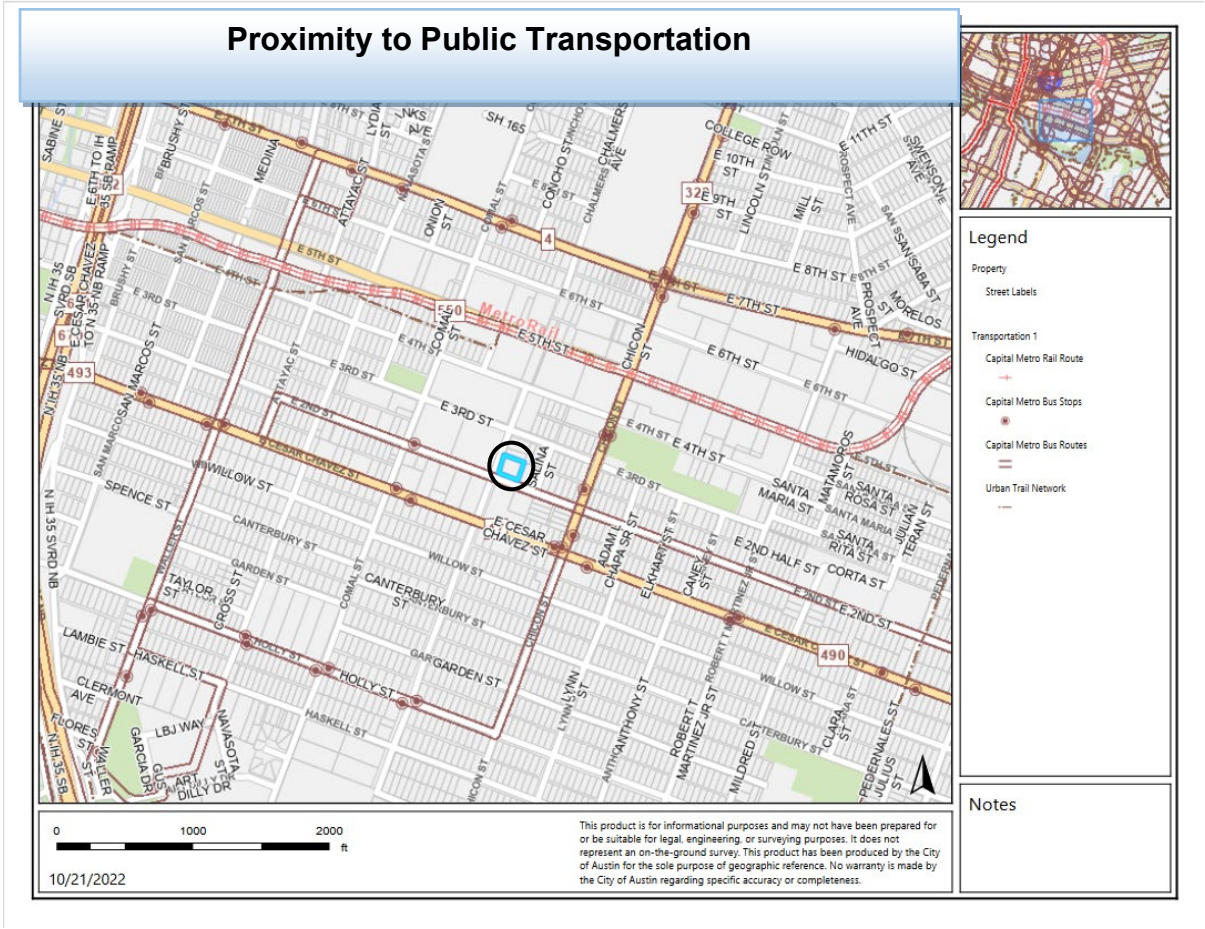
Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
Yes	**Imagine Austin Growth Concept Map:** Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. **Name(s) of Activity Center/Activity Corridor/Job Center:** • One block south of the Plaza Saltillo Neighborhood Center • 0.4 miles from Plaza Saltillo TOD Station • One block north of East Cesar Chavez Street, an activity corridor
Yes	**Mobility and Public Transit**: Located within 0.25 miles of public transit stop and/or light rail station.
Yes	**Mobility and Bike/Ped Access:** Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	**Connectivity, Good and Services, Employment**: Provides or is located within 0.50 miles to goods and services, and/or employment center.

Yes	**Connectivity and Food Access**: Provides or is located within 0.50 miles of a grocery store/farmers market. • 0.3 miles from Plaza Saltillo Farmers Market
Yes	**Connectivity and Education**: Located within 0.50 miles from a public school or university. • 0.5 miles from Zavala Elementary School
Yes	**Connectivity and Healthy Living**: Provides or is located within 0.50 miles from a recreation area, park or walking trail. • 0.4 miles from Pan American Neighborhood Park
Yes	**Connectivity and Health**: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care. • 0.5 miles from Metsi Urgent Care at 1614 E. 6th Street
Yes	**Housing Affordability**: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. • Proposed 10% units affordable at 60% MFI
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. • Proposed mixed use to include housing
Yes	**Mixed use**: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	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 in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
11	**Number of "Yes's"**
Imagine Austin Priority Program PUD Specific Bonus Features	
	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 more than ordinance requirements.
	Water/Wastewater 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 more than ordinance requirements.
	Total Number of "Yes's"


Proximity to Imagine Austin Activity Centers and Corridors
Plaza Saltillo
E 7TH ST
E 6TH ST
E 5TH ST
E 4TH ST
E 3RD ST
E 2ND ST
E 8TH ST
E 9TH ST
E 10TH ST
E CESAR CHAVEZ ST
HIDALGO ST
MORELOS ST
PROSPECT AVE
CHICON ST
COMAL ST
ONION ST
ATTAYAC ST
MEDINA
BRUSHY ST
SAN MARCOS ST
SABINE ST
E 6TH TO IH 35 SB RAMP
E CESAR CHAVEZ TO N 35 NB RAMP
N IH 35 SVRD SB
N IH 35 NB
N IH 35 SVRD NB
N IH 35 SB
SH 165
COLLEGE ROW
LINCOLN ST
MILL ST
SAN SABA ST
SWENSON AVE
11TH ST
SANTA MARIA ST
SANTA ROSA ST
MATAMOROS ST
JULIAN T. TERAN ST
SANTA RITA ST
CORTA ST
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E 2ND ST
ADAM L. CHAPA SR ST
ELKHART ST
CAVEY ST
ROBERT T. MARTINEZ JR ST
ANTHONY ST
LYNN ST
MILDRED ST
CLARA ST
PEDERNALES ST
JULIUS ST
WILLOW ST
SPENCE ST
CANTERBURY ST
GARDEN ST
HOLLY ST
HASKELL ST
LAMBIE ST
CLERMONT AVE
FLORES ST
WALLER ST
GARCIA DR
LBJ WAY
NAVASOTA ST
GUS ARTDILLY DR
TAYLOR ST
CROSS ST
Legend
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Street Labels
Long Range Planning
Imagine Austin Corridors
Imagine Austin Centers
Regional Center
Neighborhood Center
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10/21/2022
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Proximity to Parks





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 application was filed on June 29, 2022, which is out-of-cycle for neighborhood planning areas located on the east side of I.H.-35. The East Cesar Chavez Neighborhood Plan Contact Team submitted a letter allowing the application to be filed outside of the July open filing period.

The applicant proposes to change the land use on the future land use map from Multifamily Residential to Mixed Use land use.

The applicant proposes to change the zoning on the property from CS-MU-CO-NP (General Commercial Services district – Mixed Use combining district – Conditional Overlay combining district-Neighborhood Plan combining district) to CS-MU-V-CO-NP (General Commercial Services district – Mixed Use combining district – Vertical Mixed Use Building combining district - Conditional Overlay combining district-Neighborhood Plan combining district) for a multifamily and commercial development. With the Vertical Mixed Use combining district, the applicant proposes 10% of the residential units to be affordable to people at 60% MFI. For additional information on the zoning request, see case report C14-2022-0091.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on August 2, 2022. The recorded meeting can be found at https://www.speakupaustin.org/npa. Approximately 679 notices were mailed to people who rent or own property within 500 feet of the subject property, in addition to neighborhood and environmental groups who requested notification for the area. One person from the city attended, Maureen Meredith, Housing and Planning Department. Drew Raffaele from Drenner Group attended, representing the owner/application and four people from the neighborhood attended.

Drew Raffaele from Drenner Group made a presentation, which is included in this report. Below are highlights from his presentation:

- The property is at the corner of Chalmers and E. 2nd Street.
- Currently, there is a restaurant space that has turned over a couple times to difference restaurant-type tenants. There is a small home that was converted into a salon on the north side of the site.
- The property is roughly half-acre in size.

- It's located near the Lance Armstrong Bikeway and the Plaza Saltillo Red Line Station.
- It has great transportation access.
- The owners met with the East Cesar Chavez NPCT who allow the out-of-cycle application.
- We are requesting a FLUM change from Multifamily to Mixed Use.
- We are requesting a zoning change to CS-MU-V-NP.
- The conditional overlay for this property specifically limits the height to 40 feet across the site. It limits the number of trips per day to 2000, and it prohibits making conditional, and it prohibits and makes conditional certain uses on the property.
- We'd like to remove the height limit and add the VMU overlay so we can provide ground floor live workspace where small commercial tenants can have a business in front of their units.
- The VMU requires 10% of the units be affordable at 60% MFI

Q: Can you disclose the owners of the property?
A: The owners are Julie Alexander and Lyon Gegenheimer.

Q: Do they own the property to the north of this tract? There is a lot of noise that comes from this property to the north.
A: I don't think so, but I will find out and get back to you.

Leah M. Bojo
lbojo@drennergroup.com
512-807-2918

DRENNER GROUP

May 24, 2022

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

Via Electronic Delivery

Re: 1700 E 2nd Street – Zoning and Neighborhood Plan Amendment applications for the approximately 0.51-acre property located at 1700 E 2nd Street in Austin, Travis County, Texas (the "Property")

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit the enclosed Zoning and Neighborhood Plan Amendment (NPA) applications. The project is titled 1700 E 2nd Street and is approximately 0.51 acres of land, located at the northeast corner of Chalmers Avenue and E 2nd Street. The Property is in the full purpose jurisdiction of the City of Austin.

The Property is currently zoned CS-MU-CO-NP (General Commercial Services–Mixed-Use–Conditional Overlay–Neighborhood Plan). The requested rezoning is from CS-MU-CO-NP to a CS-MU-V-NP (General Commercial Services – Mixed-Use – Vertical Mixed-Use Building – Neighborhood Plan). The existing conditional overlay prohibits a variety of uses and limits the height on the site to 40'. As part of this request, we are proposing to remove the 40' height limit and to remove townhouse use from the list of prohibited uses. The Property is currently developed with a food sales use and a personal services use. The purpose of the rezoning is to allow the Property to be redeveloped in accordance with the Vertical Mixed-Use Overlay, with a mixed-use structure that has ground-floor pedestrian-oriented uses and residential use above.

The Property is within the East Cesar Chavez Neighborhood Planning Area, adopted May 13, 1999. The East Cesar Chavez Neighborhood Plan Future Land Use Map (FLUM) requires an amendment to change the designation from multifamily to mixed-use. Attached is our out-of-cycle NPA application with a letter from the East Cesar Chavez Neighborhood Planning Contact Team's unanimous vote to support our out-of-cycle NPA request on April 20, 2022.

The Traffic Impact Analysis ("TIA") has been waived until site plan, per the attached TIA determination waiver dated May XX, 2022, and executed by Justin Good.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,

Leah M. Bojo

cc: Heather Chaffin, Housing and Planning Department *(via electronic delivery)*
Joi Harden, Housing and Planning Department *(via electronic delivery)*
Jerry Rusthoven, Housing and Planning Department *(via electronic delivery)*

Out-of-Cycle Letter Authorization from Neighborhood Plan Contact Team (NPCT)

From: Eric Ryan Pace
Sent: Friday, April 22, 2022 10:55 AM
To: Meredith, Maureen
Cc:

Subject: Out-Of-Cycle FLUM Amendment Application for 1700 E 2nd Street

Hi Maureen,

During our general meeting on Wednesday, April 20, 2022; ECC-NPCT unanimously voted to APPROVE the owner's request to submit an Out-Of-Cycle FLUM amendment application for 1700 E 2nd Street.

We have drafted meeting minutes, and they will be adopted for approval during the May general meeting.

Please let us know if you have any questions!

Best,

Eric Pace
Chair, ECC-NPCT

Letter of Recommendation from the Neighborhood Plan Contact Team (NPCT)



October 31, 2022

City of Austin Planning Commission

RE: Request for 1700 E. 2nd Street; NPA-2022-0002.01

Dear Planning Commissioners & City Staff,

On behalf of the East Cesar Chavez Neighborhood Plan Contact Team (ECC-NPCT), I'm writing in support of the applicant's request to rezone from CS-MU-CO-NP to CS-MU-V-CO-NP.

During our General Meeting on August 18, 2022, the applicant agreed to limit changes to the conditional overlay as follows:

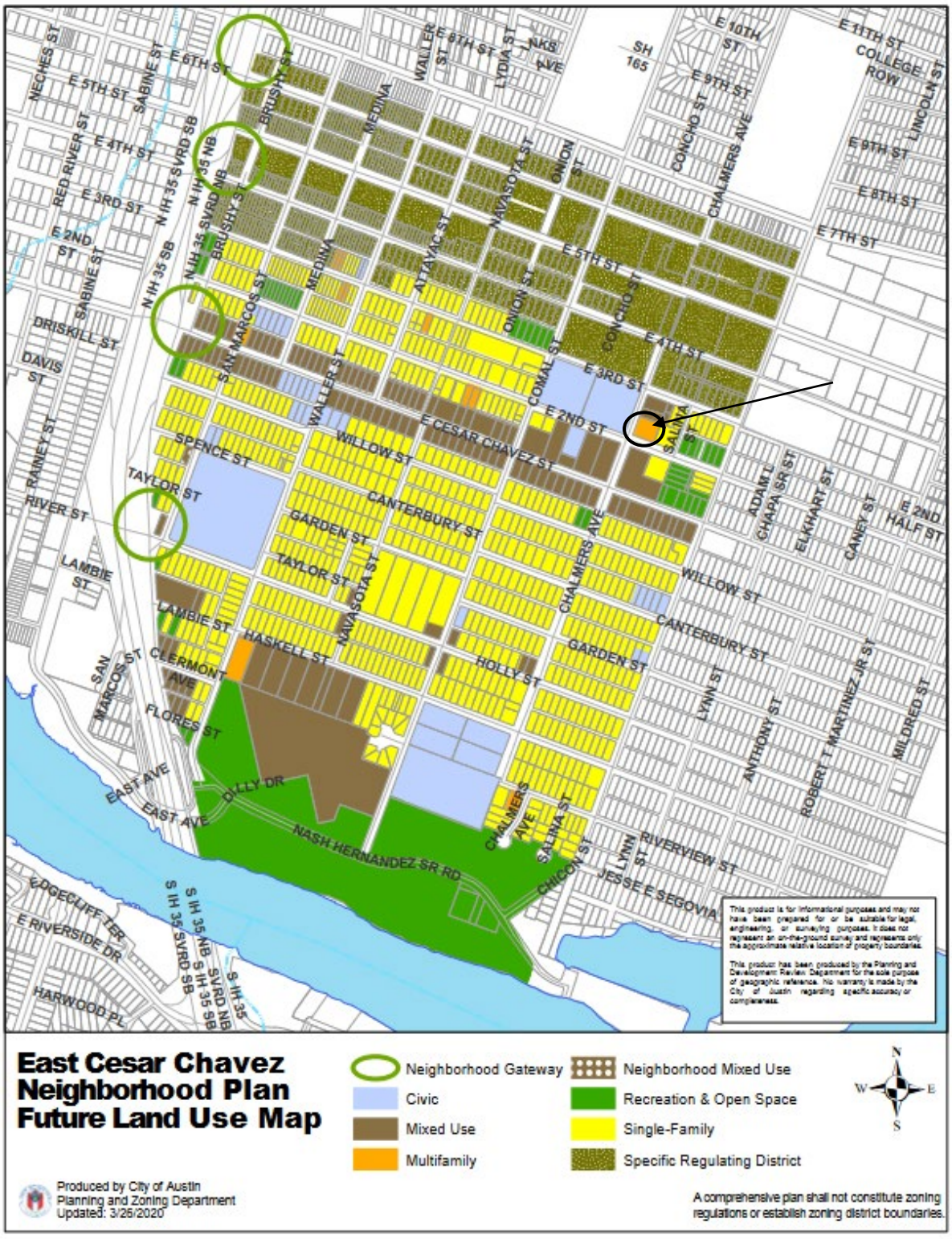
- Remove the maximum height of 40 feet and replace it with a maximum height of 60 feet
- Remove the 2,000 trip limit
- Add townhouse residential as a permitted use
- Add restaurant as a permitted use.

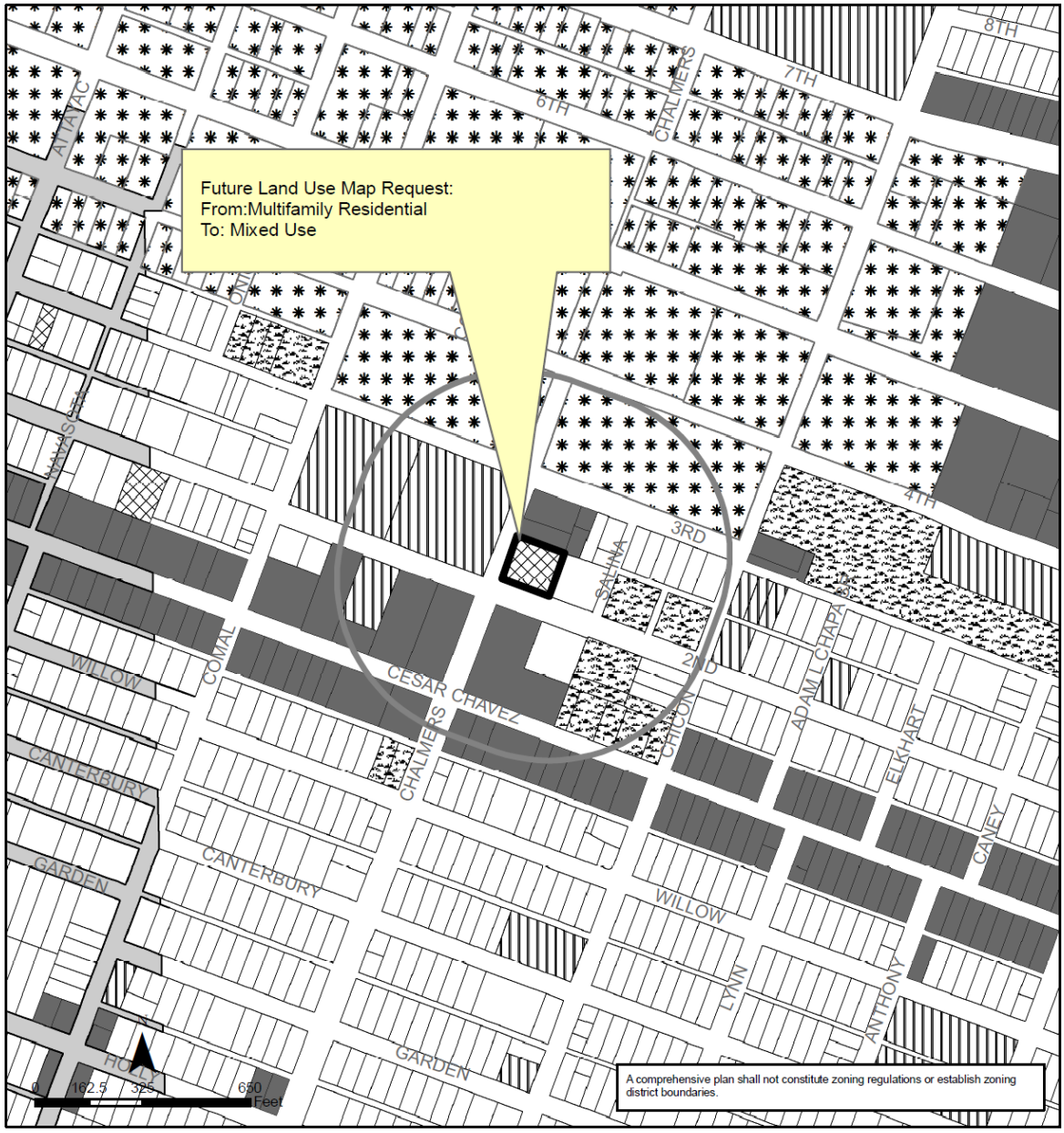
Subsequently, a quorum of members in attendance voted unanimously to support the applicant's request at the General Meeting on August 18, 2022, in accordance with the ECC-NPCT bylaws.

We greatly appreciate the applicant's approach of working transparently with residents and various neighborhood representatives and ask that you vote to approve the applicant's request.

Sincerely,

Eric Pace, Chair
East Cesar Chavez NPCT


East Cesar Chavez
Neighborhood Plan
Future Land Use Map
Neighborhood Gateway
Civic
Mixed Use
Multifamily
Neighborhood Mixed Use
Recreation & Open Space
Single-Family
Specific Regulating District
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S
Produced by City of Austin
Planning and Zoning Department
Updated: 3/26/2020
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SABINE ST
RED RIVER ST
BRUSHY ST
MEDINA
WALLER ST
LYDIA ST
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SH 165
CONCHO ST
CHALMERS AVE
LINCOLN ST
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NASH HERNANDEZ SR RD
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East Cesar Chavez Neighborhood Planning Area
NPA-2022-0002.01

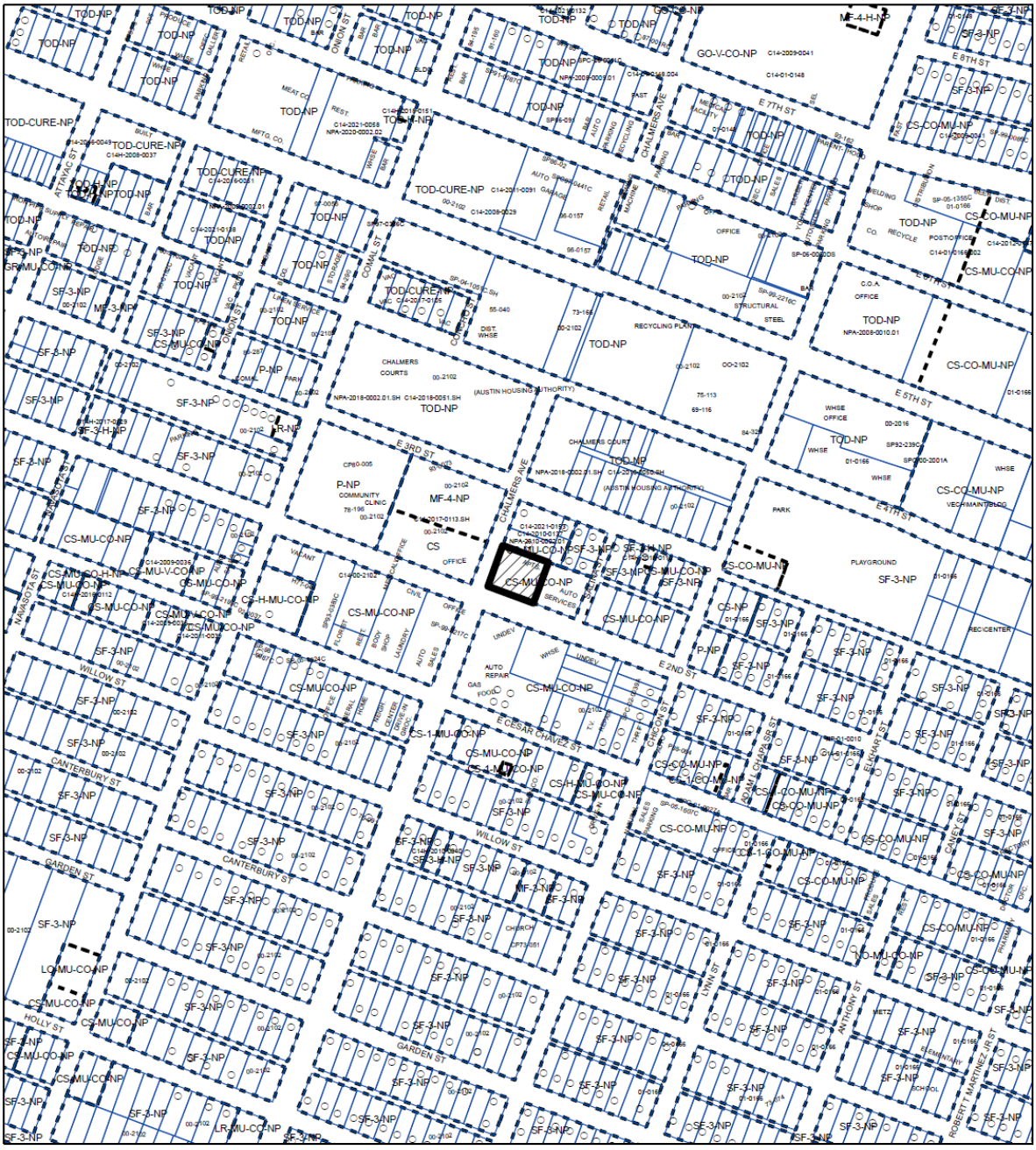
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City of Austin
Housing and Planning Department
Created on 7/7/2022, by: MeeksS

Future Land Use

- Subject Tract
- 500 ft. notif. boundary
- Civic
- Mixed Use
- Multi-Family
- Recreation & Open Space
- Single-Family
- Specific Regulating District
- Transportation



ZONING

ZONING CASE#: C14-2022-0091

N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

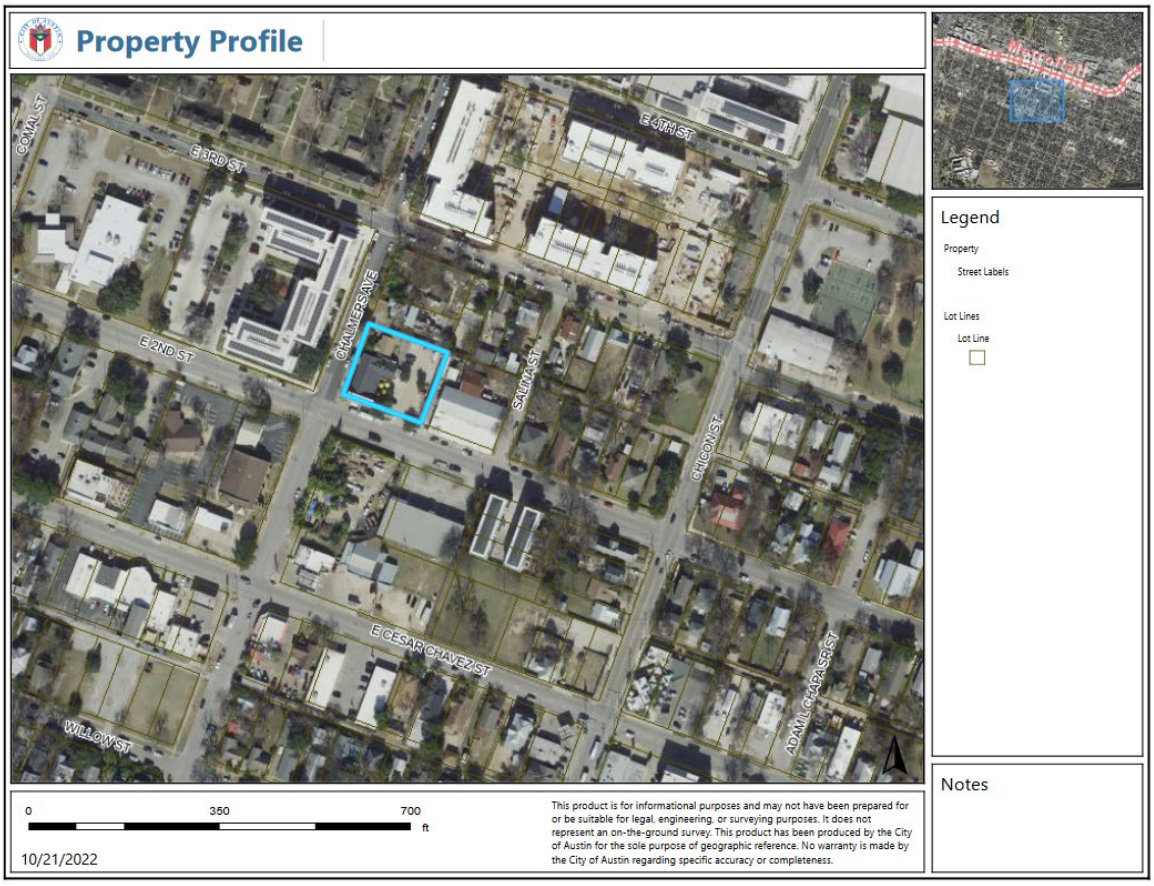
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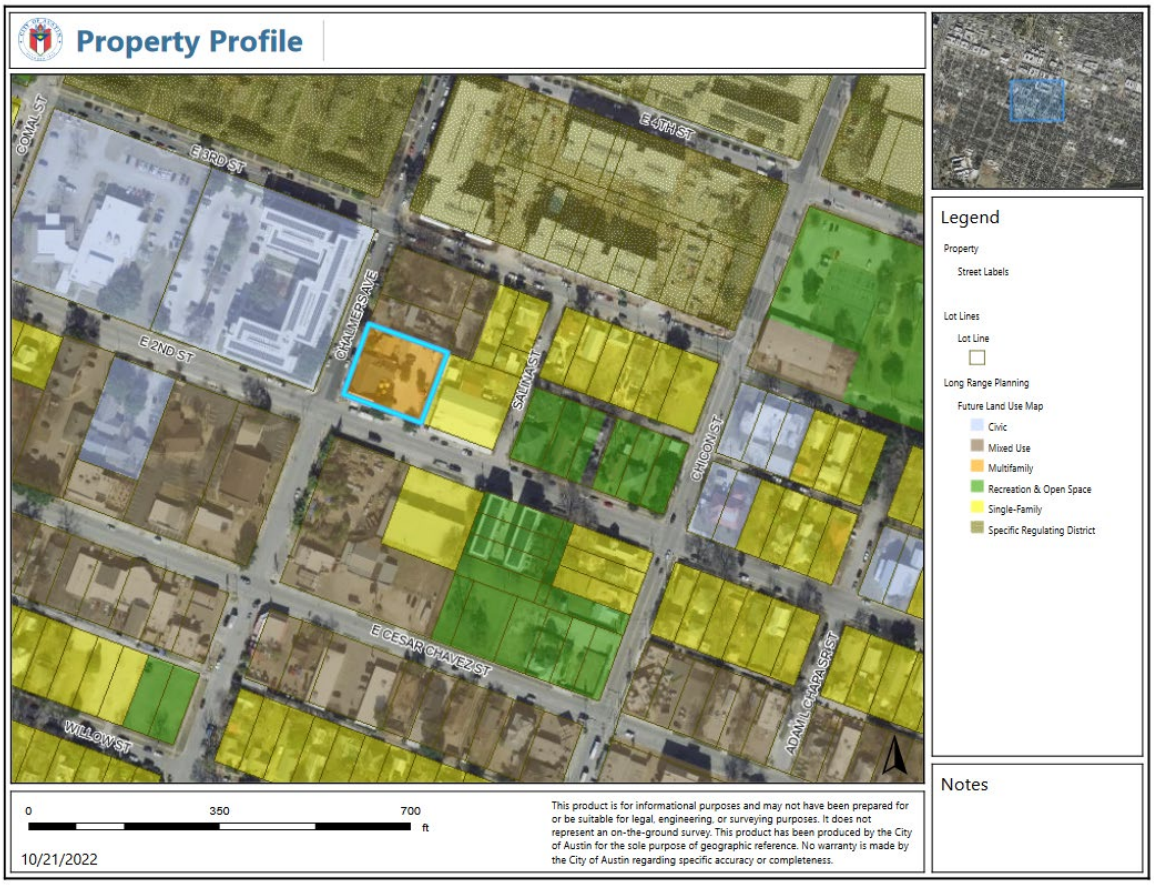
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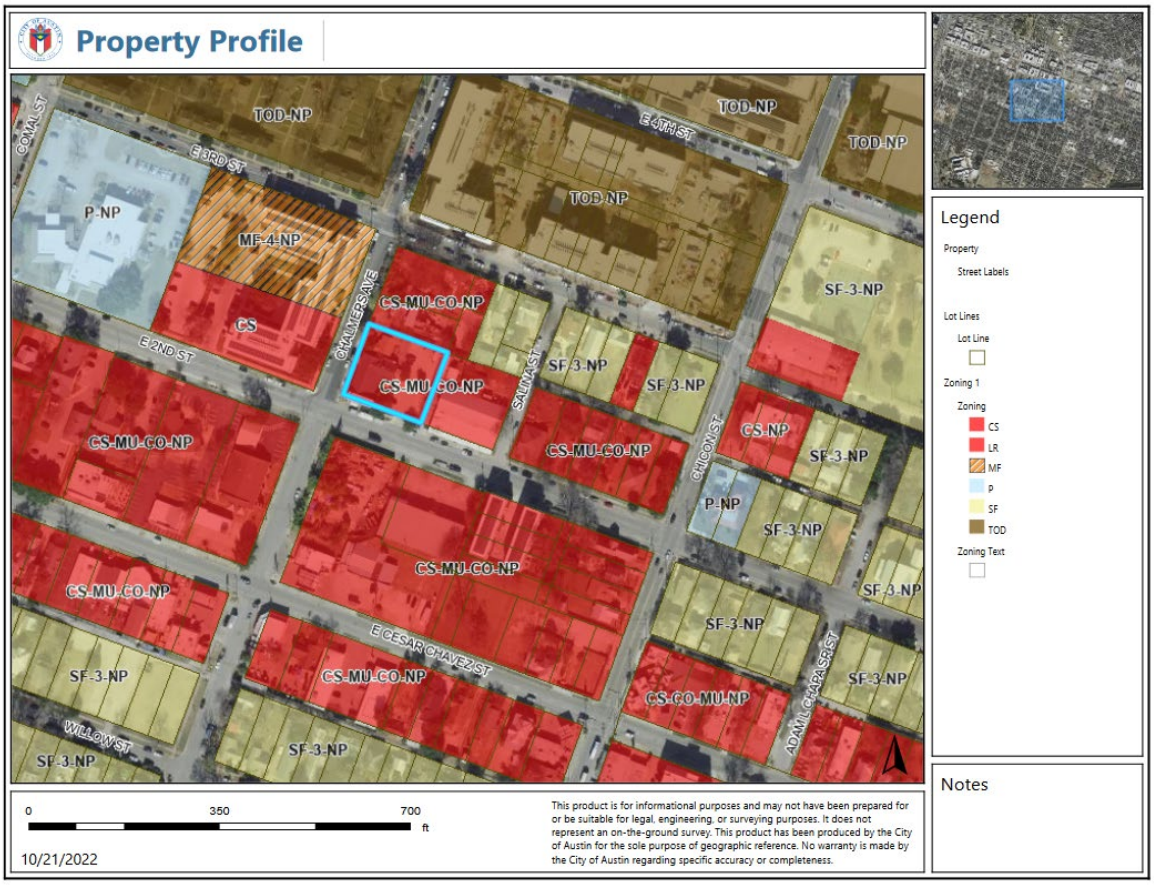
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CITY OF AUSTIN FOUNDED 1839

Created: 7/6/2022


Property Profile
COMAL ST
E 3RD ST
E 4TH ST
CHALMERS AVE
E 2ND ST
SALINAS ST
CHICON ST
E CESAR CHAVEZ ST
ADAMS CESAR CHAVEZ ST
WILLOW ST
Legend
Property
Street Labels
Lot Lines
Lot Line
Notes
0
350
700
ft
10/21/2022
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. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


Property Profile
COMAL ST
E 3RD ST
E 4TH ST
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CHALMERS AVE
SAENZ ST
CHICON ST
E CESAR CHAVEZ ST
WILLOW ST
ADAMS CESAR CHAVEZ ST
Legend
Property
Street Labels
Lot Lines
Lot Line
Long Range Planning
Future Land Use Map
Civic
Mixed Use
Multifamily
Recreation & Open Space
Single-Family
Specific Regulating District
Notes
0
350
700
ft
10/21/2022
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Property Profile
TOD-NP
E 3RD ST
E 4TH ST
P-NP
MF-4-NP
CS-MU-CO-NP
CS
CHALMERS AVE
SAN JACINTO ST
SF-3-NP
CHICON ST
CS-NP
LR
MF
SF
TOD
Zoning Text
Legend
Property
Street Labels
Lot Lines
Lot Line
Zoning 1
Zoning
Notes
0
350
700
ft
10/21/2022
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Applicant's Presentation at the Virtual Community Meeting

1700 E 2nd Street

City of Austin Hosted Neighborhood Meeting

August 2, 2022

NPA-2022-0002.01 and C14-2022-0091

Property Aerial



2

Property Details

Size:
- 0.51 acres

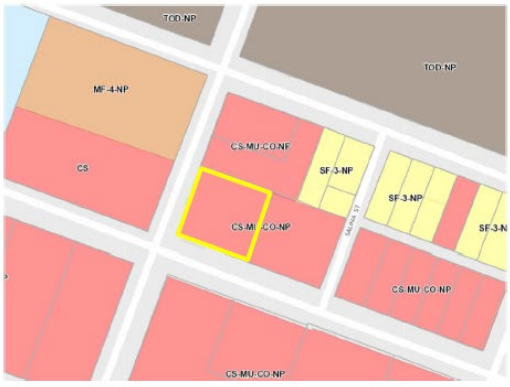
Current Use:
- Restaurant/Personal Improvement Services

Transportation/Access:
- Chalmers Avenue
- E 2nd Street
- Nearby Lance Armstrong Bikeway
- Nearby Plaza Saltillo Red Line Station

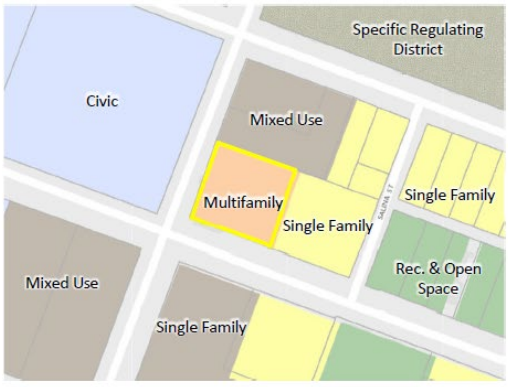
During the monthly meeting of the East Cesar Chavez Neighborhood Contact Team (ECCNCT) on Wednesday, April 20, 2022, the ECCNCT membership voted to approve the request to file an Out-Of-Cycle FLUM Amendment on the 1700 E 2nd Street case.

3

Zoning and FLUM Maps



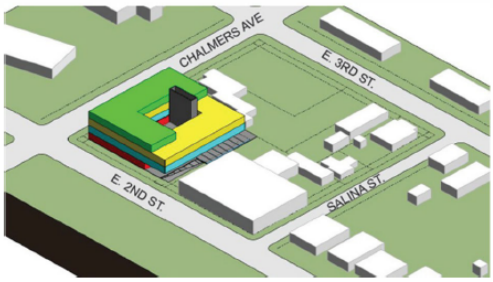
CS-MU-CO-NP
(General Commercial Services – Mixed Use Overlay – Conditional Overlay – Neighborhood Plan)
To
CS-MU-V-CO -NP



Multifamily
To
Mixed Use

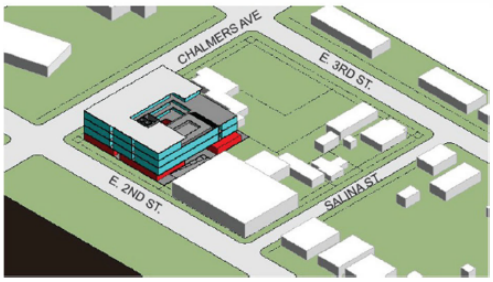
4

Proposed Project Comparison



CS-MU-CO-NP

Units:	24 Residences
Height:	40-50 feet due to Compatibility
FAR:	2:1
Parking:	54 spaces – below grade
Affordability:	Not applicable



CS-MU-V-NP

Units:	50-57 Residences
Height:	40-50 feet due to Compatibility
FAR:	2.15:1
Parking:	68 spaces – below grade
Affordability:	10% of rental units at 60% MFI

5

Conditional Overlay

Per Ordinance No. 20001214-20, the following are prohibited uses on the Property:

- Adult Oriented Businesses
- Campground
- Commercial Off-Street Parking
- Communication Service Facilities
- Convenience Storage
- Drop-Off Recycling Collection Facilities
- Equipment Repair Services
- Equipment Sales
- Kennels
- Pawn Show Services
- Residential Treatment
- Outdoor Entertainment
- Residential Treatment
- Townhouse residential
- Transportation Terminal
- Vehicle Storage

6

Conditional Overlay

Per Ordinance No. 20001214-20, the following are conditional uses on the Property:

- Agricultural Sales and Services
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Building Maintenance Services
- Club or Lodge
- College and University Facilities
- Communication Services
- Construction Sales and Services
- Custom Manufacturing
- Electronic Prototype Assembly
- Exterminating Services
- Guidance Services
- Hospital Services Limited
- Hospital Services (General)
- Hotel Motel
- Indoor Entertainment
- Limited Warehousing and Distribution
- Local Utility Services
- Offsite Accessory Parking
- Outdoor Sports and Recreation
- Research Services
- Restaurant (Drive-In, Fast Food)
- Restaurant (Limited)
- Restaurant (General)
- Service Station
- Transitional Housing

7

Changes to Zoning Conditional Overlay

Propose amending:

1. Remove maximum height of 40 feet;
2. Remove 2,000 trip limit;
3. Add townhouse residential use as a permitted use; and
4. Potentially add restaurant use as a permitted use.

8

Imagine Austin Goals

LUT P6. Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.

LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

9

Request

We respectfully request your support of the Neighborhood Plan Amendment from Multifamily to Mixed Use and our request to rezone from CS-MU-CO-NP to CS-MU-V-CO-NP.

10

Questions? Contact Info:

Project:	1700 E 2nd Street
Agent:	Leah M. Bojo
Email:	lbojo@drennergroup.com
Office:	512-807-2900
Direct:	512-807-2918

11

Correspondence Received

From: Leah Bojo <lbojo@drennergroup.com>
Sent: Wednesday, November 2, 2022 3:19 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Drew Raffaele <draffaele@drennergroup.com>
Subject: RE: Case # NPA-2022-0002.01

*** External Email - Exercise Caution ***

Hi Maureen,

This is not that property, nor is it owned by the same company. You're welcome to pass that along and/or give her my contact information. Thanks!

Leah M. Bojo, AICP, Director of Land Use & Entitlements
2705 Bee Caves Road, Suite 100, Austin, TX 78746
Drenner Group, PC | 512-665-1570 cell | lbojo@drennergroup.com | www.drennergroup.com

From: Walters, Mark <
Sent: Monday, July 25, 2022 4:34 PM
To: Allgood Thingsllc
Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: RE: Case # NPA-2022-0002.01

Tiffany,
I am CC'ing Maureen Meredith who is the case manager for the NPA so your concerns will be included in the case report. I would contact the zoning case manger and also share your concerns with them. In regards to the zoning case, if property owners representing 20% or more of the property within 200' of the property requesting the zoning change, it triggers a vote of 9 city council members instead of 7. Here is a link to more information for the petitions: https://www.austintexas.gov/sites/default/files/files/Planning/Applications_Forms/Zoning_Petition.pdf.
Mark

Staff Note: The property referred to in this email, HighBrow/LowBrow, is not part of this plan amendment and zoning change requests. HighBrow/LowBrow, is on property to the north of the subject property.

From: Allgood Thingsllc
Sent: Monday, July 25, 2022 12:25 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Case # NPA-2022-0002.01

*** External Email - Exercise Caution ***

Hello,

This is regarding Plan Amendment Case # NPA-2022-0002.01

Zoning Case # C14-2022-0091

Property Address: 1700 E. 2nd Street, AND 205 Chalmers, (AND 1707 E. 3rd Street AND 207 Chalmers)

Thank you for your time.

I am a resident within 500 feet of the property in question. I strongly object to their Neighborhood Plan Amendment. Please inform me of any avenues possible to stop this change from happening and my tenant/citizen rights in this situation.

I'm not sure where to begin or how much detail I can go into before this letter becomes laborious to read. I don't want to harangue you; I just want to explain my observations and situation as a neighbor.

The applicant (**also known as HighBrow/LowBrow)** has already been running an extremely popular but presumably un-licensed and illegal "speak-easy" outdoor/indoor music venue for several months, utilizing several combined residential properties at the corner of East 3rd and Chalmers, (including but not limited to 1707 East 3rd, and 207 Chalmers.

This is across the street from Chalmers Pathways East and Chalmers Pathways South, both of which are housing for the elderly, people with special-needs, and low-income families. HighBrow/LowBrow is destroying the quality of life for this neighborhood.

HighBrow/LowBrow is creating numerous disturbances, bringing in hundreds of intoxicated customers in the evening, that they do not have parking for, creating clogged traffic and frequently blocking off the road with traffic cones, unattended vehicles, performer's van/RV's Ubers, Lyfts, etc., and inebriated drivers.

They operate during the day and as an after-hours club, serve alcohol, regularly set up outdoor stages and DJ booths with performances/outdoor music that is much too loud (to the point of nausea and ear pain), much too late, (sometimes until 7:30 AM the following morning, 12+hrs.).

They frequently set up loud generators on the sidewalk outside their fence and leave them running all night long for lighting and PA's.

They advertise (on their website) that they serve alcohol and cater around 600 people, the music and drunken clamor/shouting of which frequently wakes my four children.

As HighBrow/LowBrow has brought in nightlife and customers, the crime and amount of car robberies has quickly increased. Residential windows have been smashed. Ambulances have come repeatedly for residents that live closest to their

location, seemingly stressed into some sort of emergency from sleeplessness and non-stop noise. There also have been altercations between elderly residents and customers that have required police, fire, and ambulance response.

Some of their performances have involved fireworks or fire-dancers performing on top of a stage, (juggling, twirling, throwing flaming objects). This has been at the base of a tree (beneath low branches) and close to a gas-powered generator repeatedly.

The applicant has already been running their business without proper permits, concern for safety, or regard for their neighbors. If they are allowed to continue or expand their business activities, especially if emboldened with proper permits, they will undoubtedly continue to impose upon the neighborhood in an intolerable fashion.

This is where people and their children live, rest, and play. We cannot do any of those things with HighBrow/LowBrow present. It isn't just too loud to sleep at night. In the daytime my children say it's too loud to go outside, and they're correct. If it's too loud ***inside*** with three walls between us and them (and it still bass-thumps your ears), then it's too loud outside, and that's just too loud to live in.

This is literally what they did in Waco as psychological warfare against the New Branch Davidians.

Even the animal residents are greatly affected by their consistent but irregular barrage of noise. Our formerly friendly conure has become distressed to the point of becoming completely anti-social, hiding under a bed every day and tries to bite if you attempt to relocate her. Further, she has become extremely noisy, spreading, and adding to the noise from HighBrow/LowBrow and making a nuisance of herself in the process. I imagine other residents' animals are similarly affected.

Once again, please inform me of my options and please bear the above in mind when determining whether to great them further leniency to run amuck through a Mixed-Use Zoning Variance when they are in a Residential neighborhood they already do not respect.

Thank You For Your Time,

Tiffany Breaux

PS If I am mistaken and this is a separate applicant from HighBrow/LowBrow (though I believe they are owned by the same company out of New York), my argument remains the same as another business would only further the existing problems.

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-2022-0002.01
Contact: Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov
Public Hearings: Nov 08, 2022 - Planning Commission
Dec 08, 2022 - City Council

☐ I am in favor
☒ I object

Cynthia Konieczny
Your Name *(please print)*

1605 Willow St Unit B
Your address(es) affected by this application

Signature — 11/4/2022 Date

Comments:
East side no Rense.
Traffic horrible.
No plan for traffic & Rezoning neighborhood

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

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Contact: Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov
Public Hearings: Nov 08, 2022 - Planning Commission
Dec 08, 2022 - City Council

☐ I am in favor
☒ I object

Tim Rigg
Your Name *(please print)*

1800 Holly St
Your address(es) affected by this application

T. Rigg — 11-2-22
Signature — Date

Comments:
We need to maintain a residential neighborhood.