

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: South Congress Combined (West Congress)

CASE#: NPA-2023-0020.02

DATE FILED: February 28, 2023

PROJECT NAME: 106 and 118 Red Bird Lane

PC DATE: April 9, 2024
December 12, 2023
November 28, 2023
November 14, 2023
October 10, 2023
September 26, 2023
August 8, 2023

ADDRESS/ES: 106 and 118 Red Bird Lane

DISTRICT AREA: 3

SITE AREA: 0.5068

OWNER/APPLICANT: RPC 106 Red Bird Ln, LLC

AGENT: Drenner Group, PC (Amanda Swor)

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2023-0034

From: SF-2-NP

To: CS-MU-V-DB90-NP (*amended zoning request*)

NEIGHBORHOOD PLAN ADOPTION DATE: November 6, 2014

CITY COUNCIL DATE:**December 14, 2023****ACTION:** Postponed to January 18, 2024 at the request of the Neighborhood**January 18, 2024****ACTION:** Postponed indefinitely at the request of the Applicant. [Z. Qadri – 1st; P. Ellis – 2nd] Vote: 11-0.**PLANNING COMMISSION RECOMMENDATION:**

April 9, 2024 – (Applicant amended their zoning application to request DB-90 combing district which requires the zoning case to be renotified for Planning Commission. The revised zoning request did not trigger a change in the future land use map request of Mixed Use).

December 12, 2023 – After discussion, approved for staff recommendation for Mixed Use land use. [F. Maxwell – 1st; G. Anderson – 2nd] Vote: 10-0 [G. Cox off the dais. N. Barrera-Ramirez and P. Howard absent].

November 28, 2023- After discussion, postponed to December 12, 2023 by the Planning Commission. [G. Cox -1st; J. Mushtaler – 2nd] Vote: 7-4-2 [C. Hempel and A. Woods absent]

November 14, 2023 – Postponed by the Planning Commission to November 28, 2023 on the consent agenda. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 12-0 [N. Barrera-Ramirez absent].

October 10, 2023 – Postponed to November 14, 2023 on the consent agenda at the request of the neighborhood. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 11-0 [G. Cox and A. Phillips absent].

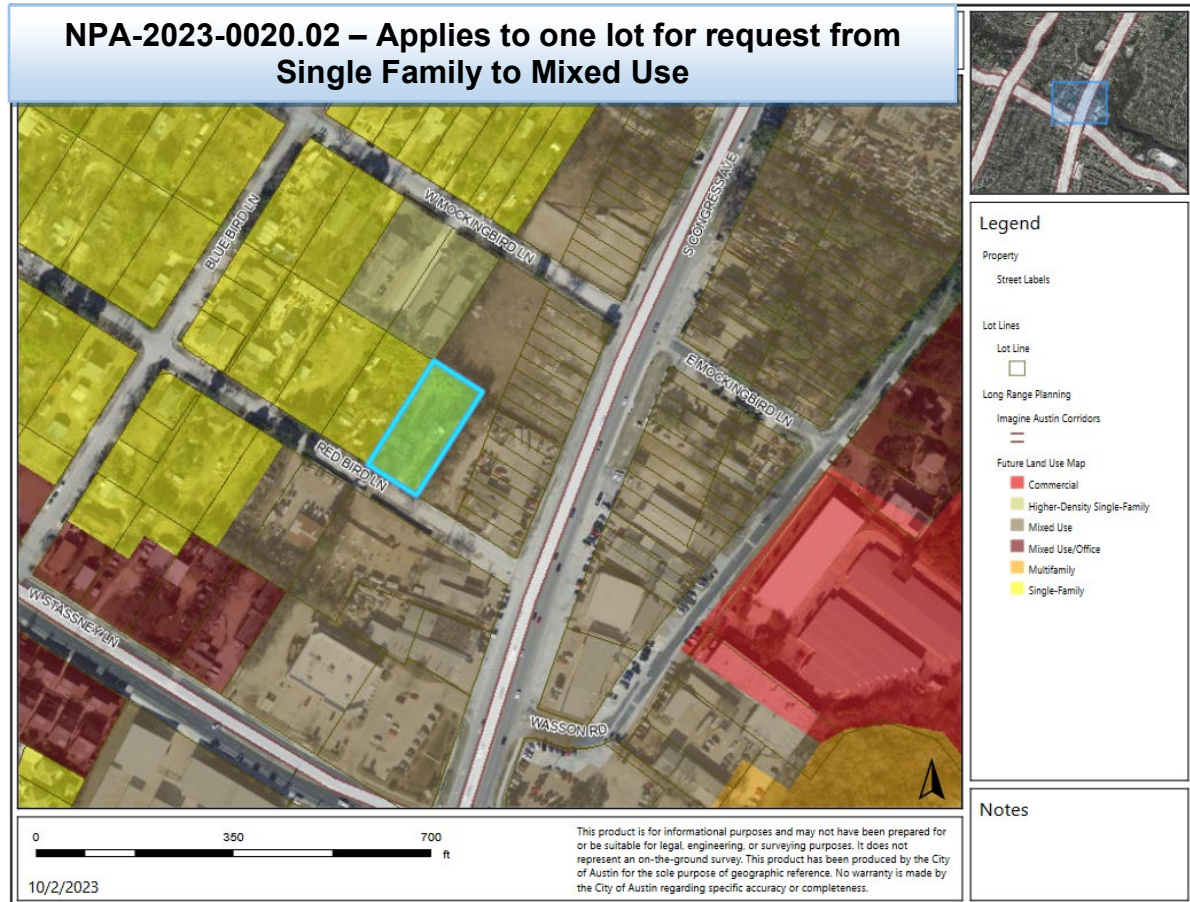
September 26, 2023 – Postponed to October 10, 2023 on the consent agenda at the request of staff. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 10-0 [C. Hempel, and P. Howard absent].

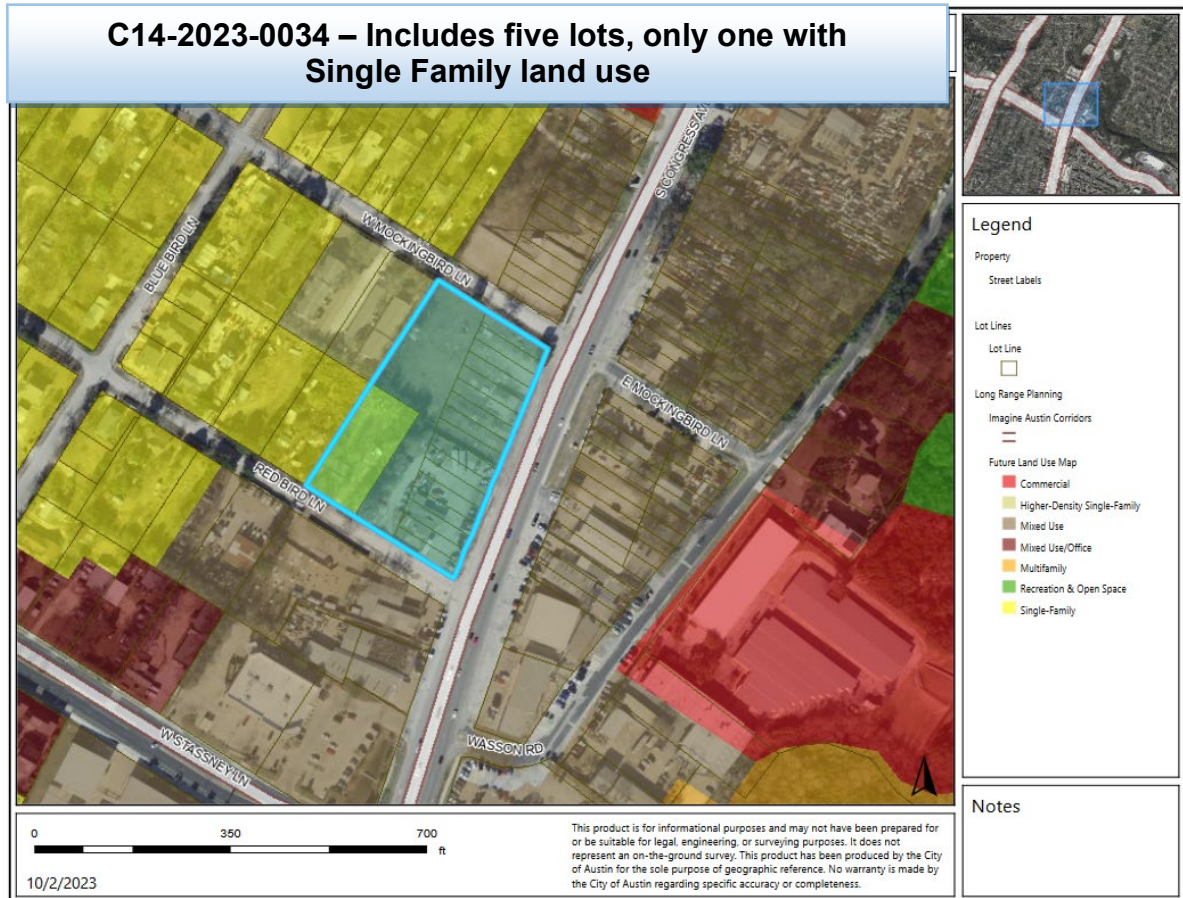
August 8, 2023 – Postponed to September 26, 2023 on the consent agenda at the request of staff. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 10-0 [J. Mushtaler absent. A. Phillips not on the dais pending completion of membership requirement].

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

BASIS FOR STAFF'S RECOMMENDATION: The subject tract is part of a larger area associated with C14-2023-0034 which has Mixed Use land use on most of the properties. The one lot with Single Family land use that is part of this plan amendment application is supported by staff for the applicant's request for Mixed Use land use because it will be

consistent with properties included in the associated zoning case. See maps below. The property is near South Congress Avenue which is an activity corridor as identified in the Imagine Austin Growth Concept map where mixed-use developments are appropriate. The property has access to public transportation and is near a future extension to the light rail lines and a future planned station near the intersection of Stassney Lane and South Congress Ave. The proposed development will provide a mix of commercial and residential uses that will provide additional housing options for the planning area and the city.





Below are sections from the South Congress Combined Neighborhood Plan that supports the applicant's request for Mixed Use land use.

GOAL TWO

South Congress Avenue should become a more vibrant, accessible mixed-use corridor and a destination for nearby residents and the citizens of Austin.

Objective 2.1***Create incentives and programs to promote a pedestrian-oriented corridor.*****Recommendation 1**

Investigate the creation of programs or incentive packages to promote new pedestrian-oriented development or redevelopment. These may include public/private partnerships and/or changes to the land development code.

Recommendation 2

Conduct a corridor study along South Congress Avenue to determine means to enhance the streetscape and street life. Improvements could include:

- Street tree plantings and maintenance of trees;
- Consolidation of curb cuts;
- Pedestrian-friendly amenities such as awnings and landscaping, pedestrian-scaled signs, and public art;
- Traffic safety improvements where appropriate.

Recommendation 3

Denote commercial properties along South Congress Avenue with a mixed-use future land use notation to promote mixed-use development.

Recommendation 4

Denote residentially used properties along South Congress Avenue with a mixed-use future land use designation to allow for mixed-use development.

Objective 2.3***Commercial and mixed-use development along South Congress Avenue should not adversely affect adjacent neighborhoods.*****GOAL THREE**

Focus mixed-use development and commercial uses along major commercial corridors and in specialized districts.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Single family - Detached or two family residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

PROPOSED LAND USE ON THE PROPERTY

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

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;

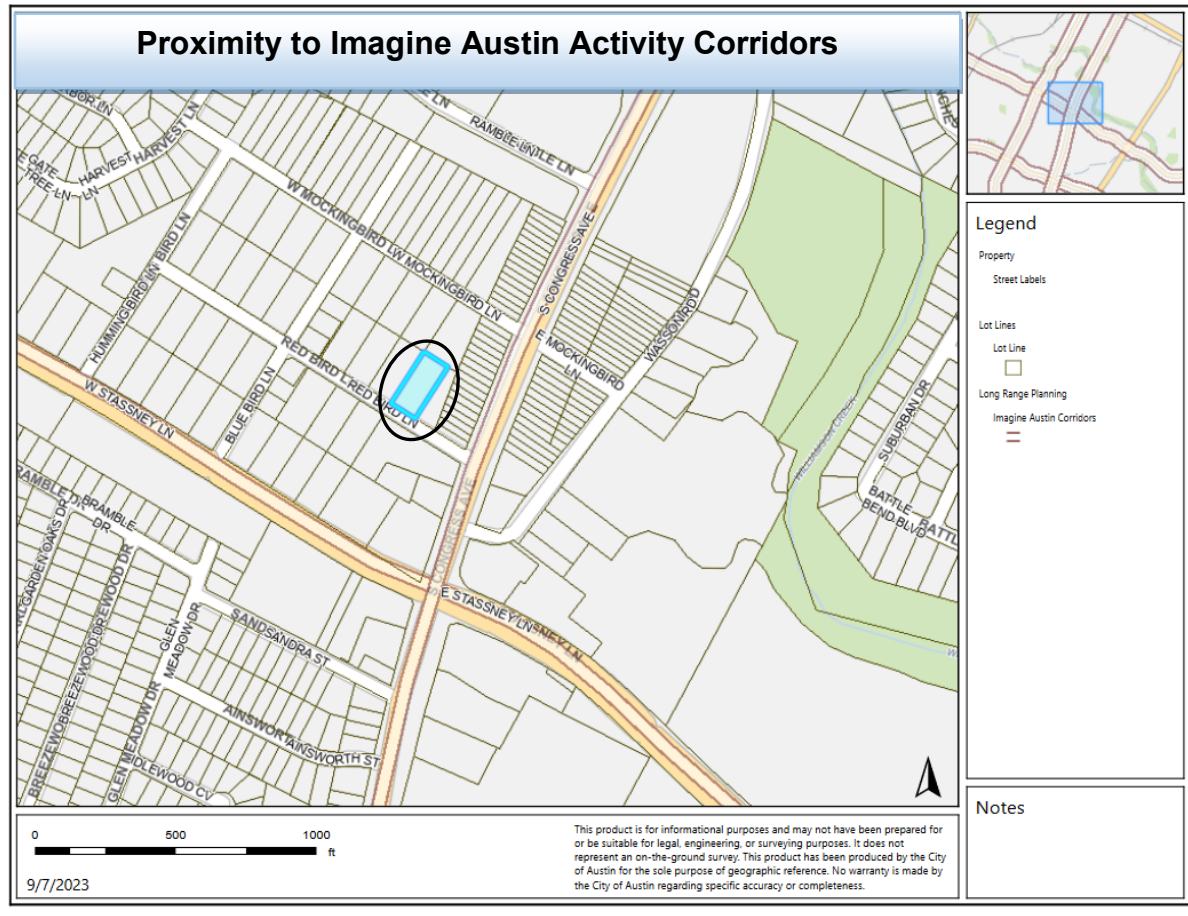
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

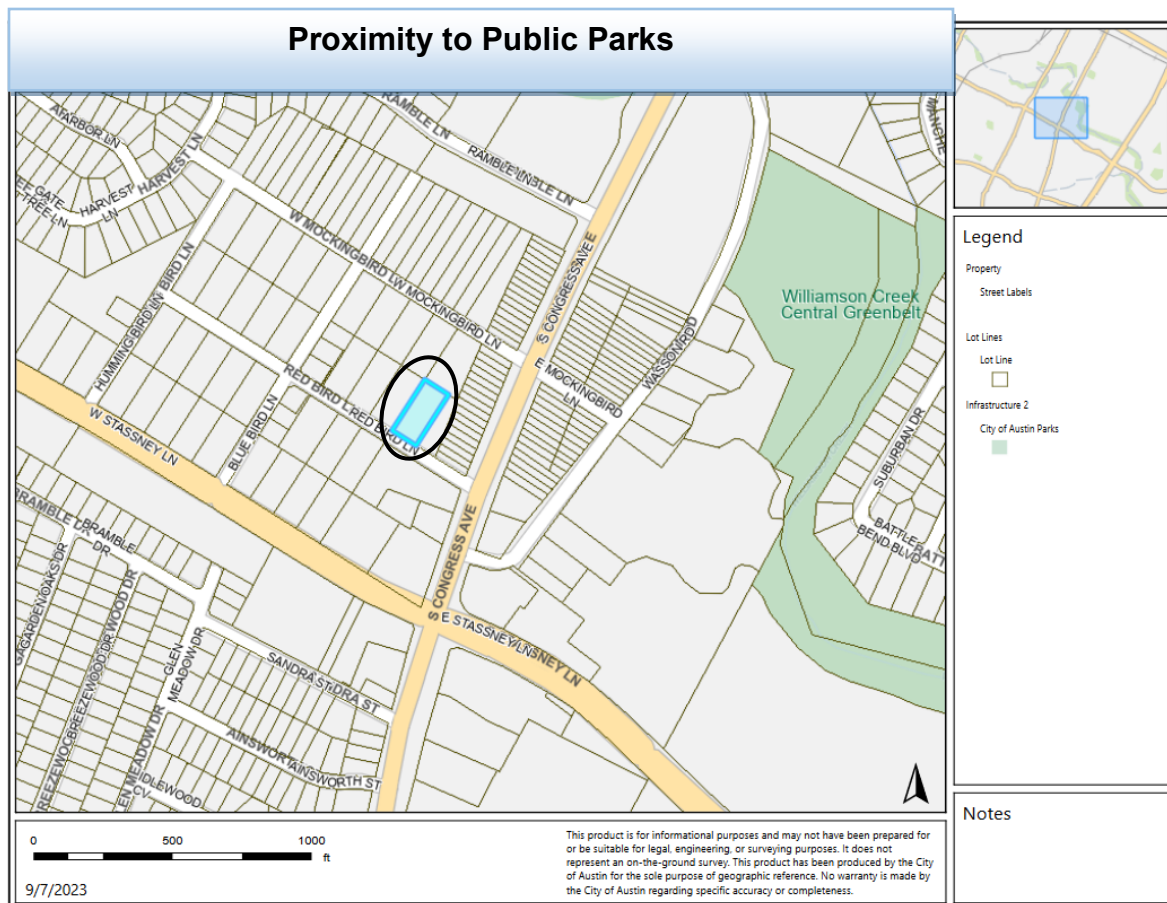
Application

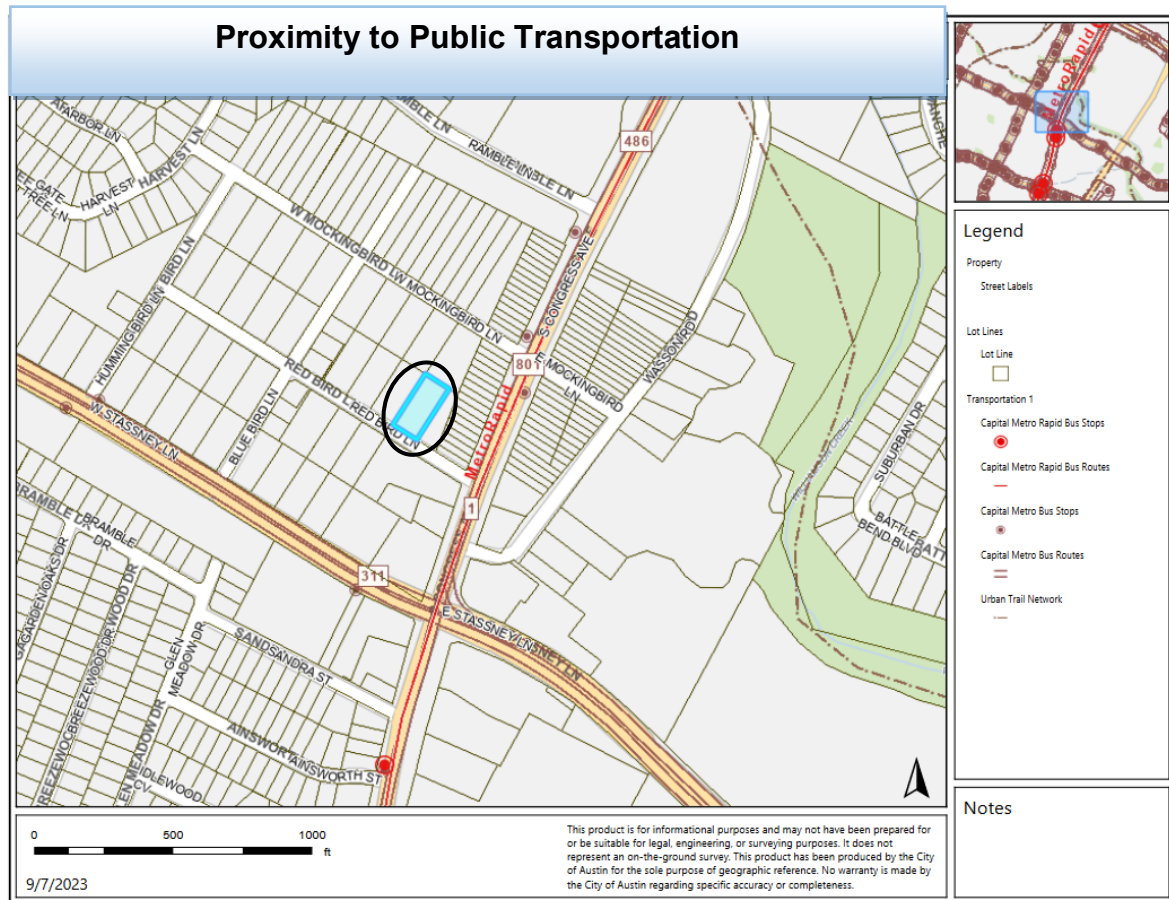
1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Yes	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none"> Near South Congress Avenue and E. Stassney Lane Activity Corridors
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> This property is near a future extension to the light rail lines, with a future planned station near the intersection of Stassney Lane and S. Congress Ave, just north of the intersection so the property would be adjacent or nearly adjacent to a future light rail station.
	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
Yes	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> 0.4 miles from Lone Star Family Market #4 0.6 miles from QC Meat Market 0.9 miles from Fiesta Mart
Yes	Connectivity and Education: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> 0.3 miles Sweet Briar Child Development Center

	<ul style="list-style-type: none"> • 1.2 miles from Odom Elementary School • 1.7 miles KIPP Austin Public Schools- South Campus • 1.9 miles City School
Yes	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • Williamson Creek Greenbelt • 0.8 miles Battlebend Springs Neighborhood Park
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.) <ul style="list-style-type: none"> • 1.4 miles from Austin Oaks Hospital
Yes	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. <ul style="list-style-type: none"> • Approx. 250 dwelling units • DB90 zoning request will require affordable housing units.
Yes	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
Yes	Mixed use: Provides a mix of residential and non-industrial uses. <ul style="list-style-type: none"> • Proposed for residential uses and approx. 9,600 sq. ft. of ground floor pedestrian oriented commercial uses
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
9	Number of "Yes's"
Imagine Austin Priority Program PUD Specific Bonus Features	
n/a	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
n/a	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
n/a	Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
n/a	Water/Wastewater Infrastructure: Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
PUD zoning is not proposed	Total Number of "Yes's"







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

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

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

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

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

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

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment

opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The plan amendment application was filed on February 28, 2023, which is in-cycle for neighborhood planning areas located on the west side of IH-35.

The applicant proposes to change the land use on the future land use map (FLUM) from Single Family to Mixed Use for a multifamily and commercial development.

The applicant proposes to change the zoning on the property from SF-3-NP (Family Residence district – Neighborhood Plan) to CS-MU-V-DB 90-NP (Commercial Services district – Mixed Use combining district - Vertical Mixed Use combining district – Density Bonus 90 combining district - Neighborhood Plan). For more information on the proposed zoning case, see case report C14-2023-0034. The applicant amended their zoning request which required the need for the cases to be renotified for a Planning Commission hearing. The amended zoning request did not trigger a change in the applicant’s request for Mixed Use land use on 106 and 118 Red Bird Lane which are the only tracts included in the neighborhood plan amendment application. The zoning change application includes more tracts of land that already have Mixed Use land use.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on May 15, 2023. The recorded meeting can be found here: <https://publicinput.com/neighborhoodplanamendmentcases>. Approximately 602 community meeting notices were mailed to utility account holders and property owners who live within 500 feet of the subject tract, in addition to neighborhood and environmental groups who requested notification for the area. Two city staff members from the Planning Department attended the meeting, Maureen Meredith and Jesse Gutierrez. Amanda Swor and Drew Raffael from Drenner Group attended and Francisco Resendiz and Nicole Sawaya from Rastegar Properties. Five people from the neighborhood attended.

NOTE: The virtual community meeting was held before the application was amended to CS-MU-V-DB90-NP.

Below are highlights from Amanda Swor’s presentation at the virtual community meeting. Her presentation is included in this report.

- The property is comprised of five properties with a total of 2.72 acres.
- The current uses are single family, automobile sales and undeveloped.

- The current zoning is SF-2-NP (Single Family Residence Standard Lot –Neighborhood Plan), CS-MU-NP (General Commercial Services –Mixed Use –Neighborhood Plan), and CS-MU-CO-NP (General Commercial Services –Mixed Use –Conditional Overlay –Neighborhood Plan)
- Proposed zoning is CS-MU-V-CO-NP (General Commercial Services –Mixed Use Overlay –Vertical Mixed Use Building –Conditional Overlay –Neighborhood Plan)
- 111 W. Mockingbird Lane Conditional Overlay was established with the adoption of the South Congress Combined Neighborhood Plan:
 - 30-foot vegetative buffer along the west property line; and Prohibits automotive sales, automotive washing (of any type), automotive repair services and pawnshop service uses.
- Proposed uses are Approx. 250 multifamily units; and VMU1 affordable units –10% of units @ 60% MFI; or VMU2 affordable units –15% of units @ 60% MFI, or 12% of units @ 50%. Affordable units will be proportionate to market rate units.
- Approx. 9,600 SF –Ground Floor Pedestrian Oriented Uses

Q: Why did RPG abandon the original site plan in 2021?

A: Because of changes due to the market. It was a co-living project, and it wasn't the best location because it's far from the Austin core. They are usually near university campuses. After market research it transitioned to multifamily.

Q: What's the difference in total units from 2021 to now?

A: There was a proposed 90 co-unit development that had a combination of one-, two- and three- bedroom units with five roommates in one unit.

Q: What about parking?

A: All parking will be structurally parked. I don't know the exact number of parking spaces, but we will park to Code.

Q: What about sidewalks?

A: Sidewalks will be required along W. Mocking Bird Lane and Red Bird Lane.

Q: Will there be rear-facing units with porches?

A: We don't know if there will be rear-facing units.

Q: Will there be on-street parking?

A: There will be no on-street parking.

Q: When can we see the site plan?

A: We are working on this.

Q: We support the entrance to the development to be on South Congress Avenue.

A: It will depend on ATD. I don't anticipate that ATD will allow a driveway on South Congress Avenue.

Q: How will the traffic be managed?

A: There will be a TIA at the site plan stage.

Q: How will stormwater retention/detention be planned?

A: At the site plan stage, we will meet the LDC requirements.

Q: I'm concerned about light pollution.

A: Exterior lighting will meet Code requirements to be shielded from single family property lines.

Q: Will there be a trailhead on the property?

A: There has been no parkland determination at this time.

Q: Will the owners sell the property once they get the zoning?

A: We don't plan to sell the property. If we decide to sell, we will introduce the new owners to the neighborhood.

Q: We don't want to see vacant commercial spaces.

A: We will work to make it a vibrant part of the community, not empty spaces.

Applicant Summary Letter from Application

Amanda Swor
direct dial: (512) 807-2904
aswor@drennergroupp.com

DRENNER
GROUP

February 28, 2023

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

Via Electronic Delivery

Re: 106 Red Bird Lane – Neighborhood Plan Amendment application for the 0.5068-acre piece of property located at 106 and 118 Red Bird Lane, Austin, Travis County, Texas (the “Property”)

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit the enclosed Neighborhood Plan Amendment (NPA) application package. The NPA consists of 0.5068 acres and is submitted concurrently with a rezoning application titled 5402 S. Congress Avenue, which includes 2.7198 acres adjacent to the Property. The Property is located north of Red Bird Lane near the intersection of Blue Bird Lane and South Congress Avenue and is currently developed with a single family use.

The Property is located within the boundaries of the South Congress Combined Neighborhood Planning Area with a Future Land Use Map (FLUM) designation of Single Family. The purpose of the NPA is to create a unified designation with the owner’s adjacent properties to the east and northeast, to allow for a comprehensive redevelopment. The proposed rezoning is consistent the neighborhood plan’s Goal Two, to allow South Congress Avenue to “become a more vibrant accessible mixed-use corridor”, as well as Goal Three, to “focus mixed use development ... along major commercial corridors.” The rezoning request is also consistent with Imagine Austin, as South Congress Avenue is an Imagine Austin corridor.

The concurrent rezoning application requests to rezone the Property from Single Family Residence Standard Lot – Neighborhood Plan (SF-2-NP) to General Commercial Services – Mixed Use – Vertical Mixed Use – Neighborhood Plan (CS-MU-V-NP). The rezoning of the Property is to allow for additional residential density residential development along a Core Transit Corridor.

2705 Bee Caves Road, Suite 100 | Austin, Texas 78746 | 512-807-2900 | www.drennergroupp.com

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.

Very Truly Yours,



Amanda Swor

cc: Joi Harden, Housing and Planning Department *(via electronic delivery)*
Maureen Meredith, Housing and Planning Department *(via electronic delivery)*

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

DATE: November 25, 2023

TO: Maureen.Meredith@austintexas.gov

CC: C-14-2023-0034 & NPA-2023-0020.02

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

Re: Amanda Sworn

Re: Project Location: 106, 116 and 118 Red Bird Lane & 5402, 5408 and 5412 S. Congress Ave.

Applicant: Amanda Sworn

SF-2

CS-MU-NP

To: CS-MU-V-CO-NP

The SCCNPCT understands “The Bird Streets of Pleasant Hill” within close proximity to the proposed development has expressed about their traditional creek concerns and remediation of flooding issues associated with said creek, including ingress/egress from South Congress Ave. We respect their concerns regarding the neighborhood area and proposed project. We appreciate the applicants time and efforts with neighborhood interaction, the SCCNPCT has been in contact with Amanda Sworn several times virtually. The SCCNPCT is in a neutral position.

The development is projecting 250 units, The VMU 1&2 zoning allows the developer to pick and choose from VMU1(60 feet) or VMU2 (90 feet).

Listed offers and understandings from the applicant.

- VMU2 (90 feet) affordable units 12% of units @ 50% MFI, Affordable units.
- Balconies: No balconies shall be constructed on the western facing side of the building along the western boundary line of the Property.
- Onsite Pet Area: Unless otherwise required by the City of Austin or other governmental agency with jurisdiction over the Property, the Project shall incorporate an onsite outdoor pet area associated with a residential development (provided the Project includes multifamily) for the use of residents of the Project.
- Security: Upon redevelopment and during construction, security cameras and monitoring shall be incorporated into the Project.
- Sale of Property: Should the Owner sell the Property subsequent to the effective date of this Declaration, subsequent owners shall contact SCCNPCT. If a new VMU building is proposed that differs from the Project, Owner shall contact SCCNPCT to inform them of any changes.

Thank you,
Mario Cantu, SCCNPCT.

No updated letter received as of April 3, 2024

From: Meredith, Maureen

Sent: Monday, April 1, 2024 2:36 PM

Cc: Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Drew Raffaele <draffaele@drennergroupp.com>; Amanda W. Swor <aswor@drennergroupp.com>

Subject: April 9 PC - SCC NPCT Rec?: NPA-2023-0020.02_106 Red Bird Ln

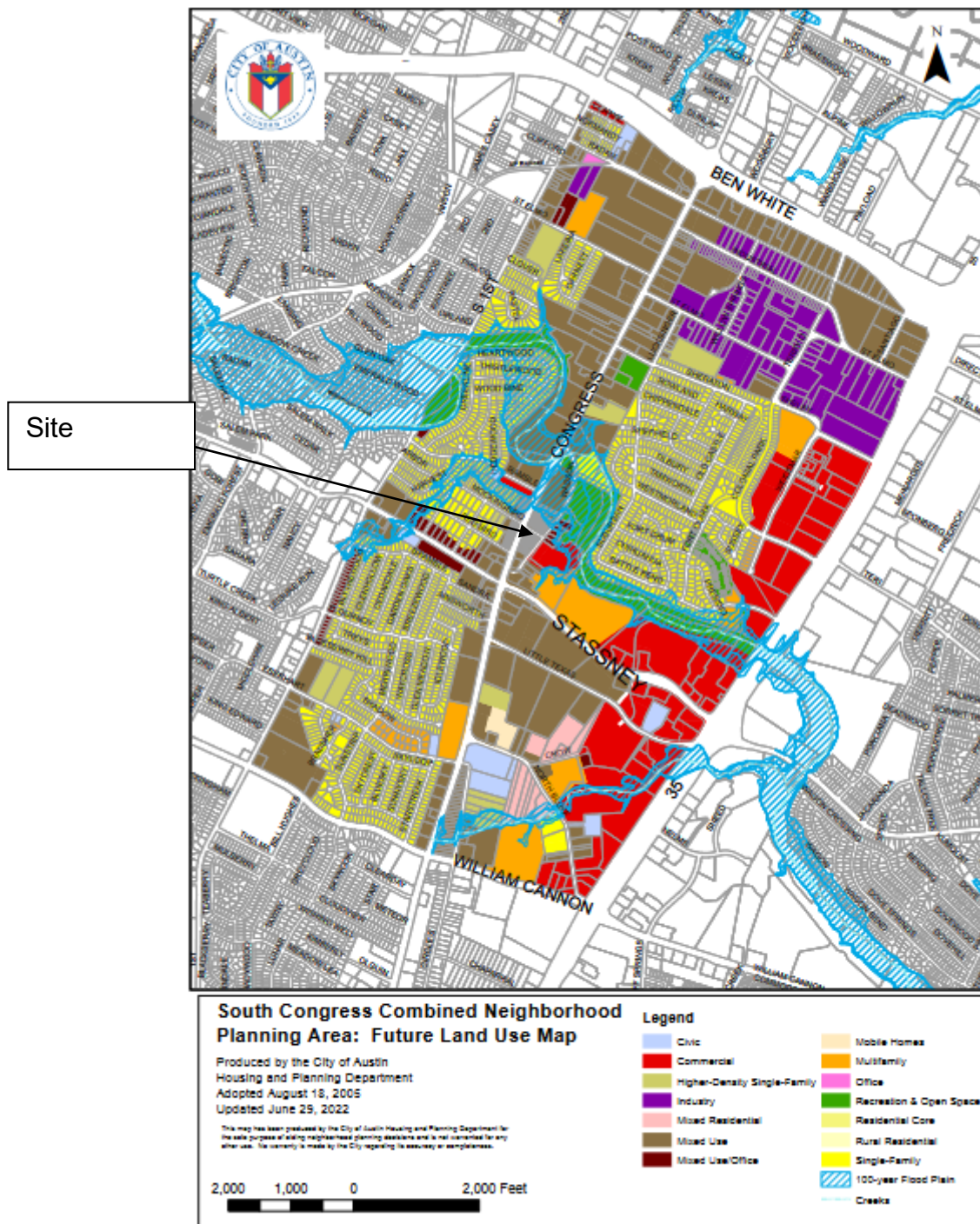
Importance: High

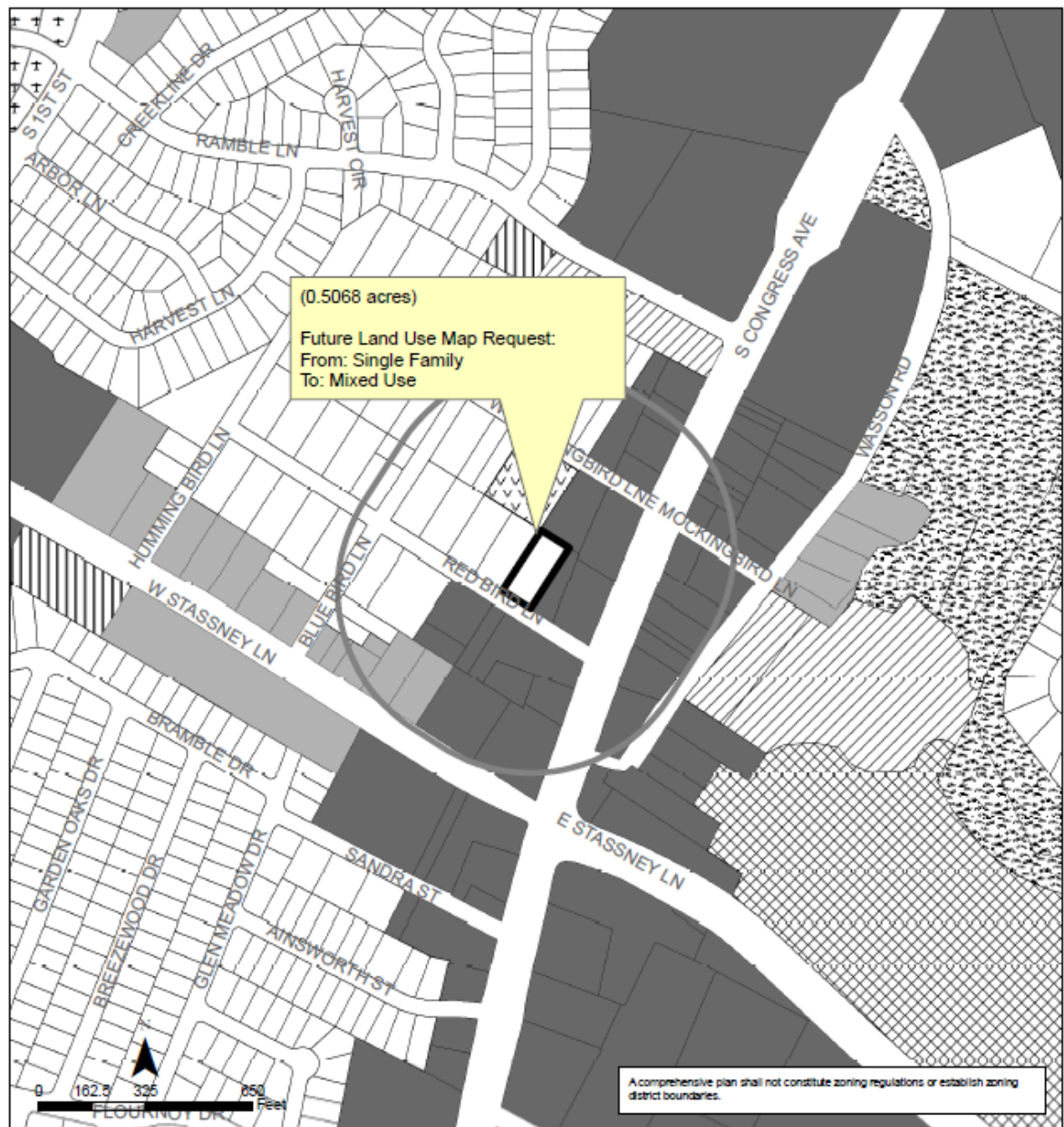
Dear South Congress Combined NPCT and Interested Parties:

The applicants for C14-2023-0034, which is the associated zoning case for NPA-2023-0020.02_106 & 118 Red Bird Lane has amended their zoning request to CS-MU-V-**DB90**-CO-NP (**Density Bonus 90 combining district**). You may have already received the Notice of Public Hearing notices in the mail. The plan amendment request is for Mixed Use and has not changed on the one lot with Single Family land use. If you would like to submit a letter of recommendation to be included in the staff case reports for the April 9, 2024 PC hearing, please email it to me and Nancy **no later than Wednesday, April 3, 2024 by 5:00 pm** which is when our staff reports will be submitted. If we get your recommendation after this date and time, we will submit it as late material to be submitted to the Planning Commission.

Thanks.

Maureen





South Congress Combined Neighborhood Planning Area NPA-2023-0020.02

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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






City of Austin
Housing and Planning Department
Created on 3/21/2023, by: meekss

Future Land Use

	Subject Tract		Mixed Use
	500 ft. notif. boundary		Mixed Use/Office
	Neighborhood Transition		Multi-Family
	Civic		Recreation & Open Space
	Commercial		Single-Family
	Higher-Density Single-Family		



 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

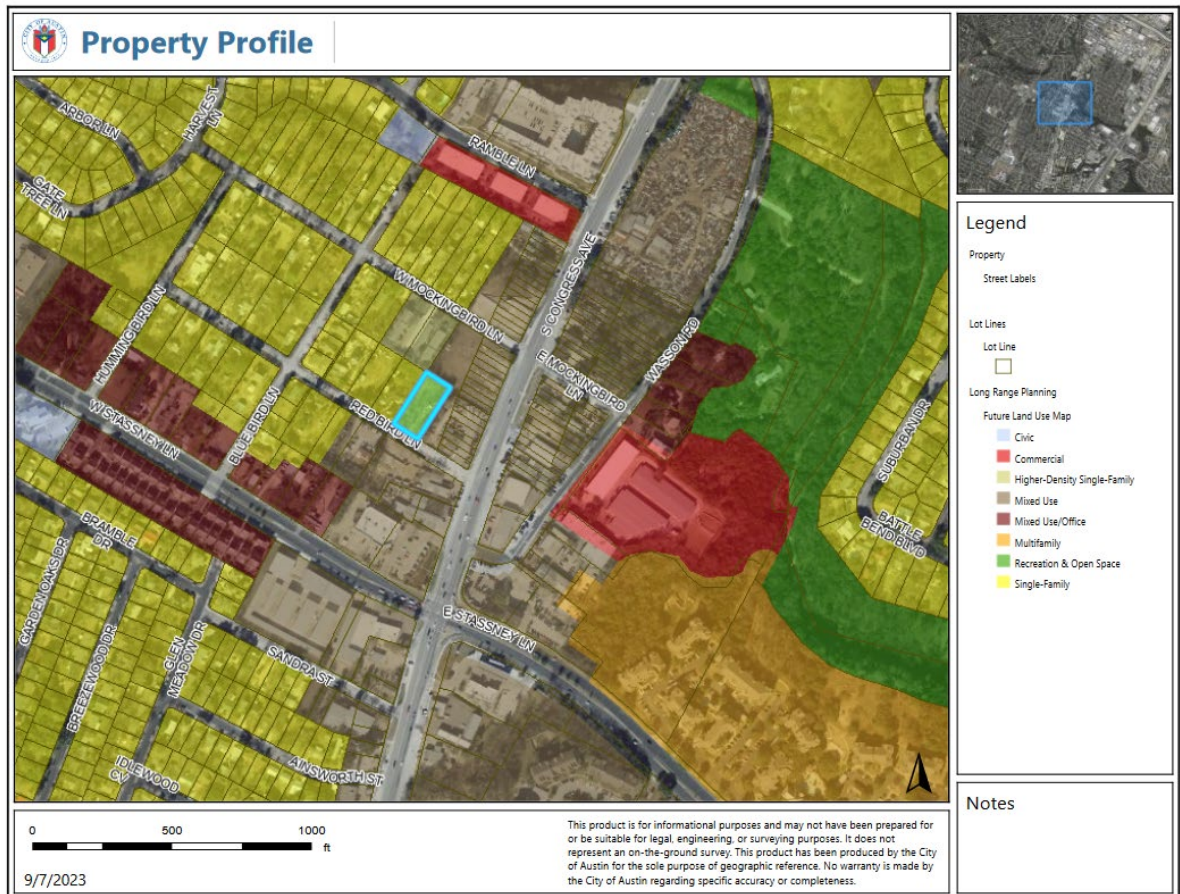
ZONING

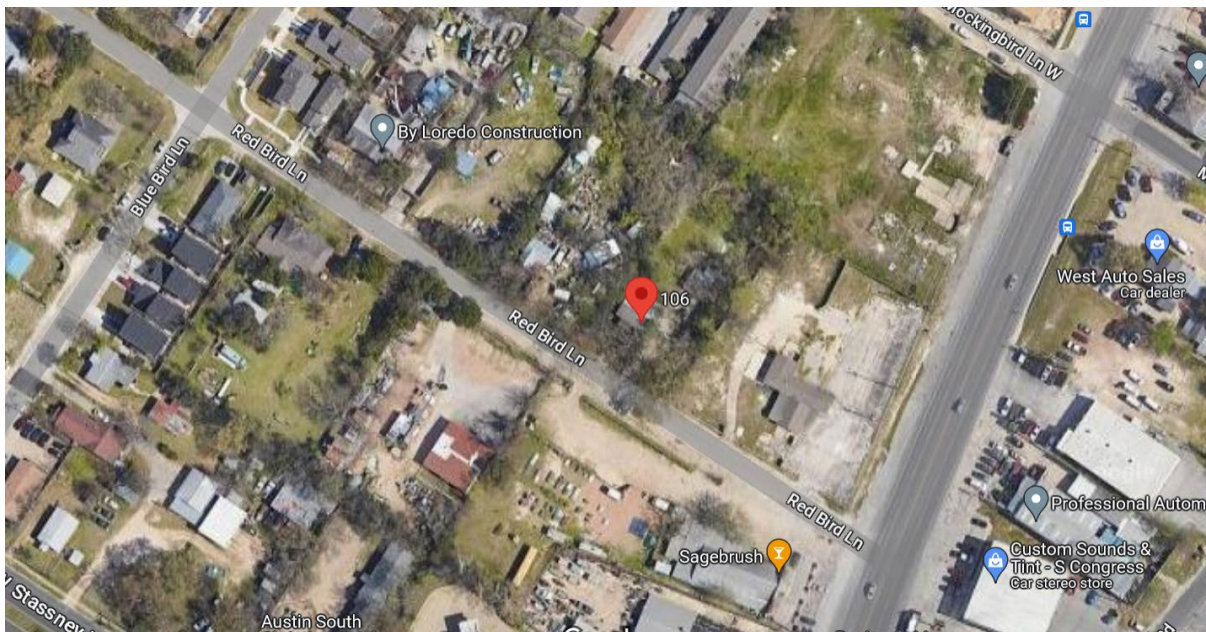
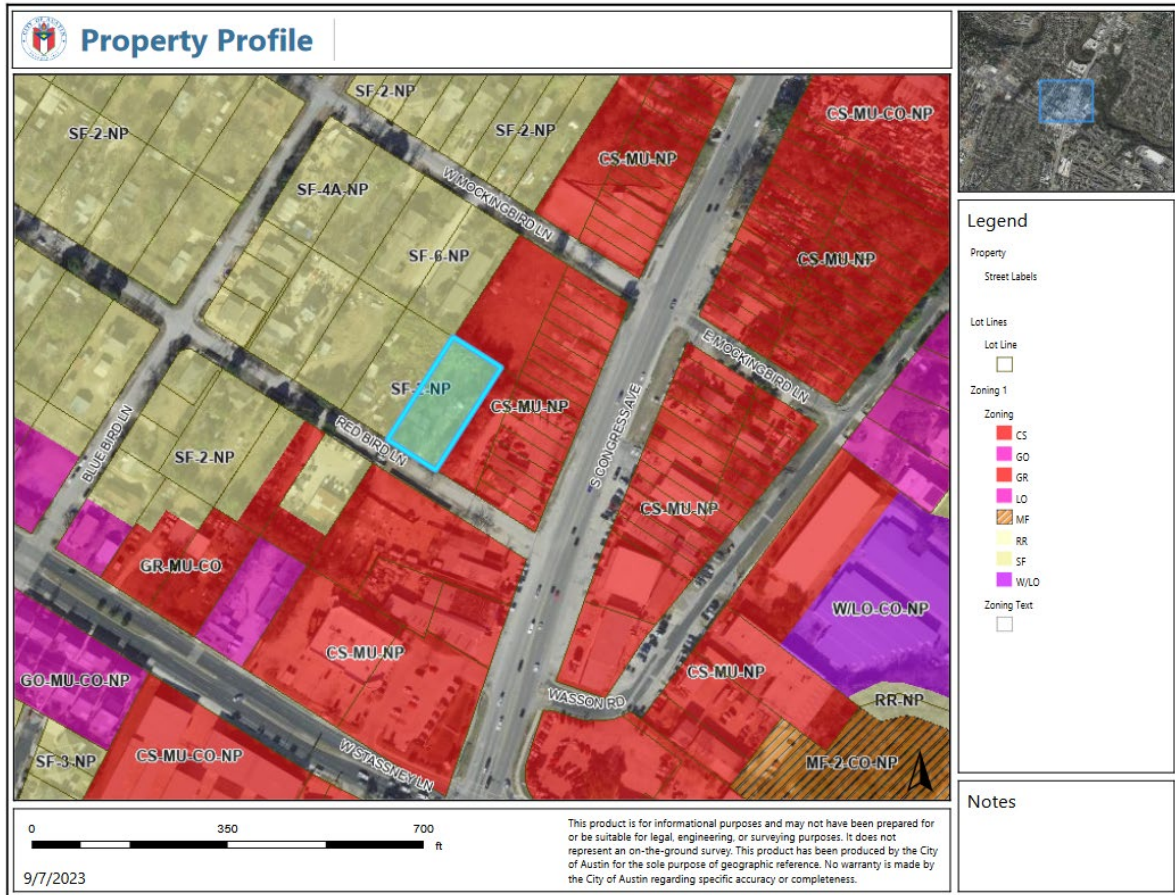
ZONING CASE#: C14-2023-0034



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5402 S. Congress Avenue

Neighborhood Plan Amendment (NPA) & Zoning

NPA-2023-0020.02 & C14-2023-0034

May 15, 2023

1

Site Aerial



2

Site Aerial



3

Property Details

Size:

- 2.72 acres
- 5 parcels

Current Use:

- Undeveloped, automotive sales and single-family

Transit/Access:

- Core Transit Corridor
- Imagine Austin Corridor
- Five (5) nearby CapMetro stops
 - Routes 1, 311 (weekday high-frequency), 486 (Night Owl) and 801 (high-frequency)
- Central Williamson Creek Greenway Trailhead @ S. Congress – Planned

4

SF-2-NP (Single Family Residence Standard Lot – Neighborhood Plan),
 CS-MU-NP (General Commercial Services – Mixed Use – Neighborhood Plan), and
 CS-MU-CO-NP (General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan)
 to
 CS-MU-V-CO-NP
 (General Commercial Services – Mixed Use Overlay – Vertical Mixed Use Building – Conditional Overlay – Neighborhood Plan)

Single Family
 to
 Mixed Use

111 W. Mockingbird Lane – CO established with adoption of the S. Congress Combined Neighborhood Plan:

- 30-foot vegetative buffer along the west property line; and
- Prohibits automotive sales, automotive washing (of any type), automotive repair services and pawn shop service uses.



Compatibility



7

Mixed Use Project Details

Residential:

- Approx. 250 multifamily units; and
 - VMU1 affordable units – 10% of units @ 60% MFI; or
 - VMU2 affordable units – 15% of units @ 60% MFI, or 12% of units @ 50%.
- Affordable units will be proportionate to market rate units

Commercial:

- Approx. 9,600 SF – Ground Floor Pedestrian Oriented Uses

Transportation Improvements:

- CapMetro stop;
- Sidewalks; and
- Protected one-way bicycle lane along S. Congress Ave.

8

Neighborhood Plan

GOAL TWO: South Congress Avenue should become a more vibrant, accessible mixed-use corridor and a destination for nearby residents and the citizens of Austin.

GOAL THREE: Focus mixed-use development and commercial uses along major commercial corridors and in specialized districts.

9

Imagine Austin Goals

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

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

10

Request

We respectfully request your support for the proposed FLUM amendment from single-family to mixed use and rezoning from SF-2-NP, CS-MU-NP, and CS-MU-CO-NP to CS-V-MU-CO-NP.

11

Agent Contact Info

Agent: Amanda Swor

Email: ASwor@DrennerGroup.com

Phone: 512-807-2904

12

Correspondence Received

From: John Estrada

Sent: Thursday, April 13, 2023 12:39 PM

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

Cc: Estrada, Nancy <Nancy.Estrada@austintexas.gov>

Subject: Case Number NPA-2023-0020.02

Hello!

I'm writing in regards to this current project referenced in the subject of this email but also involves case number: C14-2023-0034 (106/116/118 Red Bird Ln and 5402/5408/5412 S Congress Ave).

I'm not writing today in opposition of this project. I know this project likely has all the green lights.

I'm writing today to voice my concern with what will happen once construction begins on this project, and its aftermath. As I'm receiving these notifications from the city in the mail, I'm not seeing anything addressing the impact that Blue Bird Lane and the 300 block of Red Bird Lane will experience from the city's POV traffic wise.

As Blue Bird and Red Bird are level 1 streets, they aren't intended to be used for heavy traffic and mixed use. How much traffic is estimated to be brought in by this mixed use project? I know the assumption might be that plenty of that traffic will come through Congress, but with parking requirements disappearing has any thought gone towards how that will impact Blue Bird and Red Bird? Especially given the fact that the stretch of Red Bird between Congress and Blue Bird has official "No Parking" signs along a majority of it.

I'm concerned about this because we've been given a preview of it.

This image (*IMG_0452*) of the GIS shows the area affected. The green indicates where heavy on-street parking would be, yellow where there are no parking signs, and red where the proposed changes are coming.

Before Sagebrush, located at 5500 S Congress Ave, started using the vacant lot at 5412 S Congress for additional parking, Blue Bird and Red Bird started looking like this: <https://drive.google.com/file/d/18OIFKhRMSWF0aNWJo6IGKwp-Bwf3cA9i/view?usp=drivesdk>

Since the street doesn't really have a buffer zone or sidewalks, it made taking a walk with my family dangerous. We liked taking our son for walks in his stroller on weekends, but we don't really do that anymore.

Cars, in the search for parking since there wasn't any at the bar or on the street, would do u-turns in the intersection of Red Bird and Blue Bird. It makes seeing oncoming traffic difficult at that intersection. With cars on both sides of the street it could even make it difficult for emergency vehicles such as fire trucks or EMS to navigate.

Now that that vacant lot is about to undergo a makeover into a mixed use project, and the parking on the side of Congress leading up to Sagebrush is likely going to be blocked due to construction, I'm expecting these sights and dangers again only permanently.

(This image *IMG_0454* shows overflow parking building up in the vacant lot and on Congress)

Were there any plans to address this? Was a TIA performed? If there was, I'd like to wager it's likely inaccurate due to the fact that the bar/music venue was using this vacant lot as temporary overflow *and* because the tax office located on the corner of Stassney and Blue Bird is currently awaiting reconstruction due to a fire (that has a heavy impact on daily traffic too).

Thanks for your time and patience!

John Estrada

.....

From: Andrea Hendrix

Sent: Tuesday, October 3, 2023 2:01 PM

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

Subject: Re: Case# NPA-2023-0020.02

Ms. Meredith,

I would like to provide my input on the encroachment of development upon our tiny neighborhood in South Austin. I live on Red Bird Lane (78745) in a house which has been standing since 1940. My in-laws live next door to me and have lived in their home for 40+ years. My brother-in-law lives next to them. This is a neighborhood of low turnover for the most part, with many of my neighbors also living here for decades. These few blocks inside Stassney and South Congress with the Bird names (Red Bird, Hummingbird, Blue Bird and Mockingbird) are very unique and quiet, mostly untouched from development.

There have been exceptions to this just in the last few years: one house on the corner of Red Bird and Hummingbird was bought for a song and razed, making way for a larger, "fancy" home; the occupants built a tall fence around their entire property and we have barely ever seen them. They now rent their home to the public as an Air BnB on the weekends. Another house across the street from my brother-in-law was razed and SIX houses were built on the property; the same thing happened on a property across the street from that new development. Slowly but surely the flavor of the neighborhood is being changed.

I understand you can't stop progress. Just like the rest of Austin, nothing stays the same forever. That should not stop us from fighting to keep Developers from destroying the last parts of unique Austin. There are ways to develop Austin responsibly. I am strongly against another huge apartment building/mixed use property being built on South Congress between Mockingbird and Red Bird Lane. This proposed development, which would take a big parcel of land on Red Bird Lane, threatens to

destroy the distinct character and peaceful quiet of our small, South Austin hamlet. Beyond that, it threatens our neighborhood resources and our very homes. There are already two large apartment buildings coming up in the neighborhood - one on Stassney and Hummingbird and one on Congress and Mockingbird. We will be bordered by large buildings and face a proliferation of people and traffic. This should not be the fate of an older South Austin neighborhood of longtime residents.

Thank you,
Andrea Hendrix
306 Red Bird Ln
Austin, TX 78745

Meredith, Maureen

To: Brad Massingill; Estrada, Nancy
Subject: RE: Cases # C14-2023-0034 and NPA-2023-0020.02 Bird Streets of Pleasant Hill testimony to be included in PC weekly briefing prior to Nov. 14th Hearing

From: Brad Massingill
Sent: Monday, November 6, 2023 4:36 PM
To: Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Cases # C14-2023-0034 and NPA-2023-0020.02 Bird Streets of Pleasant Hill testimony to be included in PC weekly briefing prior to Nov. 14th Hearing

External Email - Exercise Caution

Hi y'all

Could you please include the following information in the Planning Commission's weekly briefing materials prior to the November 14th Planning Commission hearing?

I will have a more concise version of the neighborhood's view on the Restrictive Covenant/Conditional Overlay work we've been attempting with The Drenner Group in your inbox tomorrow morning as well. I just wanted to make sure you had this portion today.

Thanks

Brad Massingill
(770) 355-2120

The Bird Streets of Pleasant Hill

Welcome to the Bird Streets of Pleasant Hill.

Our neighborhood was once just a wide spot on the Old San Antonio Highway.

It was the first community south of St. Edwards School and Penn Field on you're way south to the Alamo City.

There was a honky tonk (now the Sagebrush), a motor court and a little group of houses just west of the highway, that's us. A four block area west of the current 5400 block of South Congress; incorporated in the mid-1930's. It was out in the "boonies". Our neighborhood is largely unchanged in it's general character with half acre rural lots with narrow (16 foot wide) streets, no sidewalks and drainage ditches in lieu of gutters and underground storm drains. We have lots and lots of trees and abundant wildlife to go along with them, thanks to our close proximity to Little Turtle Creek (a tributary of Williamson Creek).

We are an actual neighborhood.

We know each others names, share in triumphs and tragedies and look out for one another.

The Hendrix Family is a prime example. Three generations; living on three lots, side by side. Grandparents, working class kids and UT students, all here. Staying here. Austinites.

Many of our residents are longtime members of Austin's music, art and cultural communities; touring and recording musicians, working artists, stagehands, ex-club owners all currently live in the neighborhood.

We have big, beautiful gardens, nice old houses (mine was built around 1910) and nature at hand. With no sidewalks and all that greenery, we enjoy the feeling of country life walking around in our hundred year old neighborhood.

It's a hidden gem, right here in South Austin.
 The last remnant of a part of Austin's history.
 A history including the first all Black School in the area, Boot Hill Cemetery, one of the earliest Motor Courts around (picture Model T's), the original location of Miller Blue Print and other long-passed bits of history.
 All gone, with the exception of The Sagebrush and us; The Bird Streets of Pleasant Hill.
 Our four block area is all that remains of an older style of urban design that was once used extensively, statewide.
 Now it's unique in Austin.

Our Creeks

The Bird Streets are bordered by creeks on three sides (W,N,E).
 Little Turtle Creek passes behind the neighborhood on the West behind Humming Bird Lane. The main portion of Little Turtle Creek runs behind our resident's homes on the north side of Mockingbird Lane. They are veritable highways for the animal and plant life we here in the neighborhood consider a huge part of our lives.

Mystery Creek

The third Creek (Mystery Creek) runs from Red Bird Lane to the boundary of [106 Red Bird Lane](#) and the 5400 block of South Congress Ave. It's path travels north to emerge on the north side of Mockingbird Lane where it empties into Little Turtle Creek.

This particular creek (Mystery Creek) has been identified as the only drain asset for the five acres of runoff on the east end of Red Bird Lane.

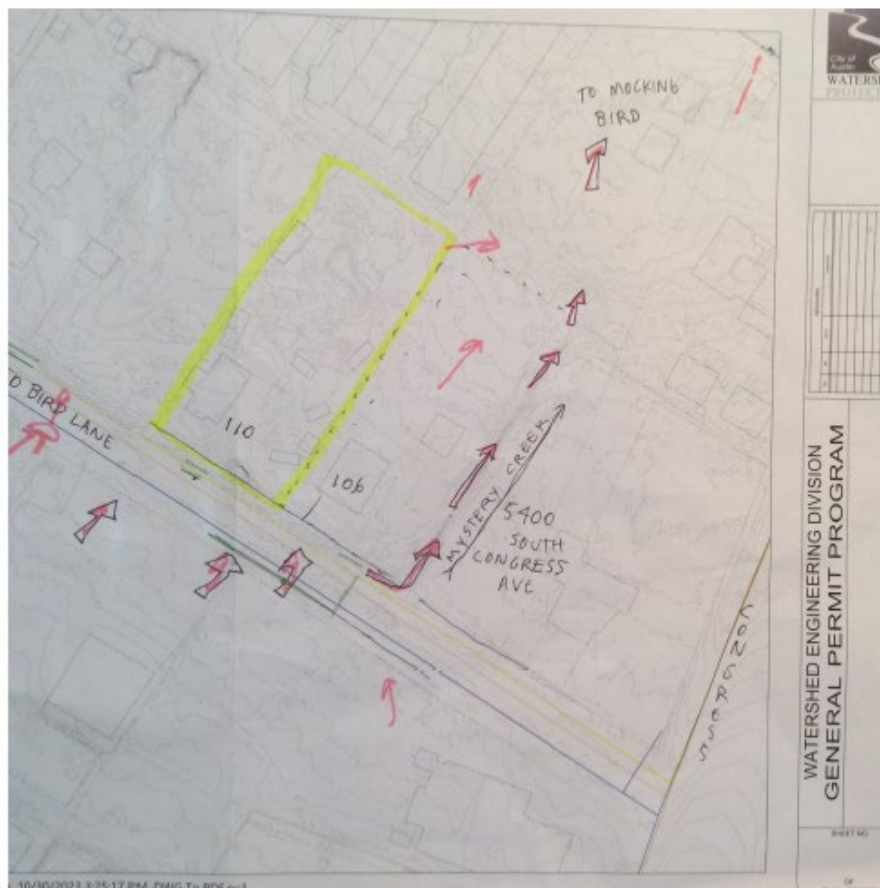
It is also a neighborhood asset in as much as it slows down rainwater to allow it to sink in and keep our Wildland/Urban Interface at an optimum; a prime concern for us that have 100+ year old houses.

Mystery Creek is also a wildlife corridor. It harbors foxes, possums, raccoons, armadillos and all kinds of birds and reptiles including Golden Cheeked Warblers, families of Cardinals, Horny Toads and Horned Lizards. A mother Broadtail Hawk has raised several broods in the top of a tree on the banks of Mystery Creek.
 Mystery Creek is an essential part of our neighborhood.

The neighborhood opposes this proposed amendment to the Future Land Use Map on environmental grounds. Case # NPA-2023-0020.02

This proposed amendment to the FLUM is problematic because Mystery Creek (a public easement) is on the eastern border of [106 Red Bird Lane](#) and the western border of the larger property at 5400 South Congress (the proposed combined M/U the developer is applying for) smack dab in the middle of their proposed project.

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook or forward to cybersecurity@austintexas.gov.



Eduardo Perez at Watershed Protection came out to do a study on the water patterns on Red Bird Lane (see included WPD study). The study clearly shows that a traditional creek is present and must be, not only protected, but restored with appropriate setbacks.

The developer has indicated on several occasions (during this amendment process and two previous site plan applications) that they intend to channel Mystery Creek underground into a concrete culvert and some type of pumping system to lift the water to the city's wastewater system (ie. storm drains).

That water belongs to Little Turtle Creek and the neighborhood (not to mention the wildlife displacement the absence of our creek would entail).

Mr. Perez (WPD) is working on a solution to the Neighborhood's flooding issue. He endorses the Bird Streets of Pleasant Hill's recommendation to restore Mystery Creek.

Letting the Future Land Use Map be amended to take the SF property at [106 Red Bird Lane](#) out of our neighborhood without first determining whether the developer can actually do what they are proposing on the property seems premature.



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That water belongs to Little Turtle Creek and the neighborhood (not to mention the wildlife displacement the absence of our creek would entail).

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Letting the Future Land Use Map be amended to take the SF property at [106 Red Bird Lane](#) out of our neighborhood without first determining whether the developer can actually do what they are proposing on the property seems premature.

**TECHNICAL MEMORANDUM**

TO: Mr. Bradford Massingill III
Resident at 110 Red Bird Lane
Williamson Creek Watershed

FROM: J. Eduardo Perez, E.I.T., C.F.M.
Watershed Protection Department

DATE: September 25, 2023

SUBJECT: Drainage Pattern and Public Infrastructure around Your Property

The purpose of this memorandum is to document the drainage pattern and the public infrastructure affecting the drainage pattern near your property. Your address 110 RED BIRD LN is near S Congress Ave and E Stassney Ln, and in the Williamson Creek watershed.

The drainage pattern of any creek ecology is affected by qualities in the landscape such as ground surface slope and type of ground cover. When rain falls water collects in territorial low spots and eventually, once enough water has ponded in these spots, water pours 'downstream,' in strict accordance to laws of physics. Streams wash over natural terrain via creeks, channels, and streambeds eroding landscapes into gravel and clay. The earthen material, once eaten away by washing water, is deposited elsewhere as silt and mud, molding landscapes and natural terrains.

The size of this effect can be witnessed in person or can be captured via satellite imagery. The awesome behavior of running water is consistent, dynamic, ecological, and economic. For these reasons, the City of Austin Watershed Protection Department keeps track of drainage assets that allow for these phenomena to occur in a harmonious and comprehensible manner for the residents of Austin.

The drainage assets that affect the drainage pattern near your home are summarized in the Map titled: *WPD Map of Drainage Assets near 110 Red Bird Lane*.

Drainage data and other calculations are provided in the Table: *Drainage Summary for 110 Red Bird Ln*.

Concept Designs for engineered drainage infrastructure are provided in *Appendix A: Three Types of Infrastructure to Convey Rainfall Runoff*

BACKGROUND

J. Eduardo Perez EIT, CFM and Kathy Rock visited the address 110 RED BIRD LN as a continuation of a flood investigation in this block of Red Bird Lane. The group witnessed what

Mr. Massingill had experienced with the lack of storm-drain infrastructure between the north and south lots of Red Bird Lane.

Preliminary drainage calculations showed a large drainage area, and a quick inventory of WPD drainage assets yielded no results.

E. Perez called Mr. Massingill after visiting the site address to confirm field investigation discoveries. After speaking with Mr. Massingill, I (J. E. Perez) took to initiative to author this technical memo to summarize my findings.

METHODOLOGY

The City of Austin Drainage Criteria Manual references the Rational Method as an acceptable method of calculating storm runoff resulting from precipitation events i.e. rain. Section 2 of the City of Austin Design Criteria Manual describes the equations and methodology used to calculate the proceeding hydraulic flow estimates. For brevity, no portion of that text will be shared here.

CALCULATION SAMPLE

$$Q_{10} = C * \text{Intensity} * \text{Area} = 0.85 * 9.6 \text{ in/hr} * 5.9 \text{ acres} * (1\text{cfs}/1.0083\text{in-ac/hr}) = 47 \text{ cfs}$$

FIGURES

Table 1 and 2 – Drainage Summary for 110 Red Bird Ln

Basin ID	Zone	Area (ac)	Tc (min)	Q2 (cfs)	Q5 (cfs)	Q10 (cfs)	Q25 (cfs)	Q100 (cfs)
110 Red Bird	1	5.90	5	27	37	47	61	79

Basin ID	Zone	Area (ac)	Tc (min)	C2	C5	C10	C25	C100	I2 (in/hr)	I5 (in/hr)	I10 (in/hr)	I25 (in/hr)	I100 (in/hr)	Q2 (cfs)	Q5 (cfs)	Q10 (cfs)	Q25 (cfs)	Q100 (cfs)
110 Red Bird	1	5.90	5	0.75	0.8	0.85	0.9	0.95	6.3	8.1	9.6	11.8	15.4	27	37	47	61	79

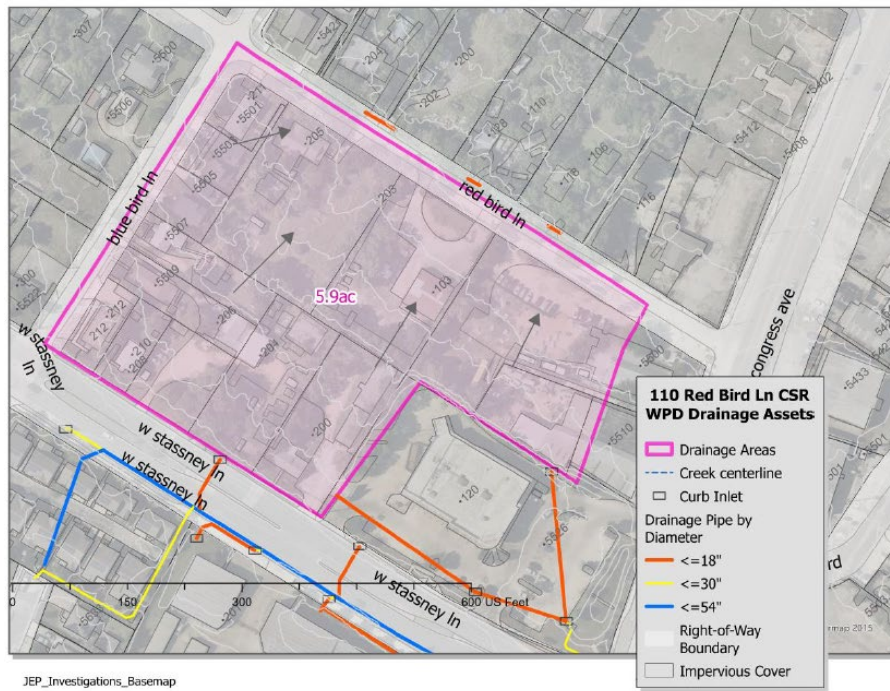


Figure 1 – WPD Map of Drainage Assets near 110 Red Bird Lane

PUBLIC HEARING COMMENT FORM

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

12/12/23
Rec'd

Maureen Meredith
City of Austin
Street Jones Bldg.
Planning Department
P. O. Box 1088
Austin, TX 78767-8810

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

Case Number: NPA-2023-0020.02
Contact: Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov
Public Hearing: December 14, 2023 - City Council

☐ I am in favor
☒ I object

ROSS AUELLO
Your Name (please print)

315 W. MOCKINGBIRD LANE
Your address(es) affected by this application

12/2/23
Date

[Signature]
Signature

Comments: IF MYSTERY CREEK IS INCLUDED IN THE BIG LOT ON S. CONGRESS AND THIS LOT IS SOLD, THERE'S A REAL RISK OF HAVING A 1/2 ACRE M/V LOT BETWEEN THE NEIGHBORHOOD AND THE CREEK. THAT WOULD SERIOUSLY DISRUPT THE CHARACTER OF THE NEIGHBORHOOD.

PUBLIC HEARING COMMENT FORM

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

12/12/23
Rec'd

Maureen Meredith
City of Austin
Street Jones Bldg.
Planning Department
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: NPA-2023-0020.02
Contact: Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov
Public Hearing: December 14, 2023 - City Council

☐ I am in favor
☒ I object

THOMAS ROBINSON
GERALD K. THOMPSON
Your Name (please print)

109 W. MOCKINGBIRD LN #3 AUSTIN TX 78745
Your address(es) affected by this application

12/05/2023
Date

[Signature]
Signature

Comments: _____

Comments form received after zoning application was amended to CS-MU-V-DB90-NP.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
Maureen Meredith
City of Austin - PDC
Planning Department
P. O. Box 1088
Austin, TX 78767-8810

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

Case Number: NPA-2023-0020.02
Contact: Maureen Meredith, 512-974-2695 or
Maureen.Meredith@austintexas.gov
Public Hearings: Apr 09, 2024 - Planning Commission
May 30, 2024 - City Council

☐ I am in favor
☒ I object

Andrea McCartney
Your Name (please print)

309 Red Bird Ln Austin TX 78745
Your address(es) affected by this application

Andrea McCartney
Signature

4/3/24
Date

Comments: The Bird Streets of Pleasant Hill neighborhood has hired a hydrologist to study the nearby spring and its affects on the creek which runs through the applicant's property + study the drainage issue. We ask that this amendment request be delayed until we get the results.

From: Brad Massingill <solarconcerts@gmail.com>

Sent: Wednesday, April 3, 2024 7:30 AM

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

Subject: NPA-2023-0020.02

External Email - Exercise Caution

Hello Maureen

Please, find enclosed my (and the Bird Streets of Pleasant Hill neighborhood group) Objections to case # NPA-2023-0020.02

Brad Massingill

Case # NPA-2023-0020.02

Maureen Meredith

Planning Commission

Public Hearing: April 9, 2024

The Bird Streets of Pleasant Hill neighborhood group are opposed to the proposed amendment(s) to the Future Land Use Map or the South Congress Comb Neighborhood Plan.

If these lots (106 & 108 Red Bird Lane) are allowed to be moved to a different designation on the FLUM or removed from our Neighborhood Plan , the process *can not* be reversed.

We think those SF lots, along with Mystery Creek are part of the Bird Streets Neighborhood.

We need Mystery Creek to be remediated and to remain on the single family, forested lot where it currently resides, as a vital part of our neighborhood.

Mystery Creek is an ephemeral stream that traverse the proposed site(s). That means this site is NOT suitable for the proposed project or the proposed changes to the FLUM/Neighborhood Plan.

The Bird Streets Neighborhood has hired a hydrologist (Glen Rose Engineering) to ascertain the veracity of the artesian spring that feeds Mystery Creek.

We are confident in what the hydrologist will find in the course of their research, a headwater artesian spring, as the source for the ephemeral flow traversing the proposed project.

THIS IS A PROTECTED WATERWAY!

We will not back down on this point.

Several environmental groups are currently onboard in our adamant opposition to this proposal. SOS, Save Barton Creek Association, The South Austin Creek

Alliance and other groups recognize the existential threat these types of projects pose to the aquifer and our fragile Austin ecosystem.

Ignoring natural hydrological features, does not mean they do not exist!

City Council should not even consider this amendment, without a determination being made on Mystery Creek first. Once it's proven that Mystery Creek has the right to flow unhindered to the larger watershed via Little Turtle Creek, the available square footage for this project will no longer be viable for the proposed project.

The applicant could decide to sell, once a positive determination on the creek's status is made; at which point we would be stuck with an errant half acre MU lot, between the neighborhood and Mystery Creek!

On paper, it wouldn't be a part of the neighborhood anymore, either.

Again, non-reversible.

We're not opposed to something being built on these properties (after all, the applicant owns them). We just want something that will be well thought out and not just a project looking for a piece of bare ground to plop itself down on.

That ain't bare ground!

That's Mystery Creek.

We are opposed to the proposed amendments presented in NPA-2023-0020.02.

Do not approve these changes without a determination on Mystery Creek.

Thank you

Brad Massingill

Representing the Bird Streets of Pleasant Hill neighborhood group
and

The Friends of Mystery Creek

(770) 355-2120

From: Lauren Ross

Sent: Wednesday, April 3, 2024 4:47 PM

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

Cc: Brad Massingill

Subject: Zoning Request to CS-MU-V-DB90-CO-NP (Density Bonus 90 combining district)

You don't often get email from [Learn why this is important](#)

External Email - Exercise Caution

Dear Ms. Meredith,

Attached is my letter to the City of Austin Planning Commission recommending denial of the subject zoning request for zoning case NPA-2023-0020.02_106 & 118 Red Bird Lane (C14-2023-0034).

Thank you for submitting my letter to the Planning Commission.

Sincerely,
Lauren Ross



D. Lauren Ross, Ph. D., P. E.
she/her
Glenrose Engineering, Inc.
TBPE Firm F4092
512 431 7988 cell and text
www.glenrose.com



1405 Hillmont Street
Austin, Texas 78704
Phone: 512-326-8880
e-mail: lauren@

April 3, 2024

Chair Claire Hempel
Vice Chair Awais Azhar
Secretary Greg Anderson
Parliamentarian Alice Woods
Board Member Patrick Howard
Board Member Jennifer Mushtaler
Board Member Felicity Maxwell
Board Member Grayson Cox
Board Member Adam Haynes
Board Member Nadia Barrera-Ramirez
Board Member Danielle Skidmore
Board Member Ryan Johnson
Board Member Alberta Phillips
Board Member (ex-officio) Jessica Cohen
Board Member (ex-officio) Candace Hunter

Subject: Recommendation to Deny Zoning Request for Zoning Case NPA-2023-0020.02_106 & 118 Red Bird Lane

Dear City of Austin Planning Commission,

I am writing on behalf of Bird Streets of Pleasant Hill neighborhood group to recommend denial of the requested zoning of CS-MU-V-DB90-CO-NP (Density Bonus 90 combining district) in the subject zoning case. My recommendation is based on my review of these documents:

- Civil Site Development Plans for 5412 S Congress Mixed-Use dated December 2023;
- City of Austin Master Comment Report for Case Number SP-2023-0495C, Revision # 00 dated February 26, 2024;
- City of Austin Technical Memorandum regarding Drainage Pattern and Public Infrastructure around Your Property to Mr. Bradford Massingill III, dated September 25, 2023;
- An Environmental Resource Inventory Waiver Request Form filed for the project and approved by Watershed Protection Department;

Glenrose Engineering, Inc.
Texas Board of Professional Engineers Number F4092

glenrose.com

City of Austin Planning Commission
April 3, 2024
Page 2 of 3

- Relevant maps and Geographical Information System (GIS) data regarding topography, soils, and drainage associated with the proposed zoning changes.

Based on my review of these documents, the proposed project will contribute additional storm flows to local flooding. It will *inadequately* protect sensitive environmental features associated with the proposed development location.

Contribution to Local Flooding

The proposed project would be located within the Williamson Creek watershed, upstream and less than a mile west of Interstate Highway 35. Based on information submitted by the applicant, existing pervious area on the site is 1.94 acres, which constitutes nearly 72 percent of the site area. Under the proposed development plan, the pervious area would be reduced to 0.87 acres, which is only 36 percent of the site.

Pervious areas allow storm runoff to infiltrate into soil. This infiltration reduces flooding and erosion. It sustains the natural flow of water into seeps, springs, and creeks between storm events. Rainfall infiltration into soil also sustains trees during drought and reduces peak urban temperatures.

The project's proposed flood detention would only reduce *peak* runoff by titrating stormwater from a concrete basin into the drainage system over a slightly longer period. The proposed flood detention would *not* mitigate increases in flooding and erosion due to the increased volume of runoff. Nor would it mitigate the loss of the existing rainfall infiltration, which supports a natural and healthy ecosystem.

Failure to Perform an Environmental Resource Inventory

The Austin Watershed Protection Department granted an Environmental Resource Inventory Waiver request by the applicant. An Environmental Resource Inventory *is required*, however, for any proposed development on a tract containing or within 150 feet of a potential or verified wetland feature (Austin Land Development Code §25-8-121(B)(4)).



0 50 100 200 US Feet

Proposed Zoning Case
NPA-2023-0020.02_106 & 118 Red Bird Lane

*City of Austin Planning Commission
April 3, 2024
Page 3 of 3*

Neighbors have observed an ephemeral stream and spring either adjacent to or traversing the proposed development site. Their observations are consistent with satellite imagery that shows an area of dense vegetation in the southwest corner of the site. Topographic contours are also consistent with the presence of a small stream, as indicated in the attached map.

We respectfully request a recommendation to deny the zoning change until a thorough investigation of the site by an independent environmental scientist is completed. Such an investigation should include an inventory of wetland plants and examination of soils for the potential presence of wetland species that would indicate the presence of a spring.

Conclusion

Thank you for considering these potential impacts from the proposed zoning change. I hope that you will recommend denial of the requested zoning.

Sincerely,

**D. Lauren
Ross**

Digitally signed by D. Lauren
Ross
DN: cn=D. Lauren Ross, o,
ou=Glenrose Engineering, Inc.,
email=lauren@glenrose.com,
c=US
Date: 2024.04.03 16:40:55 -05'00'



Lauren Ross, Ph. D., P. E.
President
Glenrose Engineering, Inc.

attachment

Sealed on
3 April 2024