

## ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0090 – 2239 Cromwell Circle

DISTRICT: 3

ZONING FROM: East Riverside Corridor (ERC-Urban Residential Subdistrict)

ZONING TO: East Riverside Corridor (ERC- Neighborhood Mixed Use Subdistrict), and to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire lot in the Hub boundary and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum building height up to 65 feet through participation in a density bonus program

ADDRESS: 2239, 2239 ½ and 2309 ½ Cromwell Circle

SITE AREA: 12.20 acres

OWNER / APPLICANT: 2239 Cromwell Circle, LLC

AGENT: Drenner Group, PC (Leah Bojo)

CASE MANAGER: Nancy Estrada (512-974-7617, [nancy.estrada@austintexas.gov](mailto:nancy.estrada@austintexas.gov))

### STAFF RECOMMENDATION:

**The Staff recommendation is to grant East Riverside Corridor – Neighborhood Mixed Use Subdistrict (ERC-NMU) district zoning, and to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire lot in the Hub boundary, and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum building height up to 65 feet through participation in a density bonus program. For a summary of the basis of Staff's recommendation, please see case manager comments on pages 2 - 3.**

### PLANNING COMMISSION ACTION / RECOMMENDATION:

**August 8, 2023: APPROVED East Riverside Corridor – Neighborhood Mixed Use Subdistrict (ERC-NMU) district zoning, and to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire lot in the Hub boundary, and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum building height up to 65 feet through participation in a density bonus program AS STAFF RECOMMENDED.**

**[F. MAXWELL; J. CONNOLLY – 2<sup>ND</sup>] (9-1), G. COX – NAY; J. MUSHTALER, T. SHAW – ABSENT**

**June 13, 2023: APPROVED A POSTPONEMENT REQUEST BY STAFF TO August 8, 2023**

**[A. WOODS; A. AZHAR – 2<sup>ND</sup>] (11-0) VC HEMPEL – ABSENT; ONE VACANCY ON THE DAIS**

CITY COUNCIL ACTION:**October 19, 2023:**

September 14, 2023: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO OCTOBER 19, 2023.*

*VOTE: 7-0. Mayor Pro Tem Ellis, Council Members Harper-Madison, A. Alter, and Pool off the dais.*

ORDINANCE NUMBER:ISSUES:

On Wednesday, April 26, 2023, City of Austin staff sponsored a virtual community meeting to provide an opportunity for the neighborhood planning contact team, nearby residents, property owners, and any other interested parties to discuss the zoning change request as well as fulfill the intent of the meeting requirement outlined in Section 25-2-786.02(F)(2) (*Regulating Plan*) of the LDC.

The applicant amended the original zoning application request. The initial rezoning request was for Corridor Mixed Use Subdistrict (ERC-CMU) district zoning, to include the entire lot in the Hub boundary, and to increase the maximum building height up to 120 feet through participation in a density bonus program.

The amended rezoning request is for Neighborhood Mixed Use Subdistrict (ERC-NMU) district zoning, to include the entire lot in the Hub boundary, and to increase the maximum building height up to 65 feet through participation in a density bonus program.

The developer will comply with the Tenant Notification and Relocation Assistance requirements in the City of Austin Land Development Code. [LDC 25-1-712].

On August 18, 2022, the management for the Cromwell property held an on-site meeting with tenants. Currently the applicant will provide a tenant outreach schedule and has provided the following list of Tenant Protection items:

- No leases to be broken
- Moving allowance
- Right to return - first chance at new units
- 180-day notice of demolition
- On-site services to help tenants find new housing or other qualified programs
- Ability to break lease without repercussion once demo permit is filed
- Full refund of security deposit once demo permit is filed
- Last 3 months of rent waived for tenants still in units

The applicant has also offered a private Restrictive Covenant to residents on Riverside Farms Road that would require that the development comply with current compatibility standards, even with Hub inclusion, as well as funding to enforce the covenant.

CASE MANAGER COMMENTS:

The subject rezoning area is located south of East Riverside Drive and north of East Oltorf Street on Cromwell Circle. It is east of Wickersham Lane across the street from a related zoning case that is also requesting to be rezoned to the ERC-NMU subdistrict (C14-2022-0172). The property currently has 284 units of existing multifamily residences with 30 affordable units at 60% median family income (MFI) and is within the urban residential (UR) subdistrict. The (UR) subdistrict allows for buildings up to 40 feet in height which are not eligible for a development bonus.

Directly to the east are single family residences (SF-2-NP) on Riverside Farms Road; multifamily, duplexes and single family residences are to the north off East Riverside Drive on Kirksey Drive and Kenneth Avenue (ERC-NMU; ERC-UR; SF-3-NP); multifamily and single family residences are to the south (MF-2-NP; SF-2-NP); and existing multifamily residences are across Cromwell Circle to the west (ERC-UR; MF-2-NP). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The Applicant is requesting to rezone the property to the Neighborhood Mixed Use (ERC-NMU) subdistrict, to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire property in the Hub boundary, and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum building height up to 65 feet through participation in a density bonus program. ***Please refer to attached Figures.*** The requested amendment would allow the property to be redeveloped with 1000 multifamily residences within three buildings at 65' max height, including 16 affordable units. These 16 units will be affordable at 60% of regional median family income for 40 years.

Per Section 5.7 of the East Riverside Corridor Plan, street-facing building facades at the 4th story and above shall be stepped back from the street to maintain a pedestrian scale along the street frontage. The step back shall be a minimum of 10 feet deep. This project is required to comply with this step back standard.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The East Riverside Corridor Regulating Plan created land use districts to help guide development in accordance with proposed transit improvements. The proposed transit improvements, now known as Project Connect's Blue Line Project, maintain the same general alignment and transit center alignment as shown in the ERC Regulating Plan.

This site is located just south of East Riverside Drive which is identified as a Core Transit Corridor within the ERC. The current CapMetro bus system map shows approximately four

existing MetroBus routes on Wickersham Lane as well as other regular routes along East Riverside Drive.

The Neighborhood Mixed Use (NMU) subdistrict is a more intensive district as it relates to density and height. Rezoning this lot to the NMU subdistrict and allowing inclusion within the Hub boundary would promote higher density and supports transit development. The northwest edge of the property is located in close proximity to the outer limit of the Pleasant Valley Transit Plaza neighborhood hub. Based on the information above, Staff believes the proposed rezoning change is supported by the East Riverside Corridor Regulating Plan.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	ERC (UR subdistrict)	Multifamily residences (284 units) -30 units @ 60% MFI
<i>North</i>	ERC (NMU and UR subdistricts); SF-3-NP	Multifamily residences; Duplexes; Single family residences; Medical Waste Disposal
<i>South</i>	MF-2-NP; SF-2-NP	Multifamily residences; Single family residences on large lots
<i>East</i>	SF-2-NP	Single family residences on large lots
<i>West</i>	ERC (UR subdistrict); MF-2-NP	Multifamily residences

NEIGHBORHOOD PLANNING AREA: East Riverside Corridor (Pleasant Valley)

WATERSHED: Country Club West Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

The property is within the Del Valle Independent School District.

COMMUNITY REGISTRY LIST:

Austin Independent School District,  
Austin Lost and Found Pets,  
Austin Neighborhoods Council,  
Crossing Gardenhome Owners Assn. (The),  
Del Valle Community Coalition,  
Del Valle Independent School District,  
East Riverside Corridor Staff Liaison,  
Neighborhood Empowerment Foundation,  
Riverside Farms Road Neighborhood Assn.,  
East Riverside/Oltorf Neighborhood Plan Contact Team,

Friends of Austin Neighborhoods,  
Homeless Neighborhood Association,  
Pleasant Valley,  
Preservation Austin,  
SELTexas,  
Sierra Club Austin Regional Group,  
Southeast Austin Neighborhood Alliance

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0172 – 2207 & 2301 Wickersham Lane	ERC-UR to ERC-NMU	To be scheduled.	To be scheduled.
C14-2020-0056 – 4544 E Oltorf Street	GR-MU-CO to GR-MU-CO with a change in conditions of use	To Deny (07/28/2020).	Case withdrawn prior to City Council notification.
C14-2018-0088 – 2000 Riverside Farms Road	SF-2-NP to LO-MU-CO-NP	To Grant (01/22/2019).	Apvd LO-MU-CO- NP (03/28/2019).
C14-2018-0027 – 4700 E Riverside Drive	ERC-NMU and ERC-UR to ERC-CMU	To Grant (06/11/2019).	Apvd ERC-CMU (10/17/2019).
C14-2012-0114 – 4544 E Oltorf Street	MF-2 to GR-MU	To Grant GR-MU-CO (10/23/2012).	Apvd GR-MU-CO (02/14/2013).

RELATED CASES:

C14-2022-0172: This is the rezoning case that is across the street on 2207 and 2301 Wickersham Lane. This associated rezoning case is also requesting to be rezoned to the ERC-NMU subdistrict, to be included in the hub boundary, and to increase the maximum building height up to 120 feet through participation in a density bonus program.

The subject rezoning area is described as Chevy Chase South, Phase 4, Section B, Block B, a subdivision recorded in April 1984 (C8-71-124.02.1P/F(84)).

ADDITIONAL STAFF COMMENTS:Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

### Comprehensive Planning

The applicant is requesting three changes: that the Property be rezoned from ERC-UR to ERC-NMU; that the Property be included in the ERC Hub boundary; and, that the Property be eligible for a development bonus of 65 feet.

<b>2239 Cromwell Circle</b>		
	<b>Current</b>	<b>Proposed</b>
<b>Zoning</b>	ERC Urban Residential (Figure 1-2)	NMU - Neighborhood Mixed Use (Figure 1-11: NMU summary)
	<i>Urban Residential is a residential zone that allows for a range of housing types, including townhouses, rowhouses, condos, or multifamily dwellings.</i>	<i>The Neighborhood Mixed Use Subdistrict provides for mid-rise residential with neighborhood-oriented retail and smaller employers. It is intended to have opportunities for attached residential and smaller-scale commercial uses.</i>
<b>Land Use</b>	Multifamily residential	
<b>Hub boundary</b>	No (Figure 1-6)	Requesting to be included
	<i>Within the ERC Zoning District, there are four designated Hubs, or areas where the most intensive development within the corridor is encouraged. These areas are centered around major transit centers currently outlined in Project Connect's Blue Line.</i>	
<b>Base Height</b>	40 feet (Figure 1-7)	50 feet (Figure 1-7)
<b>Base FAR</b>	.75:1	1:1
<b>Development Bonus</b>	<b>Height:</b> Ineligible for Development bonus (Figure 1-8) <b>FAR:</b> n/a	
	<b>Public Benefit Options:</b> 6.4.1. directs 25% of bonus area for affordable housing Fee-in-lieu: \$1 per gross bonus square foot for buildings over 90 ft (no in-lieu option under 90') 6.4.2. grants 10 bonus sq ft per 1 sq ft of publicly accessible open space provided 6.4.3. grants 5 bonus sq ft per 1 sq ft of commercial/office space not required by ERC active edge 6.4.4. & 6.4.5. & 6.4.6 grant 5 bonus sq ft per 1 additional sq ft of stormwater/flood mitigation/water quality control 6.4.7. grants 20 bonus sq ft per 1 sq ft of long-term bicycle parking facilities	
<b>Setbacks</b>	<b>Interior Side Yard:</b> 0' <b>Rear Yard:</b> 0' <b>Stepback:</b> The building facade at the fourth story and above must be stepped back a minimum of 10 feet from the ground level building facade line.	
<b>Maximum Impervious Cover</b>	65% or maximum allowed by LDC 25-8	80% or maximum allowed by LDC 25-8
<b>Compatibility Standards</b>	Section 4.2.4 applies to multi-family, commercial, industrial, or PUD uses with a residential density of greater than 12.45 units per acre within 300 ft of a triggering property. Properties within the ERC Hubs will not trigger 4.2.4.(D).	
<b>Street Type</b>	Cromwell Circle roadway type (Figure 1-3) = ERC Urban Roadway Proposed street (Figure 1-5) = no Active Edge (Figure 1-4) = no	

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club West Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

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.

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

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

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### Impervious Cover and Building Coverage

The maximum impervious cover and building coverage allowed by ERC zoning (NMU subdistrict) is 80% [Article 4.2, General Development Standards, Section C].

### PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, multifamily with ERC-NMU zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. The intensity of the proposed development creates a need of over six acres of additional parkland,

per requirements described in § 25-1-602; when over six acres, parkland must be dedicated – see § 25-1-605 (A)(2)(a).

The East Riverside Corridor Regulating Plan has specific requirements regarding the eligibility for the development bonus: to be eligible for the bonus, there must be some parkland dedicated as part of the development (cannot be satisfied only through exclusively fee in-lieu). See Article 6.4.2 of the Regulating Plan. PARD approval is required to authorize the development bonus.

Should any fees in-lieu also be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

### Site Plan

A site plan will be required for any new development other than single-family, two-family, or duplex residential.

Any new development is subject to the design standards in the regulating plan for the East Riverside Corridor. Additional comments will be made when the site plan is submitted.

### Demolition:

In the event that demolition of existing buildings is proposed, the applicant is responsible for requesting demolition or relocation permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

In the event that demolition of existing buildings is proposed, compliance with the Tenant Notification and Relocation Assistance Ordinance (LDC 25-1-712) is required, giving appropriate notice in the required timeframe to affected occupants.



Austin Transportation Department – Engineering Review

The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code.

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Cromwell Circle	Local Mobility – Level 1	60 feet required	69 feet	42 feet	Existing 6 feet sidewalks	None	2 stops on Wickersham Lane
Kirksey Drive (no proposed access)	Local Mobility – Level 1	60 feet required	47 feet	28 feet	None	None	1 stop on East Riverside Drive
Kenneth Avenue (no proposed access)	Local Mobility – Level 1	60 feet required	47 feet	28 feet	None	None	On East Riverside Drive

The ASMP requires 60 feet of right-of-way for **Cromwell Circle**. No further right of way needs to be dedicated from the existing in accordance with the ASMP (LDC 25-6-55).

The ASMP requires 60 feet of right-of-way for **Kirksey Drive**. An additional 6.5 feet of right-of-way from the existing road centerline will need to be dedicated at site plan/subdivision in accordance with the ASMP (LDC 25-6-55).

The ASMP requires 60 feet of right-of-way for **Kenneth Avenue**. An additional 6.5 feet of right-of-way from the existing road centerline will need to be dedicated at site plan/subdivision in accordance with the ASMP (LDC 25-6-55).

Austin Water Utility

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

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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

#### INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map

Exhibit A-1: Aerial Map

Applicant's Summary Letter

Applicant's Amendment Letter

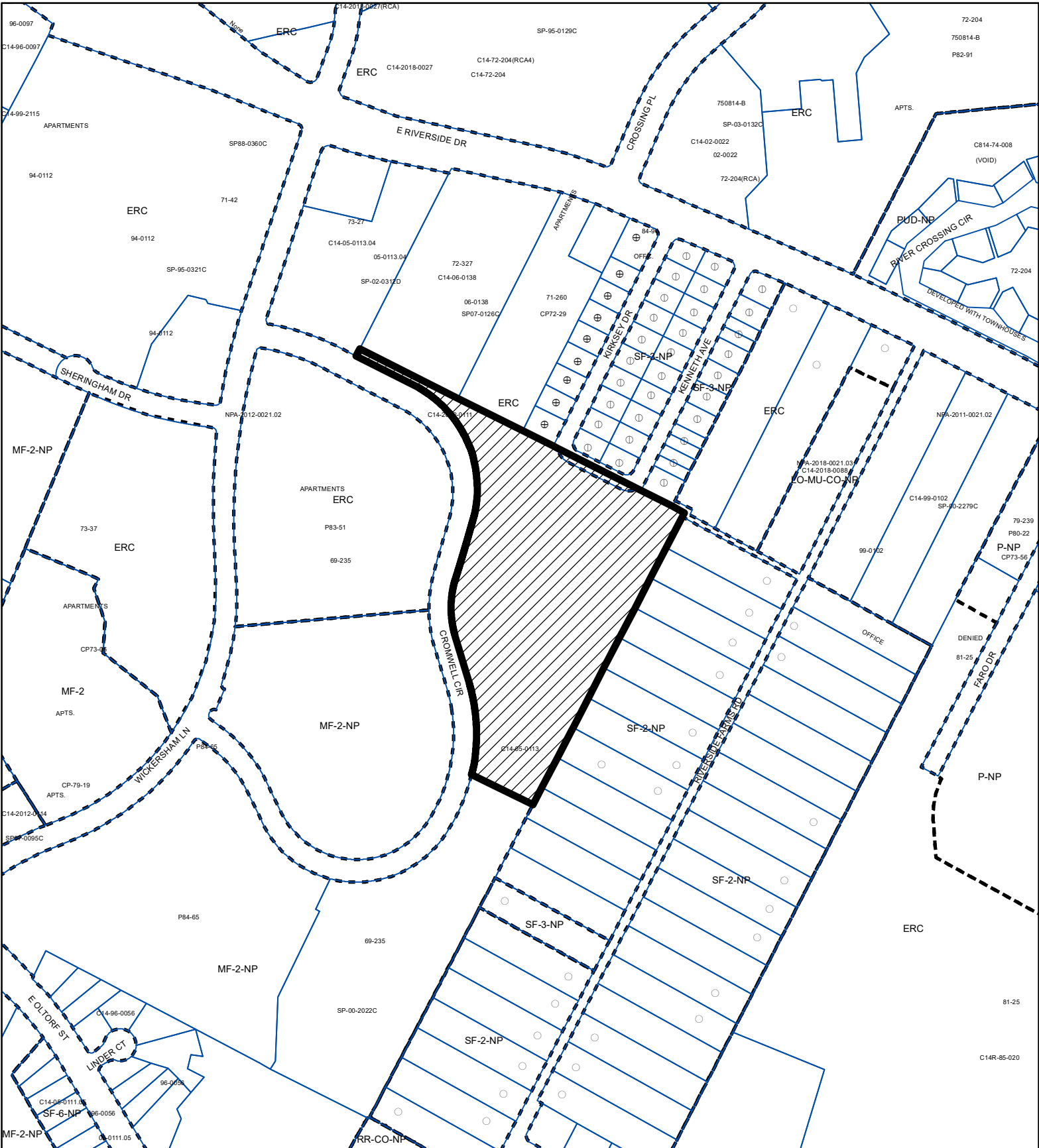
Figure 1-2: East Riverside Corridor Subdistrict Map




Figure 1-6: East Riverside Corridor Hub Map

Figure 1-8: East Riverside Corridor Development Bonus Height Map

Figure 1-11: Neighborhood Mixed Use (NMU) – Development Standards Summary

Correspondence Received



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

## ZONING

### ZONING CASE#: C14-2022-0090

Exhibit A

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



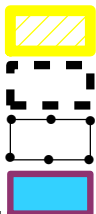
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## 2239 Cromwell Circle

EXHIBIT A-1



SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

ZONING CASE#: C14-2022-0090  
 LOCATION: 2239 Cromwell Circle  
 SUBJECT AREA: 12.20 Acres  
 GRID: K18, K19  
 MANAGER: Wendy Rhoades



Created: 8/2/2022  
 by: MeekSS

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'



June 24, 2022

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

Via Electronic Delivery

Re: 2239 Cromwell Circle – Zoning application for the approximately 12.20-acre property located at 2239 Cromwell Circle West in Austin, Travis County, Texas (the “Property”)

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit the enclosed zoning application package. The project is titled 2239 Cromwell Circle and is approximately 12.20 acres of land, located east of Cromwell Circle and south of East Riverside Drive. The Property is in the full purpose jurisdiction of the City of Austin.

The Property is currently zoned ERC–UR (East Riverside Corridor – Urban Residential Subdistrict). The requested rezoning is from ERC–UR to ERC–CMU (East Riverside Corridor District – Commercial Mixed-Use Subdistrict per Exhibit 1-2 of the ERC Regulating Plan). We are also requesting that the Property be included in the ERC Hub boundary (Exhibit 1-6 of the ERC Regulating Plan) and be eligible for a development bonus of 120 feet (Exhibit 1-8 of the ERC Regulating Plan). The Property is currently developed as multifamily residential.

The purpose of the rezoning is to allow for higher density multifamily residential development with increased height in order to better support the housing and transit goals of the East Riverside Corridor Master Plan. The Property is located within a designated Town Center in the Imagine Austin Plan in order to support both housing and transit.

The Property is within the East Riverside/Oltorf Combined Neighborhood Planning Area, adopted November 16, 2006. The neighborhood plan was adopted with a future land use map of special regulating district and a neighborhood plan amendment application is therefore not required.

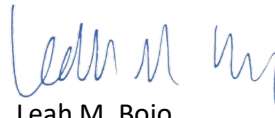
The Traffic Impact Analysis ("TIA") has been waived until site plan, per the attached TIA determination waiver dated June 23, 2022, and executed by Justin Good.

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

# DRENNER GROUP

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

June 30, 2023

Ms. Lauren Middleton-Pratt  
Planning Department  
City of Austin  
1000 E 11<sup>th</sup> Street  
Austin, TX 78702

Via Electronic Delivery

Re: 2239 Cromwell Circle (C14-2022-0090) & 2207 Wickersham Lane (C14-2022-0172) –  
Respective zoning applications for the approximately 12.20-acre property located at 2239  
Cromwell Circle West (the “Cromwell Property”) and 11.10-acre property located at 2207  
Wickersham Lane (the “Wickersham Property”) in Austin, Travis County, Texas

Dear Ms. Middleton-Pratt:

As representatives of the owner of the Cromwell Property and Wickersham Property, we respectfully submit this letter to clarify the amendments to the zoning applications currently under review and assigned case numbers C14-2022-0090, submitted to the City of Austin on June 30, 2022, and C14-2022-0172, submitted to the City of Austin on December 5, 2022, respectively.

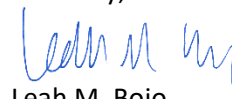
The Cromwell Property and Wickersham Property are both currently zoned ERC-UR (East Riverside Corridor – Urban Residential Subdistrict). The original requested rezonings for the properties were from ERC-UR to ERC-CMU (East Riverside Corridor District – Commercial Mixed-Use Subdistrict), via an amendment to Exhibit 1-2 of the ERC Regulating Plan. The properties also requested to be included in the ERC Hub boundary and eligible for a development bonus with a maximum height of 120 feet via amendments to Exhibits 1-6 and 1-8 of the ERC Regulating Plan, respectively.

On February 28, 2023, we amended both property’s zoning applications from the originally submitted request of the Commercial Mixed Use (CMU) subdistrict to the Neighborhood Mixed Use (NMU) subdistrict, while maintaining the request that the properties to be included in the ERC Hub boundary and eligible for a development bonus with a maximum height of 120 feet.

On June 8, 2023, after discussions with nearby neighbors, a request was made to amend the maximum development bonus height on the Cromwell Property down, from 120 feet to 65 feet. Both properties maintain their requests for the NMU subdistrict designation and to be included in the boundaries of the ERC Hub, with maximum height development bonus’ of 65 feet on the Cromwell Property and 120 feet on the Wickersham Property. No other changes are proposed at this time.

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

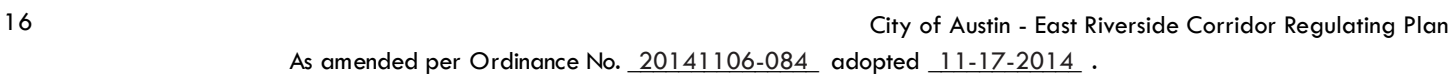
cc: Joi Harden, Planning Department (*via electronic delivery*)  
Nancy Estrada, Planning Department (*via electronic delivery*)

Identifies the subdistrict for each property within the ERC boundary.



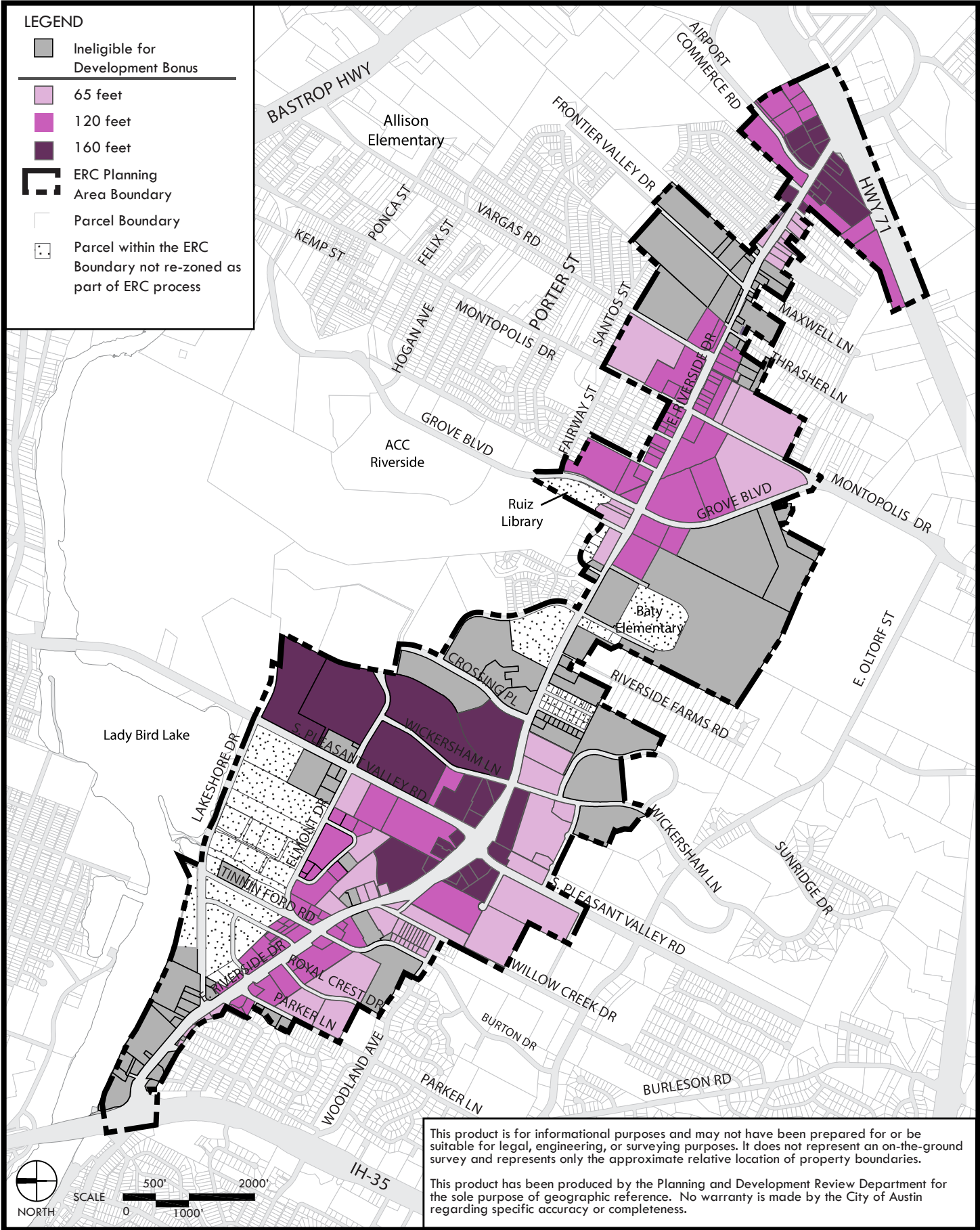


This map shows the Hubs within the ERC boundary. Properties located within a Hub are eligible for additional entitlements as outlined in Article 6.



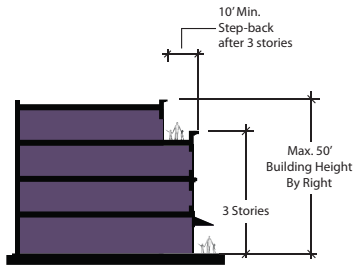


**FIGURE 1-8: East Riverside Corridor Development Bonus Height Map**

This map shows eligible properties and maximum heights allowed with a development bonus.





**Figure 1-11: Neighborhood Mixed Use (NMU)**  
Summary of NMU Subdistrict Development Standards

Lot Size		Floor to Area Ratio (FAR)	NEIGHBORHOOD MIXED USE (NMU) SUBDISTRICT																						
CMU	Minimum Lot Size: 1,600 sf Minimum Lot Width: 20'	Maximum Floor-to-Area Ratio (FAR) by Right: 1:1  Desired minimum FAR: 60% of maximum FAR by right.	The Neighborhood Mixed Use Subdistrict provides for mid-rise residential with neighborhood-oriented retail and smaller employers. It is intended to have opportunities for attached residential and smaller-scale commercial uses.		CMU																				
	Minimum Setbacks																								
IMU	Front and Street Side Yard*: No ground-level front yard or side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	Note: Additional building height may be granted in exchange for the provision of public benefits. Maximum FAR waived with a development bonus. Development bonus criteria and standards are detailed in Article 6.			IMU																				
NMU	Interior Side Yard: 0' Rear Yard: 0'	Building Height  Maximum Building Height: 50 feet  Maximum Building Height with Development Bonus: See Figure 1-8.			NMU																				
UR	Upper-Story Building Facade Street-Side Step-backs: The building facade at the fourth story and above must be stepped back a minimum of 10 feet from the ground-level building facade line.	Compatibility  See Section 4.2.4 for compatibility standards.	ABOVE: Typical height limit and step back requirements for buildings within the Neighborhood Mixed Use (NMU) Subdistrict.*  *Max. Building Height with a Density Bonus is established on Figure 1-8.		UR																				
NR	* If the street right-of-way is less than 60 feet in width, see Section 4.3.3.C.				NR																				
Building Placement			 <b>ABOVE &amp; BELOW:</b> Examples of development similar to that allowed in the Neighborhood Mixed Use Subdistrict.  																						
Building placement determined by Roadway type and Active Edge Designation.  *See Fig. 1-3 for Roadway Type designation and Section 4.3 for design requirements.																									
Maximum Impervious Cover			Neighborhood Mixed Use (NMU) Land Use Summary*																						
Impervious Cover: 80% or Maximum Allowed by LDC 25-8.			<table><tr><th colspan="2">Land Use</th></tr><tr><td>Residential, attached</td><td>Permitted</td></tr><tr><td>Residential, detached</td><td>Not Permitted</td></tr><tr><td>Smaller-scale Retail (less than 50,000 sq. ft.)</td><td>Permitted</td></tr><tr><td>General Retail</td><td>Not Permitted</td></tr><tr><td>Office</td><td>Permitted</td></tr><tr><td>Warehousing &amp; Light Manufacturing</td><td>Not Permitted</td></tr><tr><td>Education / Religion</td><td>Permitted</td></tr><tr><td>Hospitality (hotels/motels)</td><td>Permitted</td></tr><tr><td>Civic Uses (public)</td><td>Permitted</td></tr></table>			Land Use		Residential, attached	Permitted	Residential, detached	Not Permitted	Smaller-scale Retail (less than 50,000 sq. ft.)	Permitted	General Retail	Not Permitted	Office	Permitted	Warehousing & Light Manufacturing	Not Permitted	Education / Religion	Permitted	Hospitality (hotels/motels)	Permitted	Civic Uses (public)	Permitted
			Land Use																						
Residential, attached	Permitted																								
Residential, detached	Not Permitted																								
Smaller-scale Retail (less than 50,000 sq. ft.)	Permitted																								
General Retail	Not Permitted																								
Office	Permitted																								
Warehousing & Light Manufacturing	Not Permitted																								
Education / Religion	Permitted																								
Hospitality (hotels/motels)	Permitted																								
Civic Uses (public)	Permitted																								
			*The table above provides a summary only of land uses permitted within the Neighborhood Mixed Use Subdistrict. See Section 2.3.3. for a complete list of permitted land uses.																						

Cromwell Rezoning Request Bullet Points:

- ERC (East Riverside Corridor) Master Plan begun as city-sponsored initiative in 2008 and approved in February, 2010
- Master Plan incorporated approximately 1000 acres along East Riverside as the planning area
- A. Nelessen Associates, Inc. (an urban planning and design think tank based in New Jersey) was hired by city to facilitate creation of Master Plan
- At initial stakeholder meeting Nelessen stated “this is your main street”, encouraging stakeholders to participate
- ERC Regulating Plan initiated in August, 2010 and approved in May, 2013. I was asked by a sitting City Council member to be on the working group that advised on the Regulating Plan
- Master and Regulating Plans created a balanced, measured, stepped-down approach to development on East Riverside, centered on 4 transportation hubs (Lakeshore Center, Pleasant Valley Transit Plaza, Montopolis Gateway and East Riverside Gateway at highway 71) between IH35 and Ben White
- In creating these plans, stakeholders altered processes that made development easier: relaxed compatibility standards, voided conditional overlays, banned valid petition process opposing proposals
- Rail bonds had been defeated by voters on 2 separate prior occasions but stakeholders believed it would eventually pass (Regulating Plan approved in 2013; rail approved by voters in 2014)
- Prior to plan, stakeholders were bombarded by spot rezoning requests up and down corridor; it was hoped a thoughtful Master Plan would stop the never-ending rezoning demands
- In general, smaller scale residential is recommended on property adjacent to single family neighborhoods outside of planning area (Master Plan-MP-pg xvii)
- Development and height bonuses are only available for properties within both the planning area boundaries and a 5-minute walking distance of the primary rail stops, approximately ¼ mile radius from the rail stop (MP-pg xvii)
- New buildings should respect the scale and character of neighborhood edges (MP-pg xviii)
- By concentrating the bulk of denser development around the transit stops, a series of walkable “main street” areas are formed (MP-pg 6)
- The purpose for this kind of development is to accommodate and encourage new development and redevelopment around transit stops, while also preserving lower-density housing further from the transit stops (MP-pg 6)
- For the aging low-density commercial spaces and undeveloped land that can accommodate many new residents without displacing current residents, the Master Plan recommends development bonuses as incentives to encourage their redevelopment around primary transit stations (MP-pg 6)
- The property proposed for rezoning is not within a ¼ mile radius or within a 5-minute walk of a transit hub yet the developer desires the tract to be included within the hub boundary

- In general, Corridor Mixed Use properties front East Riverside. This property does not front East Riverside or border any Corridor Mixed Use properties that do
- The requested rezoning, currently at Urban Residential, skips 2 subdistrict designations (Neighborhood Mixed Use and Industrial Mixed Use) to arrive at the densest designation allowed, Corridor Mixed Use, with a potential for a development bonus of 120 feet
- The property borders 2 existing single-family neighborhoods, located on the northern (Kenneth and Kirksey streets) and the eastern (Riverside Farms Road) edges
- The requested rezoning ignores the intent of the ERC Plans, a balanced, measured, stepped-down approach to development focusing on transit hubs along East Riverside
- If the intention was to allow a tunnel created by 120-foot buildings along both sides of East Riverside, it could have been accomplished in much easier fashion than by the 5-year city-initiated process that became the ERC Master and Regulating Plans

**From:** [Paloma K](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** PS Re: C14-2022-0090 & C14-2022-0172 (Cromwell & Wickersham)  
**Date:** Sunday, July 23, 2023 11:45:09 PM

---

PS, correction to 4th paragraph of my email of 7/22/23 below about Wickersham Lane: Wickersham Lane does not have a bus lane. Wickersham Lane has only one motorized vehicular lane in each direction, a Left turn lane and bike lanes.

Thank you for your assistance,

Paloma Kennedy

On Sat, Jul 22, 2023 at 9:50 AM Paloma K wrote:

Hi Nancy,

Please add this information to my prior comments from the impacted neighborhood, adjoining homeowner, about the Drenner request for change in zoning on the Cromwell and Wickersham properties I have sent since 2022.

I agree with NMU designation to accommodate needed increased housing, including more affordable units for our area of town.

However, I do NOT agree with including these properties in the Hub. Not only has very extensive prior planning been done to work out a compatible development plan along the E Riverside corridor, but these properties do not meet the definition of being easily accessible for people using public transportation, whether it is the long time utilized bus system, or the proposed light rail, which is definitely still in limbo and won't be completed, if at all, for many years.

There will be an increased number of individuals and families anyway with a NMU zoning change that will be using the bus system. Wickersham Lane, the only street giving vehicular and pedestrian access for these properties to Riverside Dr. and Oltorf, is narrowed to only one vehicle in each direction, North and South, plus the bus/bike lane. Giving these properties a Hub designation will even more exacerbate the already congested traffic.

I urge the Planning Commission to limit the increase in height and expanded number of affordable multifamily units to only the NMU zoning. Please do NOT include them in the Hub.

Thank you, Nancy, for all your help on these zoning cases.

Sincerely,  
Paloma Kennedy  
2308 Riverside Farms Rd.  
Austin, TX 78741

**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Public Hearing : Case Number C14-2002-0090  
**Date:** Thursday, January 12, 2023 1:06:46 PM

---

You don't often get email from alexander@worldentertainmentinc.com. [Learn why this is important](#)

\*\*\* External Email - Exercise Caution \*\*\*

Hello,

I object, to this rezoning.

Not only have you scheduled the public hearing right before the holiday, the apts at Patten West's Mailboxes have been out of commission for months, and finally as of Jan they have repaired them for normal service, which means your notices have not been received by many residents.

The idea that you would tear down these apts, and build townhouses is frankly directly Gentrification, the people who live in this area just experienced not only being displaced by the winter storms of 2021 and 2022, they have been last to get any services from Water, to plumbers to repair pipes. Rezoning this area will only serve the real-estate owners and builders, not the community, as it will just give them another reason to increase the rent in the area, which in turn increases the market overall....KEEP ALL OF AUSTIN in mind when you propose these things.

Cheers,

-----  
Alexander "Alex" Ford

World Entertainment Inc. /Artist Manager

Knife Fight Media/ Catalog Manager

PO BOX #3095

Sea Bright, NJ 07760

-----  
1920 E. Riverside Dr

STE A120, #297

Austin, TX 78741

-----  
Office: 1-(732)-747-2988  
Cell: 1-(732)-995-1844  
FAX: 1-(732)-747-3357  
SKYPE: AlexanderKFM

**From:** [chris.grigassy](#)  
**To:** [Estrada, Nancy](#); [chris.grigassy](#)  
**Subject:** Re: C14-2022-0090 & C14-2022-0172 -- NO!!  
**Date:** Saturday, June 3, 2023 7:58:33 AM

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\*\*\* External Email - Exercise Caution \*\*\*

**Subject: NO** on Both C14-2022-0090 & C14-2022-0172 (Cromwell & Wickersham)

Hello Ms Estrada,

We met at your very useful Microsoft Team meeting recently. Thank you. Please tell your staff team to recommend a solid No vote by The Planning Commission and The City Council on both of these cases! Expanding one of the EROC Hubs to include these two properties would clearly allow the developers to ruin the two adjacent residential neighborhoods. I have lived on, and owned, an adjacent residential lot for over 40 years. I'm 78 years old, and plan live out my life right here!

Please let me know you got my input, and please help save our established, relatively low-income neighborhoods!

Thank you, Chris

Chris Grigassy at 2304 Riverside Farms Road, 78741

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**From:** [MICHAEL ALAN KAUFMAN](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** Against the proposal  
**Date:** Thursday, July 6, 2023 2:52:26 PM

---

External Email - Exercise Caution

I object to the Cromwell Circle and Wickersham properties being pulled into the Pleasant Valley/E. Riverside Transit Hub in direct violation of what the ERC Plan designated. Those Hubs were created in anticipation of light rail being built along Riverside. At this time, there is no rail line and there won't be for almost a decade, if at all. At best, this move is premature and at the expense of existing neighborhoods.

Thanks,  
Michael Kaufman

Sent from my iPhone

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**From:** [Zakiya Bookert](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** Opposition Registration to Hub Inclusion  
**Date:** Saturday, July 8, 2023 9:12:50 AM

---

External Email - Exercise Caution

Hello Nancy. I'm a resident on Kirksey that would be deeply affected by the changes made by the inclusions of the Cromwell and Wickersham projects into the Hub by the Drenner Group. I strongly oppose this development decision and would recommend against the applicant in this case. The ERC transit hubs were created with developers in mind, but majorly intended to protect the integrity of existing neighborhoods. This current proposal only serves the developers and not those of the citizens that would be displaced by the applicant's request.

Best regards

A Kirksey Neighbor

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**From:** [Bob Conevery](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** Subject: # C14-2022-0090 (Cromwell) & C14-2022-0172 (Wickersham)  
**Date:** Thursday, July 6, 2023 12:39:11 PM

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External Email - Exercise Caution

Dear Ms. Estrada,

I live on Riverside Farms Road and I oppose the applicant's proposal to move the Cromwell Circle and Wickersham properties into the Pleasant Valley Transit Hub. As I understand it, the Hubs were created to allow dense and high development around proposed transit stops, but also to protect existing neighborhoods from intrusion. Arbitrarily moving these two properties into the Hub is contrary to the whole purpose of the ERC Plan. Please recommend against this proposal.

Sincerely;  
Bob Conevery

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**From:** [Kim Ehardt](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** # C14-2022-0090 (Cromwell) & C14-2022-0172 (Wickersham)  
**Date:** Friday, July 21, 2023 5:05:59 PM

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External Email - Exercise Caution

To Ms. Estrada & Team,

I oppose moving the Cromwell Circle and Wickersham properties into the transit Hub. This goes against the intent of the ERC Plan and penalizes existing neighborhoods.

Thank you,  
Kim Ehardt

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**From:** [Karen Foulois](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** cases # C14-2022-0090 (Cromwell) & C14-2022-0172 (Wickersham)  
**Date:** Monday, July 10, 2023 12:43:50 PM

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External Email - Exercise Caution

Ms. Estrada,

I object to the Cromwell Circle and Wickersham properties being pulled into the Pleasant Valley/E. Riverside Transit Hub, in direct violation of what the ERC Plan designated. While both properties are within the ERC boundary, they are not within a 1/4 or 5-minute walk from the proposed transit stop, as specified by the ERC Plan. Additionally, those Hubs were created in anticipation of light rail being built along Riverside. At this time, there is no rail line and there won't be for almost a decade, if at all. The ERC transit hubs were created to allow options for developers but also intended to *protect* the existing neighborhoods. This proposal goes against the intent of the ERC Plan and *penalizes* existing neighborhoods.

Please recommend against the applicant in this case.

Respectfully yours,  
-Karen Foulois  
2205 Riverside Farms Rd

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**From:** [Deborah Peacock](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** # C14-2022-0090 (Cromwell) & C14-2022-0172 (Wickersham)  
**Date:** Thursday, July 6, 2023 1:05:24 PM

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External Email - Exercise Caution

Dear Ms. Estrada;

Please know that I join those opposed to moving the Cromwell Circle and Wickersham properties into the transit Hub.

There are many other parcels within the ERC boundary and existing hubs that are ripe for development and density bonuses.

The hubs were created for a reason and should remain intact.

Best regards,

***Deborah Peacock***



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**From:** [John](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** I oppose the requested expansion of height restrictions for cases # C14-2022-0090 (Cromwell) & C14-2022-0172 (Wickersham)  
**Date:** Sunday, July 9, 2023 1:02:03 PM

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External Email - Exercise Caution

Hi Nancy,

I have lived on Riverside Farms Road since 2007 and am absolutely appalled that the developments proposed on Cromwell and Wickersham are trying to circumvent the ERC plan by building developments in excess of the 50-foot height limit. I respectfully ask that you do whatever you can to ensure that this violation of the ERC plan is not permitted.

I have many concerns about this and will just highlight my most critical ones here:

- 1) This development is trying to circumvent the ERC plan by requesting inclusion in the transit Hub when the properties are clearly outside it.
- 2) If this development is allowed to circumvent the ERC plan, it will set a bad a precedent and will encourage others to follow suit.
- 3) I have driven the neighborhood all the way to Highway 71 toward the airport looking for other examples of large buildings being built next to single family homes and could find no examples that would be nearly as egregious as what these developments are proposing, especially since the elevation of the Cromwell development is already significantly higher than most single-family homes on Riverside Farms Road. At 65 feet, their buildings on the hill overlooking Riverside Farms Road would loom over our neighborhood by over 80 feet, given the natural disparity in elevation.
- 4) In my opinion this development is trying to use the promise of providing more housing for low-income households to justify their height increase when they will actually likely be displacing more low-income households than they would be accommodating. So in my opinion, the low-income households would be better off if no new development were built at all (especially given that all the current residents would have to be displaced for an extended period of time during the construction process). It seems obvious to me that the development is wanting to build as high as possible so they can maximize profits by selling as many high-priced units with views of the city as possible.
- 5) The road infrastructure is not in place to handle the additional traffic that would be generated by this proposed development. The only current outside access of these properties goes through Wickersham. Within the last couple years, Wickersham was decreased from a four-lane road to a two-lane road (to accommodate bike lanes). That alone has significantly exacerbated traffic problems. I have witnessed firsthand how long it takes to unload **multiple school busloads** of small children on Wickersham. I can't stress enough how bad this traffic problem currently is, so I urge you and city planners to try driving down Wickersham during rush hour, especially when these school buses are loading or unloading. It can literally take ten minutes to drive a block if you get stuck behind those buses, even if there were no other traffic. I myself had an accident on Wickersham due to back-up on the street. I fear that the developers may want to turn Kirsey Drive and Kenneth Avenue into through streets to help address this problem, which would destroy the ambiance of that neighborhood.

I had brought this issue number 5 up in the initial public meeting held about this proposed development and plan to raise the issue again on August 8.

In summation, I beg you to do whatever you can to prohibit development of buildings in excess of 50 feet for these properties.

Respectfully,

John Stearle  
2207 Riverside Farms Road

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**From:** [Linda Watkins](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** # C14-2022-0090 (Cromwell) & C14-2022-0172 (Wickersham)  
**Date:** Saturday, July 8, 2023 2:13:01 PM

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External Email - Exercise Caution

I oppose both of these rezoning applications.

The ERC Plan was created to permit greater development while **preserving existing single-family neighborhoods, single-family neighborhoods that currently border both the eastern and northern edges of these parcels.**

Moving these two properties into the Hub "violates the intent of the ERC plan" which established a measured and stepped down approach to allow development WHILE protecting established neighborhoods

Please do not let this happen and become a precedent for future development.

Linda Watkins  
2407 Riverside Farms Road  
Austin, TX 78741

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**From:** [Matthew Whitt](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** Cases # C14-2022-0090 (Cromwell) & C14-2022-0172 (Wickersham)  
**Date:** Wednesday, July 5, 2023 1:18:31 PM

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External Email - Exercise Caution

Good afternoon Ms. Estrada,

I own and live at 2406 Riverside Farms Rd, and am writing about the referenced case numbers requesting changes to zoning to allow larger developments to the west of our neighborhood. I'd like to register my opposition to the proposed inclusion of these properties in the transit hub. They are not located in along E. Riverside Dr. and allowing this kind of development would violate the intent of the ERC plan. The ERC plan is meant to promote development along the major transit corridor, while protecting and preserving existing neighborhoods. These requested changes would do the opposite of that.

Please kindly include me on any interested parties communications in the future concerning these 2 cases.

Respectfully yours,  
Matthew Whitt

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**From:** [Roslyn Hypolite](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** C14-2022-0090 Cromwell and C14-2022-0172 Wickersham  
**Date:** Friday, July 7, 2023 3:55:07 PM

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External Email - Exercise Caution

While I support affordable housing and know increased development is necessary, arbitrarily moving properties into a hub when they do not meet the ERC plan criteria- 1/4 mile or 5 minute walk is absolutely WRONG!

Anna Hypolite  
5128140256

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**From:** [Egbert Laurent](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** C14-2022-0090 Cromwell and C14-2022-0172 Wickersham  
**Date:** Friday, July 7, 2023 3:31:01 PM

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External Email - Exercise Caution

I oppose moving the Wickersham and Cromwell Circle properties into the transit hub. This goes against the intent of the ERC Plan and penalizes existing neighborhoods.

Egbert Laurent  
2206- 3 Riverside Farms Rd., Austin, TX. 78741

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512-619-0229

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**From:** [Bill W](#)  
**To:** [Estrada, Nancy](#)  
**Subject:** Agenda Item 21 (C14-2022-00=172) and Item 22 (C14-2022-0090).  
**Date:** Monday, August 7, 2023 3:42:41 PM  
**Attachments:** [image001.png](#)

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External Email - Exercise Caution

Ms Estrada: I am emailing you to let you know that I OPPOSE the extension of the Transportation Hub proposal. Since W35th is a local corridor, extending the boundaries ¼ mile would devastate Bryker Woods as a central city neighborhood! Please oppose this.  
Thank you  
Bill Woods  
Bryker Woods

-- Bill W



Living on Earth is expensive but it does include a free trip around the Sun.

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Cromwell Circle Zoning Change - Opposed  
**Date:** Tuesday, August 9, 2022 12:21:40 PM

---

\*\*\* External Email - Exercise Caution \*\*\*

Hi, Wendy.

We spoke on the phone a couple weeks ago and I really appreciate your giving me more information on the zoning change proposed by the Drenner Group. I have since had a chance to look into it more closely and am even more strongly opposed than I was originally.

In addition to the negative personal impact this zoning change would have on me and my neighbors on Riverside Farms Road, and our neighbors on Kenneth and Kirksey Avenues, of having 120 ft buildings looming over our single-family homes, run-off into our creek, etc., I have learned that this request completely disregards the intent of the East Riverside Corridor (ERC) Plan which many of our neighbors and others spent several years developing and which the city council adopted in 2010.

The applicant's request to skip two levels of development - from Urban Residential all the way to Corridor Mixed Use - is completely out of line. The stated goals of the Plan were to allow appropriate development along the expected Riverside rail line **while at the same time** maintaining "a mix of housing options in the area for a range of incomes, including low- and mid-income populations" and "stable neighborhoods both along and just off of East Riverside Drive." For that reason it included high density development within the four "Hubs", with lower, stepped-down levels further out. So the Drenner Group's request to be included in the Riverside/Pleasant Valley Hub is absurd. The Cromwell Circle property doesn't even have Riverside Drive access and the Plan clearly defines a Hub as being "within a ¼ mile or within a 5-minute walking distance" of a proposed transit stop. That property is neither.

Please forgive me for telling you things you may already know, but as I have learned more, I have become more frustrated with the Drenner Group's attempt to override the ERC Plan which, while not perfect, was a pretty darn good effort to meet the sometimes competing interests of developers, residents, business owners, and others, especially planning for an always uncertain future.

So I respectfully request that the application for rezoning of the properties at 2239, 2239 1/2, and 2309 1/2 Cromwell Circle be denied.

Thank you for your consideration.

Pat Grigadean

~~~~~  
Pat Grigadean  
2304 Riverside Farms Road  
Austin, TX 78741  
512-496-5227  
[pat.grigadean@gmail.com](mailto:pat.grigadean@gmail.com)

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Fwd: Case # C14-2022-0090  
**Date:** Friday, July 29, 2022 3:58:52 PM

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\*\*\* External Email - Exercise Caution \*\*\*

----- Forwarded message -----

**From:** Egbert Laurent  
**Date:** Thu, Jul 28, 2022, 2:02 PM  
**Subject:** Case # C14-2022-0090  
**To:** <[wend-yrhoades@austintexas.gov](mailto:wend-yrhoades@austintexas.gov)>

My name is Egbert Laurent residing at 2206-3 Riverside Farms Rd. Austin Texas 78741.

I am a concerned resident wishing to express my constitutional right to protest the proposed future development regarding the aforementioned case.

I have lived at my home for over 33 years and have never been happier with the tranquility and solace that it has offered me.

I oppose the proposal on the basis that it will negatively impact my quality of life also that of other residents adjacent to my property.

Specifically these factors are as follows:

1. Vehicle noises due to high traffic.
2. Human noises
3. Run off water/Erosion
4. Trash impact over the fence
5. Fire hazards, increase risk from cigarette smokers
6. Environmental impact on wildlife and vegetation.

These opinions expressed so far are of paramount importance and will gladly be addressed by me and or other residents.

Thank you for your time and consideration in this matter.

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Potential impact of zoning for Riverside Farms Rd,  
**Date:** Wednesday, August 3, 2022 12:45:54 PM

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\*\*\* External Email - Exercise Caution \*\*\*

As a long time resident of Riverside Farms Rd. I would like to express my concern over the proposed development and zoning case on Cromwell Circle.

- A building 120' would cause tremendous shadowing for a single family neighborhood.
- Also impacting a single family neighborhood would be the auto noise and exterior light pollution.
- Another example of low income East Austin neighborhoods impacted more by development than are more affluent neighborhoods.
- Ignoring EROC Plan that was adopted by the City in 2010 after much neighborhood input.

Thank you for your attention to this matter, which affects many neighborhoods.

Carol Haggard  
2304 Riverside Farms Rd.  
Austin, TX 78741

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Riverside Farms Road - zoning changes!  
**Date:** Wednesday, August 3, 2022 3:45:11 PM

---

\*\*\* External Email - Exercise Caution \*\*\*

Hi, Wendy - I understand you are the case manager for some potential zoning changes that would allow for commercial building along the properties on the Riverside Farms road. Riverside Farms is a street of quiet single family homes with a singularly "old Austin" feeling. I own 2312-A Riverside Farms Road.

I and my husband lived through the nightmare of the apartments being built behind our property on Cromwell Circle:

- extreme run off / flooding issues
- break-in/theft during the construction
- light pollution
- noise pollution

I do not agree with the zoning change that would put Riverside Farms through all of that ^ again. In addition these issues there's the more pervasive challenge of having a big noisy neighbor who operates as a business rather than a neighbor to the folks who've been on Riverside Farms for decades.

Again, as a property owner on Riverside Farms, I want to register my opposition to this zoning change.

- Elizabeth

--

Elizabeth Transier

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** East Riverside corridor  
**Date:** Thursday, August 4, 2022 11:24:51 PM

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\*\*\* External Email - Exercise Caution \*\*\*

I Have recently learned about proposed changes and zoning for Cromwell Circle. As a long time resident of riverside Farms Road, I am shocked and confused because years were spent forming the east Riverside corridor plan and it certainly did not include 12 story apartment buildings on Cromwell Circle. For five years we worked in good faith with the city to craft a plan for viable neighborhoods off of East Riverside. Riverside Farms Road is certainly a stellar example of a viable neighborhood. There is a mix of age and ethnic groups living on the street, and bordered on the east side by protected wildlife area with spring. We understand that the city has designated this area for a greater density but the quality of life would be greatly impacted for the residences of that area by 12 story apartment buildings looming over their backyards. Also the nature habitat will be profoundly affected by such growth. I hope to be yet another voice expressing concern about this development on Cromwell Circle. Thank you

Sent from my iPhone

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## Rhoades, Wendy

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**From:** Bob Conevery <[REDACTED]>  
**Sent:** Thursday, August 4, 2022 4:27 PM  
**To:** Rhoades, Wendy  
**Subject:** I have lived on Riverside Farms Road for the better part of 20 years and I am strongly opposed to the proposed zoning change on Cromwell Circle. As I understand it, this zoning request skips two levels of development - from the lowest to the highest -...

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Against The Development Off Riverside Drive  
**Date:** Sunday, August 7, 2022 5:09:16 PM

---

\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am writing today to express my deep concern and opposition to the development planned by Cooper Drenner at Cromwell Circle, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. I have spent my childhood exploring the woods, creeks and discovering wildlife along Riverside Farms Road and recently I have taught my children to love this little slice of Old Austin, as well.

I have long considered buying property on Riverside Farms Road in the (very rare!) occasion that one of its long-time residents moves, but I worry that recent development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek and the potential harm to wildlife.

Please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,

pd

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Protect Riverside Farms Road!  
**Date:** Monday, August 8, 2022 12:24:22 PM

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am writing today to express my deep concern and opposition to the development planned by Cooper Drenner at Cromwell Circle, Case #C14-2022-0090, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. With the woods, creeks and wildlife, I worry that further development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek, woodland and the potential harm to wildlife.

Please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,

pd

--

**Chris DeTrinis** Realtor®  
(512) 771 0858

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Please Protect Riverside Farms Road  
**Date:** Monday, August 8, 2022 3:43:31 PM

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am writing today to express my DEEP concern and OPPOSITION to the development planned by Cooper Drenner at Cromwell Circle, Case #C14-2022-0090, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. With the woods, creeks and wildlife, I worry that further development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek, woodland and the potential harm to wildlife.

Please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,

Andrea Cragen

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Please Protect Riverside Farms Rd. And Austin.  
**Date:** Monday, August 8, 2022 6:06:47 PM  
**Attachments:** [Screen Shot 2020-01-09 at 10.33.12 PM.png](#)

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am an Austinite. Not a unicorn, as I grew up in Houston, but an Austin resident since 1989. My dad brought me to Austin in 1982 to see Texas defeat his lesser alma mater, Missouri. We sat on the 50-yard line and if memory serves me correctly, it was 72 degrees with not a cloud in the sky. I remember the beatdown Texas put on Mizzou but what I remember more clearly was that Austin wasn't like Houston. I remember the lakes and rivers and rolling hills. It was a town that was unlike what I was familiar with in Houston. It was special. And free. From that point forward, Austin was the only place I ever wanted to live. I've been here since 1989. I'm a UT graduate (class of '93) and I've lived in Barton Hills, Clarksville and Hyde Park. I consider myself lucky. Austin is changing but I refuse to abandon my post. This is my city and I'm going to fight for it. The city needs old birds like me. Dallas can have Dallas. They can't have Austin, too.

I am writing today to express my deep concern and opposition to the development planned by Cooper Drenner at Cromwell Circle, Case #C14-2022-0090, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. With the woods, creeks and wildlife, I worry that further development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek, woodland and the potential harm to wildlife.

Please consider this e-mail as my friend's family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you.

Dave Mead

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Protect Riverside Farms Road!  
**Date:** Tuesday, August 9, 2022 9:56:41 AM

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am writing today to express my deep concern and opposition to the development planned by Cooper Drenner at Cromwell Circle, Case #C14-2022-0090, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. With the woods, creeks and wildlife, I worry that further development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek, woodland and the potential harm to wildlife.

Please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,  
Maggie Watkins

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Protect Riverside Farms Road!  
**Date:** Tuesday, August 9, 2022 9:58:18 AM

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I've just been made aware of the Cooper Drenner plan at Cromwell Circle and want to express my deep concern and opposition to Case #C14-2022-0090.

As you know, the vibrant community that lives alongside Riverside Road is part of the fabric that makes Austin such a unique and beautiful place to live. Despite communities like this being the heart and soul of our great city, they are actively being destroyed by the financial interests of commercial developers.

You know as well as I do, that a commercial high-rise next to a semi-rural neighborhood is the beginning of the end for the quaint and quiet life these residents have been living for the last 40 years. Not to mention the wildlife that will inevitably be pushed out and wiped out.

So please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,  
Matt Nall

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Protect Riverside Farms Road!  
**Date:** Tuesday, August 9, 2022 10:45:38 AM

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am writing today to express my deep concern and opposition to the development planned by Cooper Drenner at Cromwell Circle, Case #C14-2022-0090, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. With the woods, creeks and wildlife, I worry that further development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek, woodland and the potential harm to wildlife.

Please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,  
Paul

--

Paul-Emile Baudouin  
512.800.2141

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Protect Riverside Farms Road  
**Date:** Tuesday, August 9, 2022 11:10:51 AM

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am writing today to express my deep concern and opposition to the development planned by Cooper Drenner at Cromwell Circle, Case #C14-2022-0090, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. With the woods, creeks and wildlife, I worry that further development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek, woodland and the potential harm to wildlife.

Please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,  
Philip

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Case Number C14-2022 = Cromwell Circle  
**Date:** Tuesday, August 9, 2022 1:24:23 PM

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\*\*\* External Email - Exercise Caution \*\*\*

I wish to share my concerns regarding this zoning case. The applicant has asked for height allowance of 120 feet. This would allow a 10+ story building to be constructed which would not only loom over our single family neighborhood, but even dwarf the 3 and 4 story apartments that are crowded into this property. This location is on a "loop" street that opens on to Wickersham Drive at both ends. Wickersham is the street that receives a high volume of traffic from the apartments that line the street now.

Run-off and pollution will run downhill from the proposed development and carry everything to Country Club Creek, and on down to the Colorado river.

Exterior light pollution, noise and increased traffic on Cromwell Circle only adds to our problems.

Finally, this is a complete disregard for the East Riverside Corridor (ERC) Plan which was developed over many years and adopted by the city in 2010

I urge the city to recognize the neighborhood's issues and not allow this development as requested by the applicant.

Linda Watkins  
2407 Riverside Farms Road  
Austin, TX 78741

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Rezoning application Case Number 14-2022-0090  
**Date:** Tuesday, August 9, 2022 9:30:18 PM

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\*\*\* External Email - Exercise Caution \*\*\*

Dear Wendy,

We spoke by phone July22nd about my concerns regarding the zoning change request by Drenner Group on their Cromwell Circle property. Hopefully this email will help clarify concerns I have as a long time home and adjacent property owner on Riverside Farms Road. (My home is at 2308, I own lot at 2310, and co-own lot 2306 Riverside Farms Rd.)

Certainly, the request for the zoning change from East Riverside Corridor Urban Residential to ERC Corridor Mixed Use subdistrict, Commercial Mixed Use, inclusion in the Hub boundary and eligibility for development bonus of 120 feet will create a major, negative impact on this long time, formerly rural neighborhood.

Additionally, this change request is in violation of long, involved prior planning agreement with the ERC constituents, as the developer is requesting the option for land outside of the hub be allowed greater development.

A big picture issue related to some specific concerns listed below is that, topographically, Riverside Farms Road [RFR] is in a little valley beginning uphill on the S before joining Riverside Dr. on the N. A COA environmentally protected wetland originates at a spring just to the SE of the neighborhood. That spring is the beginning of Tributary 2 of Country Club Creek, which flows into the Colorado River. This tributary traverses the valley, through the neighborhood. It is a source of flash flooding and is in floodplain due to runoff from slopes on three sides of the valley. On the W side of the valley, the creek/tributary and floodplain are just below Cromwell Circle's eastern boundary.

Concerns about potential effects of significantly increased height and density of development affecting this neighborhood and little valley include:

1. Increased volume of rainfall runoff and potentially decreased water quality flowing into a tributary of the Colorado River and floodplain in RFR neighborhood.
2. Increased noise from greater development and height. Already, intermittent loud sounds are heard from vehicles, people and dogs from the existing development. Firecrackers from there are not unusual at certain times of the year as well. The valley's topography increases the volume and distance neighbors hear noise and creates echoes..
3. Decreased privacy from greater height. With more balconies or other open air structures, more people will be looking out and down across the narrow valley into back yards on W side of RFR and front yards on E side of the road.
4. Sunlight and sky view will be compromised by very tall buildings. The N half of the primarily SF part of RFR will be affected by much taller buildings on Cromwell Circle. The sun will set behind a tall commercial building at least part of the year.
5. These issues can have a negative financial impact on home resale values in this quiet neighborhood, which includes wildlife habitat and riparian area along the creek/floodplain.

Thank you for your attention. I hope your day goes well.

Kind regards,

"Paloma" Patricia Kennedy  
2308 Riverside Farms Rd.  
Austin 78741  
512-736-4303

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Addendum to 8/9/22 email re: Rezoning application Case Number 14-2022-0090  
**Date:** Friday, August 12, 2022 10:23:10 PM

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

Thank you for acknowledging receipt of my initial email dated August 9, 2022 with my adjacent neighborhood concerns around rezoning request Case Number 14-2022-0090, the 2239 Cromwell Circle, LLC, Cooper Drenner request for rezoning to Commercial Mixed Use (CMU) to include higher density mixed-use for high rise residential, major employers, destination retail and large scale civic uses.

I want to add an additional concern about vehicular access to this property as it would significantly add to current high traffic congestion of this area. My concern is as a resident of this rapidly developing area, who often drives past the area to the West of the Cromwell Circle property, not specifically as an affected next door neighbor in a Single Family Residential neighborhood.

The roadway named Cromwell Circle street is the only street fronting this property, for which a high density CMU is being requested. The Cromwell Circle street is a loop, only accessible for ingress and regress from Wickersham Ln. Wickersham Ln. is an increasingly busier street between E Oltorf St. and E Riverside Dr. due to increased development in the area. The City recently narrowed Wickersham Ln. from two traffic lanes in both directions to one vehicular traffic lane and one bicycle lane in each direction, as well as installed traffic barriers to protect pedestrian crosswalks in this already densely populated residential area. There is no longer a dedicated right turn lane on this section of Wickersham Ln where it connects to Riverside Dr. At times, including and not limited predictably weekday rush "hour" drive time, I have waited for two and three lights to be able to make a right turn to go East on to Riverside Dr. from Wickersham as there is only a dedicated left turn lane and one lane to go straight North or turn right.

Additionally, the City has already approved CMU zoning very close by at E Riverside between Pleasant Valley and Crossing Place, for a very large development, sometimes referred to as The New Domain. Wickersham Ln. traverses this property North of Riverside Dr. That new development, currently in progress, is in a location consistent with the planned/designated Corridor Mixed Use subdivision, and within the Hub boundary of the anticipated light rail station on Riverside at Pleasant Valley. The Cromwell Circle property is not within the Hub boundary.

Thank you for your attention to this important issue.

Best regards,

Paloma Patricia Kennedy  
2308 Riverside Farms Rd.  
Austin, TX 78741



**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Opposition to C14-2022-0090  
**Date:** Wednesday, August 10, 2022 9:39:14 AM

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\*\*\* External Email - Exercise Caution \*\*\*

Wendy,

I participated in the creation of the East Riverside Corridor (ERC) Master Plan and was asked by a sitting City Council member to be on the working group that advised on the ERC Regulating Plan, a process that spanned 5 years.

- The property proposed for rezoning is not within a ¼ mile radius or within a 5-minute walk of a transit hub, as described in the Master Plan definition of a hub, yet the developer desires the tract to be included within the hub boundary
- The requested rezoning, currently at Urban Residential, skips 2 subdistrict designations (Neighborhood Mixed Use and Industrial Mixed Use) to arrive at the densest designation allowed, Corridor Mixed Use, with a potential for a development bonus of 120 feet
- Corridor Mixed Use properties generally front East Riverside. This property does not front East Riverside or border any Corridor Mixed Use properties that do
- The property borders 2 existing single-family neighborhoods, located on the northern (Kenneth and Kirksey streets) and the eastern (Riverside Farms Road) edges. The current zoning of Urban Residential is appropriate
- The requested rezoning ignores the intent of the ERC Master and Regulating Plans, which is a balanced, measured, stepped-down approach to development along East Riverside focusing on transit hubs
- Corridor Plans are meant to replace piecemeal rezoning with a Master Plan. Now developers are trying to ignore years of work and the very concept of a Master Plan. Do not allow this!
- If the City and stakeholder intention was to allow a tunnel created by 120 foot buildings along both sides of East Riverside, that could have been accomplished in much easier fashion than by the City-initiated process that fostered the ERC Master and Regulating Plans

Jan Long  
2411 Riverside Farms Road

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Protect Riverside Farms Road!  
**Date:** Thursday, August 11, 2022 12:07:30 PM

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\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am writing today to express my deep concern and opposition to the development planned by Cooper Drenner at Cromwell Circle, Case #C14-2022-0090, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. With the woods, creeks and wildlife, I worry that further development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek, woodland and the potential harm to wildlife.

Please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,  
Becca Foster

--

Rebecca Crow Foster

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**From:**  
**To:** [Rhoades, Wendy](#)  
**Subject:** Protect Riverside Farms Road!  
**Date:** Tuesday, August 16, 2022 11:16:59 AM

---

\*\*\* External Email - Exercise Caution \*\*\*

Hello Wendy,

I am writing today to express my deep concern and opposition to the development planned by Cooper Drenner at Cromwell Circle, Case #C14-2022-0090, just west of Riverside Farms Road.

The community that lives along Riverside Farms Road has occupied that peaceful part of Austin for over 40 years. With the woods, creeks and wildlife, I worry that further development in the area will spoil what has made that part of Austin so special. A 120-foot commercial high-rise next to a semi-rural single family neighborhood is not good for Austin. Not to mention what it could do to the creek, woodland and the potential harm to wildlife.

Please consider this e-mail as my family's formal opposition to this planned development. We hope the community joins us and that you take this into consideration as you weigh the heavy decisions that impact the future of Austin and its long-time residents.

Thank you,

Chip Rives

Chip Rives  
President/Director/Executive Producer  
TEXAS CREW PRODUCTIONS

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**From:**  
**To:** [Rhoades, Wendy](#);  
**Subject:** I Strongly Protest Rezoning Request Case C14-2022-0090 / Email Me Please  
**Date:** Wednesday, August 24, 2022 2:07:13 PM

---

\*\*\* External Email - Exercise Caution \*\*\*

Hello Ms Rhoades. I Strongly Protest Rezoning Request Case C14-2022-0090.

Email Me Please with all new Case information.

Thanks for your help. Enjoy this rain! -----chris grigassy, 2304 riverside farms road 78741.

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