

**ZONING CHANGE REVIEW SHEET**CASE: C14-2023-0077DISTRICT: 7ADDRESS: 7320 Burnet RoadZONING FROM: CSTO: CS-MU-VSITE AREA: 1.44 acresPROPERTY OWNER: Seamless GCW, GP, Ltd. (Joe Warnock)AGENT: Armbrust & Brown, PLLC (Michael J. Whellan)CASE MANAGER: Dana Moses, 512-974-6001, dana.moses@austintexas.govSTAFF RECOMMENDATION:

**The staff recommendation is to grant general commercial services – mixed use - vertical mixed use building - conditional overlay (CS-MU-V-CO) combining district zoning. The conditional overlay will prohibit the following uses on the property: Vehicle Storage, Construction Sales & Services, Pawn Shop, and Limited Warehouse and Distribution.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**October 17, 2023: Motion to approve staff's recommendation to grant general commercial services – mixed use – vertical mixed use building – conditional overlay (CS-MU-V-CO) combining district zoning.**

*[A. FLORES; D. FOUTS – 2<sup>ND</sup>] (10-0) C. ACOSTA - ABSENT*

October 3, 2023: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO OCTOBER 17, 2023 [A. FLORES; D. FOUTS – 2<sup>ND</sup>] (10-0) C. ACOSTA – ABSENT*

September 19, 2023: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO OCTOBER 3, 2023 [B. GREENBURG; A. FLORES – 2<sup>ND</sup>] (8-0) S. BOONE, C. THOMPSON - ABSENT*

September 5, 2023: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO SEPTEMBER 19, 2023 [L. STERN; D. FOUTS – 2<sup>ND</sup>](8-0). A. FLORES, H. SMITH, R. JOHNSON – ABSENT; ONE VACANCY ON THE DIAS.*

CITY COUNCIL ACTION:**November 30, 2023:**ORDINANCE NUMBER:ISSUES: N/ACASE MANAGER COMMENTS:

The subject property is located at 7320 Burnet Road and is zoned general commercial services (CS). Currently there is a self-service car wash on one tract that consists of 1.44 acres. The tract takes frontage on Burnet Road. There is a restaurant, HVAC Heating and Cooling business, and Tire Shop to the north zoned (CS-1; CS). Single family homes are to the west (SF-2). To the south is an insurance business, restaurant, and urgent care facility (CS). Commercial businesses are directly to the east and have frontage on Burnet Road (CS-V-CO-NP; CS-CO-NP). ***Please refer to Exhibits A (Zoning Map) and B (Aerial).***

The applicant has requested general commercial services-mixed use-vertical mixed use building (CS-MU-V) combining district zoning to develop 300 multifamily units, 10 percent of which would be affordable at 60 percent MFI for 40 years.

Staff is recommending (CS-MU-V-CO) to allow for redevelopment of the existing commercial property with a multifamily use, which proposes to include affordable residential units along the Burnet Road Activity Corridor, as identified on the Growth Concept Map in the Imagine Austin Comprehensive Plan.

BASIS OF RECOMMENDATION:

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The mixed use (MU) combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

The vertical mixed use building (V) combining district may be applied in combination with any commercial base zoning district and allows for the combination of office, retail, commercial and residential uses with a vertical mixed use building.

The purpose of the conditional overlay (CO) combining district is to modify use and site development regulations to address the specific circumstances presented by a site.

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

The requested rezoning to (CS-MU-V) to add vertical mixed use building combining district will allow for flexible residential density on this major corridor. There is (CS) district zoning to the north and south, and across Burnet Road to the east. Adding the vertical mixed-use zoning will allow for affordable residential housing within the designated Activity Corridor in this area.

Vertical mixed use allows for (VMU) buildings to have commercial uses at the ground-floor level and residential units on the upper floors. This will promote greater site development flexibility in exchange for on-site affordable housing.

*3. Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

The base district (CS) is intended to provide a designation of commercial services for heavy traffic areas. The vertical mixed use building promotes additional housing capacity to support an inclusive workforce and livable community. The vertical mixed use proposed zoning district supports employment opportunities due to being near transit-oriented options to access businesses or places of employment.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Sites</i>	CS	Car Wash
<i>North</i>	CS; CS-1	Restaurant; Commercial Business; Auto Business
<i>South</i>	CS	Restaurant; Insurance Company; Urgent Care
<i>East</i>	CS-V-CO-NP; CS-CO-NP	Restaurant; Nail Salon; Clothing Store
<i>West</i>	SF-2	Single family residences

WATERSHED: Shoal Creek - Urban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Gullett Elementary School

Lamar Middle School

McCallum High School

COMMUNITY REGISTRY LIST:

Allandale Neighborhood Association  
Austin Independent School District  
Austin Lost and Found Pets  
Lower District 7 Green  
NW Austin Neighbors  
SELTexas  
Shoal Creek Conservancy

Austin Neighborhoods Council  
Slaughter Lane Neighborhood Assn  
Neighborhood Empowerment Foundation  
Friends of Austin Neighborhoods  
Homeless Neighborhood Association  
North Austin Neighborhood Alliance

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0044	Rezoning CS-1-CO-NP; CS-CO-NP; LO-CO-NP; to MF-6-CO-NP	To Grant MF-6-CO-NP district zoning for 7113 and 7115 Burnet Road.	Approved (07/29/2021) Ordinance No. 20210729-144 Approved to rezone 7113 and 7115 Burnet Road to MF-6-CO-NP combining district.
C14-2023-0048	Rezoning .35 acres from CS to CS-VMU1.	Rezoning application under review.	Rezoning application under review.

RELATED CASES:

There are not any related cases.

ADDITIONAL STAFF COMMENTS:Comprehensive Planning

**Project Name and Proposed Use:** 7320 Burnet Road. C14-2023-0077. Project: Allandale Car Wash Redevelopment. 1.4396 acres from CS to CS-MU-V. Car wash to Mixed Use and 300 units of multifamily and 10,000 sq ft. of retail.

Yes	Imagine Austin Decision Guidelines
<b>Complete Community Measures</b>	
Y	<b>Imagine Austin Growth Concept Map:</b> 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. <b>Names of Activity Centers/Activity Corridors/Job Centers:</b> Along Burnet Road Activity Corridor
Y	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station. Core Transit Corridor
Y	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.
Y	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	<b>Connectivity and Health:</b> 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.)

Y	<b>Housing Choice:</b> 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.
Y	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
8	<b>Total Number of "Yes's"</b>

### 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.

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

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

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

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

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

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

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.

#### PARD – Planning and Design Review

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily CS-V-MU 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. Should fees in-lieu 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 Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.

Generally, any development which occurs in an SF-6 or less restrictive zoning district which is located 540 ft. or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations, per § 25-2-1051.

However, this site is along Burnet Road, which is considered a "Medium Corridor" per [Ordinance No. 20221201-056](#), and thus, is subject to less restrictive compatibility standards for residential or mixed-use properties.

See <https://publicinput.com/CompatibilityCorridorsFAQ> for more information.

In the event that demolition or relocation of existing buildings is proposed, the applicant is responsible for requesting demolition or relocation permits at the appropriate stage of the development process. The City Historic Preservation Office will review all proposed building

demolitions and relocations. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

#### Austin Transportation Department – Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 120 feet of right-of-way for Burnet Road. It is recommended that 60 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

A Traffic Impact Analysis is not required.

The adjacent street characteristics table is provided below:

#### EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Burnet Road	117'	120'	56'	Level 3 – Minor/Major Arterial	Yes	Yes	Yes

#### Austin Water Utility

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

Depending on the development plans submitted, water and or wastewater service extension requests may be required.

All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

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:

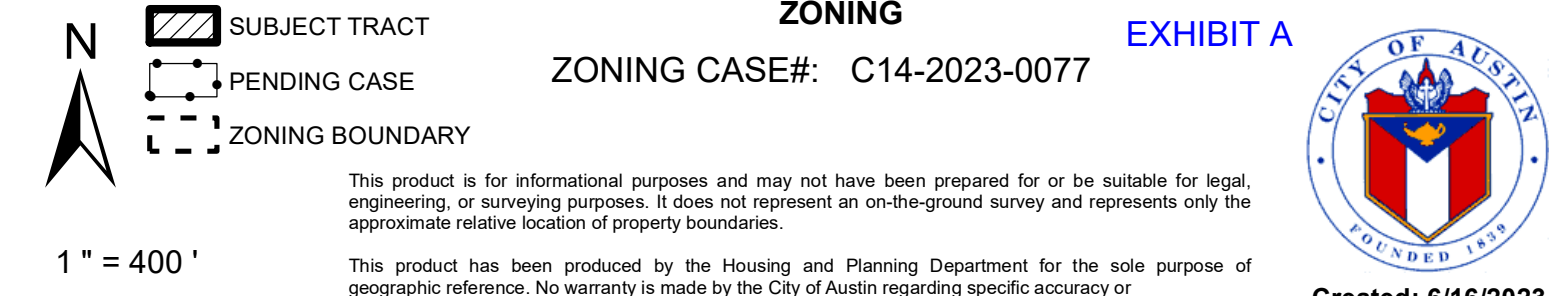
Exhibit A: Zoning Map

Exhibit B. Aerial Map

Applicant's Summary Letter

Correspondence from Interested Parties



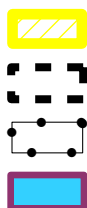






## Allandale Car Wash Redevelopment

EXHIBIT B



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

ZONING CASE#: C14-2023-0077  
 LOCATION: 7320 Burnet Road  
 SUBJECT AREA: 1.4396 Acres  
 GRID: J29  
 MANAGER: Dana Moses



This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 7/25/2023



**ARMBRUST & BROWN, PLLC**

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2360

June 9, 2023

***Via email***

Joi Hardin, Interim Zoning Officer  
Housing and Planning Department  
City of Austin  
1000 E. 11th St.  
Austin, Texas 78704

Subject: Rezoning for 7320 Burnet Rd. (the "Property")

Dear Ms. Hardin,

On behalf of Seamless GCW Ltd., please accept the attached application to rezone the Property to allow it to participate in the Vertical Mixed-Use affordable housing density bonus program. Specifically, the applicant requests rezoning the Property from "CS" to "CS-V-MU."

**Planning Context**

The Property is located along Burnet Road, which the city has designated as an Imagine Austin corridor, a Transit Priority Network roadway, a 2016 Mobility Bond corridor, and a Project Connect MetroRapid route. These designations identify this Property as an appropriate location for mixed-use, multimodal, transit-supportive growth – and, in particular, for additional housing.

However, the Property is currently used as a single-story car wash, a vestige of Burnet Road's past suburban-style, auto-centric development patterns – and is currently designated for CS, a commercial zoning district. In other words, the Property's current zoning is inconsistent with city plans and goals.

The applicant's request would address that by making the Property eligible for the Vertical Mixed-Use overlay, which allows residential uses and access to a bonus program providing greater site development flexibility in exchange for on-site affordable housing.

**Zoning Context**

The Property is surrounded primarily by properties with CS base zoning, to the north and south, and across Burnet Road to the east – including one parcel with CS-1 zoning to the north. It also borders SF-2 property to the west, a product of the shallow corridor lots that characterize much of Burnet Road as well as the SF-2 'rollback' in which the city downzoned most of the Allandale neighborhood to an SF-2 equivalent in 1980-1981, at the request of the Allandale Neighborhood Association (Case No. C14-80-077).

This case requests a simple change: keeping the base zoning district and adding the Vertical Mixed-Use overlay. Much of the Burnet Road corridor already features the Vertical Mixed-Use zoning overlay,

particularly along on the corridor's eastern frontage, in the Brentwood and Crestview neighborhoods. In contrast, large stretches of the Allandale frontage on the western side of the Burnet Road corridor do not allow participation in the Vertical Mixed-Use affordability housing program.

These gaps in Vertical Mixed-Use availability are largely due to the manner in which that program was implemented in 2008 and 2009. At that time, the City allowed neighborhoods to 'opt in' or 'opt out' of Vertical Mixed-Use eligibility for properties within a defined area (for Allandale, that included Burnet Road between North Loop Boulevard and Anderson Lane).

During that process, the Brentwood neighborhood 'opted in' all of its Burnet Road frontage and the Crestview neighborhood 'opted in' much of its, as well – and both opted to require the deeper affordability option, requiring units affordable to families making 60 percent of Median Family Income.

The Allandale neighborhood recommended excluding every single corridor property except for two tracts: Northcross Mall (which had just redeveloped and was unlikely to redevelop again in the near future) and a small strip of "clothing stores, dollar stores, liquor stores, and significant vacant space" between Lawnmont Avenue and Hancock Drive. For these two tracts, Allandale further recommended withholding *all* Vertical Mixed-Use incentives and instead imposing a density limit of 12.5 units per acre – roughly the density of SF-3 at that time. In terms of the Vertical Mixed-Use affordability requirement, the Allandale neighborhood at that time recommended the higher rent levels for affordable units, at up to 80 percent of Median Family Income.

Council ultimately expanded Vertical Mixed-Use eligibility somewhat above the Allandale neighborhood's restrictive recommendation and rejected the idea of withholding the program's incentives – but still kept large portions of Burnet Road's western frontage out of the program entirely.

While this process occurred over a decade ago, the context remains relevant since today, roughly 14 years later, Vertical Mixed-Use eligibility along the Allandale frontage remains *exactly the same* – even as affordability and housing needs have reached a crisis point and as the city's land use policies have changed. (As of this letter, one other application, for a 0.35-acre site at 7500 Burnet Rd., is in review requesting Vertical Mixed-Use eligibility on the Allandale portion of Burnet Road.)

In the intervening years since the city first implemented the 'opt-in, opt-out' Vertical Mixed-Use process on Burnet Road, Council has adopted the Imagine Austin Comprehensive Plan, the Strategic Housing Blueprint, the Austin Strategic Mobility Plan, and the Corridor Overlay, all of which call for housing and transit-supportive growth along our major corridors, including Burnet Road. Austin voters have likewise approved major multimodal investments to support continued growth along Burnet Road, including in the 2016 Mobility Bond and the 2020 Project Connect proposition.

Our request would take an important but incremental next step, extending Vertical Mixed-Use eligibility to another 1.4-acre site along this important corridor – bringing the Property in line with the city's current land use policies and reflecting the Vertical Mixed-Use eligibility that already exists along most of Burnet's eastern frontage.

### **Project Context**

At this time, the applicant is planning to develop the Property under the VMU1 program for 300 units – 10 percent of which would be affordable at 60 percent MFI for 40 years, in accordance with city

requirements – and 10,000 sf of retail. (At this time, the applicant has determined that participation in the VMU2 program is currently infeasible due to a number of factors, including extensive compatibility impacts from nearby SF-2 lots, the difficult macroeconomic environment, and the VMU2 program's more extensive program requirements – though the applicant would be interested in revisiting this feasibility analysis in the future, if any of these factors were to substantially change.)

It is also important to note that the present financial environment is very volatile and challenging, making development plans subject to change – and making it critical that city regulations provide for appropriate flexibility. Three of the four largest bank failures in United States history occurred this year. The federal government has responded to this volatility by directing banks to improve their ability to withstand a potential financial crisis – generally accomplished by reducing the availability of loans, demanding higher interest rates, and requiring projects place more money into reserves, among other things. At the same time, equity partners – who often fund portions of development budgets not covered by a bank loan – are also cutting back on the amount of funding they are willing to offer.

These dynamics pose major challenges and make it critical that zoning regulations provide for appropriate flexibility, providing the optionality needed to navigate a difficult economic environment. The Vertical Mixed-Use program will help provide that additional flexibility and optionality.

### **Conclusion**

The Property is currently used for a car wash and designated for commercial zoning, both of which are inconsistent with the city's vision for Burnet Road as a mixed-use, multimodal corridor. Rezoning the Property to CS-V-MU would allow it the option to participate in the Vertical Mixed-Use affordable housing bonus program – which would provide greater flexibility and would better align the site's regulations with the city's policies for Burnet Road.

Thank you for your consideration. I am available to answer questions and discuss this application further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael J. Whellan', with a stylized, flowing script.

Michael J. Whellan

## C14-2023-0077 - Allandale Car Wash Redevelopment; District 7

**From:** Steve Miller

**Sent:** Monday, September 4, 2023 6:41 AM

**To:** Moses, Dana <Dana.Moses@austintexas.gov>

**Subject:** Comments for C14-2023-0077

Greetings, Dana!

I'm a resident and home-owner of Allandale (7501 Daugherty St) and would like to share some comments ahead of the *Zoning and Platting Commission* [meeting](#) on September 5, 2023.

- CASE: C14-2023-0077
- Zoning and Platting Commission
- September 5, 2023

There have now been (and I presume will continue to be) multiple zoning requests from CS to CS-MU-V-CO along the Burnet Road corridor. In general, I am excited to see many additions to our neighborhood and community. I know many local developers and am fairly familiar with the zoning & development processes here in Austin.

There is one troubling aspect of these zoning requests, which is that residents & neighbors have very little insight into what a developer is planning at this time. It seems likely to me (at least very plausible) that developers will go one next to draft designs & formal plans which will request additional height and compatibility benefits for themselves, especially under the VMU2 program. Unfortunately, we're all stuck in SF-2 zoning and as such, are unable to make modifications to our lots or homes that would allow us to adapt to the changing environment around us.

My concerns, shared by several neighbors, are:

- Limited parking requirements means that we'll see commercial and residential parking spillover into our neighborhoods. This already happens near us with commercial parking leveraged by Lucas Tire
- Noise - related to parking, we already have significant noise pollution from parking nearby to commercial businesses, especially car alarms at all times of the day
- Direct exposure to backyards and in to our homes from taller buildings - current 8' fence allowances along commercial property line do not help with privacy of buildings 50-60+ feet!

I look forward to monitoring the status of this project and encourage the city to work with developers to gather additional information about development plans at this stage in the process.

All the best,

- Steve

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Steve Miller

**C14-2023-0077 - Allandale Car Wash Redevelopment; District 7**

**From:** David Gordon

**To:** Moses, Dana

**Subject:** Case C14-2023-0077

**Date:** Thursday, August 31, 2023 1:21:25 PM

My name is David Gordon and I live at 7201 Daugherty Street, Austin, behind the proposed apartment complex at the site of the previous Genie Car Wash facility on Burnet Road. I would like to request a delay to the zoning change request so the adjoining residents to this property can find out more information from the developer about what is being proposed and how it will impact our neighborhood. We have no information other than a 300 unit apartment complex with 10,000 sf of retail space is being proposed.

I thought that the City of Austin agreed to Allandale's "opt-out" for vertical mixed-use in areas with narrow property depth such as the property in question. Is the City no longer honoring that agreement?

Thank You,

David Gordon

**From:** Nathalie Frensley

**C14-2023-0077 - Allandale Car Wash Redevelopment; District 7**

**Sent:** Thursday, August 31, 2023 3:59 PM

**To:** Moses, Dana <Dana.Moses@austintexas.gov>

**Cc:** Hans Magnusson

**Subject:** Case C14-2023-0077 Request for Postponement from the Allandale Neighborhood Association

Date: August 31, 2023

To: Ms. Dana Moses, Planner III and Case Manager

From: Allandale Neighborhood Association, Nathalie Frensley (Board Member and Zoning Committee Chair) and Hans Magnusson (President)

Re: Request for Postponing Zoning and Platting Commission hearing of C14-2023-0077 to October 17, 2023

Good afternoon, Ms. Moses—

I'm reaching out today to you as the Case Manager to formally request postponing the Zoning and Platting hearing scheduled for September 5, 2023, on case C14-2023-0077 be postponed four to six weeks to either October 3 or October 17, 2023.

We're asking for this postponement for several reasons.

We're volunteers, and this is a complicated project. This is the first compatibility project to go to hearing in Allandale and compatibility is less than a year old in Austin. Because of the newness of this zoning event, we need more time to understand this project.

Many property owners are affected by this zoning application, given the width of the 7320 Burnet Road property and the size and layout of noticed residential properties surrounding the subject properties. We need the additional time a 4-6 week postponement provides to coordinate effectively with neighbors and identify possible common interests with the applicant, neighbor concerns about the application, and potential points of compromise.

The noticed residents recently reached out to the Allandale Neighborhood Association with questions. The ANA itself has experienced noticing problems with C14-2023-0077 for both the Notice of Application and the Notice of [ZAP] hearing. Additionally, the latter problem has affected us over the Labor Day holiday weekend, further hampering our ability to prepare for this hearing. Additionally, neighbors continue to report there has been no zoning application notice posted at the site of 7320 Burnet Road. This was confirmed by a neighbor as of 10:30 am today.

After reading all files in the application folder, we do not believe our request for a postponement would adversely affect the applicant or any timelines needed by the applicant. Granting a postponement would make it possible for Austinites to deliberate and voice concerns and suggestions on this project in our neighborhood. Postponement would enable the incalculable value of civic participation in our municipal governance and community life.

For these and other reasons, we respectfully ask you to act to postpone Item C14-2023-0077's Zoning and Platting Hearing to October 17, 2023.

If you would be so kind, Ms. Moses, could you please acknowledge receipt of this postponement request and let us know if you require anything further from us in formally submitting this hearing postponement request?

Thank you very much, Ms. Moses, for your service to the Austin Community. We appreciate you.

Sincerely,

Nathalie Frensley | 512 589 9344

Hans Magnusson | 512 522 8773



**From:** Amanda Almond > **Sent:** Tuesday, August 29, 2023 2:25 PM  
**C14-2023-0077 - Allandale Car Wash Redevelopment; District 7**

**To:** Moses, Dana <Dana.Moses@austintexas.gov>

**Subject:** C14-2023-0077 Opposition

Hi Dana,

I hope you are well.

I received a notice in the mail about a potential rezoning change to the property behind my house and am strongly opposed. I never would have purchased this home with an apartment behind it and would not like one built that would invade my privacy, lower my property value, and increase traffic in the neighborhood.

I have attached the PDF for my comments below.

Thank you for your consideration.

Amanda

From: Mel

Sent: Wednesday, July 5, 2023 5:31 PM

C14-2023-0077 - Allandale Car Wash Redevelopment; District 7

To: Barba, Ricky <Ricky.Barba@austintexas.gov>

Subject: C14-2023-0077 Rezoning Application

Hi Ricky,

My name is Melanie Shaver, I live in Allandale with my mother, brother and grandmother on a property that will be within 500ft and ultimately strongly impacted by this rezoning, if it were to go through. I am extremely concerned with the impact on the neighborhood, including privacy of residents below a large structure, parking, (specifically for disabled residents) roadway safety considering the large amount of pedestrians and cyclists, impact on the Rosedale school that is specialized for disabled students and students with complex medical needs, and the ultimate safety of a structure being that close to a single family home in regards to physical, air quality and environmental hazards.

I have heard through others in the neighborhood that this structure is projected to contain 300 dwelling units. Is this true? Assuming so (or a similar amount) for the sake of the next questions; How tall and how many stories would this structure be? This lot is not big enough for that many units and sufficient parking for even half of those units to park one car on-site. Assuming there is no parking garage to serve as a buffer structure, (for example, the structure backing up to the houses across burnet road) how can we ensure the privacy of the neighbors whose yards and houses back up to this structure? Would people be able to sit on their balconies or in front of their windows and watch me in my backyard? Potentially film me? Unfortunately that is a thought that has crossed my mind in this day and age.

If this is going to be even a fraction as large as has been stated, what incentives will there be for on-site parking? This is particularly worrisome since parking regulations for large residential structures like this have been canned. Are they going to depend on street parking for people who don't want to pay extra for a parking spot? How will we ensure that disabled people will be able to park their cars close to their homes? Grocery stores aren't quite walkable, especially in the heat, are the developers expecting their luxury clientele will be taking public transit? And if not, there will still be an exponential increase in commerce and delivery traffic.

There are many families that call this neighborhood home, and our close-knit community gathers in their front yards to watch their kids play on our sleepy street. All of our residents know this and slow down during afternoon times when they're usually outside. Even though their parents are extremely vigilant, we know kids can squirt away within a moment. How can we ensure those kiddos will be safe while continuing to foster the same strong community in the spaces we have been for years? Much like the kids that live in the neighborhood, there are kids that go to school here too. AISD has recently finished a state-of-the-art, highly medically equipped school for kids with complex illnesses and learning disabilities. This school is imperative for the equity of disabled kids. An increased level of traffic and parking will make dropping off children a dangerous task to navigate, during construction and after.

I have questions about the safety of a structure of that magnitude being located that close to other small family homes. How much space is required between the start of a structure and another structure? The new structure from existing property lines and fencing? Will there be the potential for things to fall into someone's backyard, causing injury? Will there be a potential of damage to fencing, putting pets and children at risk?

C14-2023-0077 - Allandale Car Wash Redevelopment: District 7

How can we as residents ensure that our air quality and natural environment aren't impacted by this construction? Are there environmental audit agencies or organizations I can reach out to that could oversee plans and potential construction, or could outline potential impacts this has before construction even begins?

If this is going to be even a fraction as large as has been stated, what incentives will there be for on-site parking? This is particularly worrisome since parking regulations for large residential structures like this have been canned. Are they going to depend on street parking for people who don't want to pay extra for a parking spot? How will we ensure that disabled people will be able to park their cars close to their homes? Grocery stores aren't quite

I will be handing out flyers to all of our neighbors that will potentially be impacted, encouraging them to contact you and our district representative, as well as come to the in-person hearing on this matter. I realize growth is inevitable and in many ways good, but there has to be a way to responsibly grow our community while not crowding out our long-time residents in their generational homes. Thank you for your time and consideration on this matter.

Best,

Melanie Shaver