

From: [Kathy Macchi](#)
To: [Hempel, Claire - BC](#)
Cc: [Boudreaux, Marcelle](#)
Subject: Planning Commission Case Nos. NPA-2024-0019.01 and C14-2024-0121 (4305-4309 Red River)
Date: Monday, February 10, 2025 12:06:06 AM

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Honorable Claire Hempel, Chair, Planning Commission, City of Austin

Dear Chair Hempel,

I live on East 44th Street between Bennett Avenue and Red River, and I am writing to express my opposition to the zoning changes requested for 4305, 4307, and 4309 Red River Street. While I **strongly support adding more housing—especially affordable housing—Austin needs to grow in a way that benefits everyone, not just developers looking for a quick profit.**

The reality is that the property owner bought the land knowing its zoning restrictions. If they're now asking for a change, it should be to create something reasonable that fits the neighborhood—not to maximize profit at the expense of the community. The city's job isn't to ensure an investor gets a massive return, but to ensure development makes sense for the people who actually live here.

The Right Kind of Development

A 30-foot height mixed-use or single-family option with additional dwelling units or multi-family would be the best way forward. This would allow for more housing while keeping buildings in scale with the rest of the neighborhood, preventing an oversized structure from **dominating the area** and worsening traffic and parking issues.

***Note:** I know the city wants more mixed use but this piece of land is one block from Hancock Shopping Center and a 5-min walk from the Hyde Park/Duval Shopping Center. I'm not sure what business would want to open there when all the shopping is happening in one of those two major commercial centers. More housing, though, is needed so it would be a good use of the land.*

Concerns with the Proposed Changes

- **Excessive Height & Scale:** Most homes in our neighborhood are single-story, with a few two-story houses that stay within the 30-foot height limit. The applicant's request for a **DB90 density bonus would allow a 70-foot building—more than twice as tall as anything else and four times taller than most homes.** Nothing that size exists here, and it would **overshadow** surrounding properties. That alone is reason enough to reject this request.

Even the **40-foot** height allowed under the Planning Department's recommendation would create a building that **towers over the rest of the neighborhood.** Without setback requirements, there's nothing to soften the impact of such a tall structure—it

would feel completely out of place.

- **Traffic & Parking Issues:** The City's Planning Department seems to recognize that this proposal is excessive, recommending approval for a shift to mixed-use zoning but **not the DB90 density bonus**. While **removing the DB90 bonus is a step in the right direction**, it doesn't go far enough. The proposed changes **still don't fit the neighborhood and would cause significant issues** for the community.

The **traffic study used to justify this proposal is deeply flawed**—it doesn't account for major nearby developments like the Hancock Shopping Center expansion, the ongoing I-35 construction, and the actual street size at this stretch of the road, all of which will already increase congestion. Parking spillover onto **44th Street** would create serious hazards for pedestrians and cyclists.

- **Street Size.** It appears that the street study did not realize that Red River Street at these properties narrows and is **reduced to one lane in each direction**. Red River is wider at Hancock Shopping Center. The traffic study should be redone based on the actual street size.
- **Safety Risks:** Red River between **43rd and 44th** is already a difficult stretch of road, with bus stops, a crosswalk, and narrow bike lanes. Increasing density at this location without addressing these risks will only make it more dangerous for everyone.

A Better Approach

Zoning changes should be approved only when a **clear and reasonable development plan** is presented—not on speculation. Right now, it seems like the owner either wants to **maximize profits at the community's expense** or already knows what they plan to build but doesn't want to be upfront about it. Neither is a reason to approve this request.

While Austin **needs more housing**, it needs **smart growth that works for everyone**—not just developers looking to make a fortune. Please reject this request in its current form and consider a more **balanced approach that respects the character, safety, and livability of our neighborhood**.

Thank you for your time and consideration.

Sincerely,

Kathy Macchi
1003 E. 44th Street
Austin, TX 78751

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From: [Meredith, Maureen](#)
To: [Kristin Phillips](#)
Cc: [Tony Di Fiore](#); [Boudreaux, Marcelle](#)
Subject: RE: Protest: rezoning of 4305, 4307, and 4309 Red River Street
Date: Monday, February 10, 2025 3:55:47 PM

Kristin:

Thank you. I will submit your comments for tomorrow's hearing.

Maureen

From: Kristin Phillips [REDACTED]
Sent: Monday, February 10, 2025 2:04 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: [REDACTED] >
Subject: Protest: rezoning of 4305, 4307, and 4309 Red River Street

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Dear Ms. Meredith,

We live in Austin's Hancock neighborhood at 806 E 44th St, close to ((three buildings from) the proposed land that the city is allowing to be rezoned at multi-use with 70 foot height.

We have serious concerns about the city's rezoning of this piece of land because the **location is not appropriate for the proposal.**

1. No buildings in this part of Hancock are anywhere near 6 to 7 stories tall. At most, there are some buildings that might be approaching 30 feet ... but they are far from the location. A 70 foot structure would be a strange, solitary tower built on two small lots that shadows all other buildings
2. Red River narrows at this point to single lanes in either direction, and there is a bus stop (and a crosswalk with an island) right in front of 4305, 4307 and 4308 Red River. If a multi-use property is added at this location — with no offsets— it will create a true bottleneck next to a gigantic tower.
3. If there is additional foot traffic, safety would be a concern with the speed of driving on

Red River if a building with no offsets is approved.

4. There is no parking on Red River Street, and there is no proposed parking to be built with this rezoning.

5. E 44th St on either side of Red River are both very narrow streets. When cars are parked on both sides, it is nearly impossible to drive down the streets now ... and will be even more impossible with additional vehicles created by any proposed development. Please talk with the garbage services ... they can barely drive down the street on some days.

In short, this proposed rezoning at this location is misguided. Please look very carefully at the size of the property as well as the location — approving this will only create further problems for the city and for the residents.

Thank you,

Kristin Phillips and Anthony Di Fiore



806 E 44th St, Austin, Texas 78751

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From: [Erich Schwartz](#)
To: claire.hempel@austintexas.gov
Cc: [Boudreaux, Marcelle](#); zohaib.quadri@austintexas.gov
Subject: Austin Planning Commission Case Nos. NPA-2024-0019.01 and C14-20224-0121 (4305, 4307 and 4309 Red River Street)
Date: Saturday, February 8, 2025 10:19:23 AM

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Honorable Claire Hempel, Chair, Planning Commission, City of Austin

Dear Chair Hempel,

I reside with my wife Faith at 1004 E 44th Street in Austin Texas, which is around the corner from the properties referenced above. I write to express our objections to the proposed changes in the zoning for those properties.

I understand from a previous Zoom meeting with respect to this issue that there is no site specific plan for the redevelopment of these properties. Moreover, it is my impression that there will be limited or no opportunity for public input at such time as site specific plans are developed, but rather that the developer will be able to permit buildings to the maximum permitted under the revised zoning. Plainly, it would be useful to respond to a more precisely conceived plan for these properties, but under the circumstances one must assume that the ultimate development would run to the maximum permitted by the zoning.

In that regard, I understand the rezoning request includes a DB90 density bonus, which would allow construction of a structure up to 70 feet tall. Such a structure would be grossly out of proportion to all the other buildings in the neighborhood, and would result in a density of use that would adversely impact traffic and safety in this residential neighborhood. Moreover, I understand that with that designation there would be no setbacks on the 44th street side of the redevelopment, with the result that such a massive structure could be built right to the edge of the lot on what is otherwise a quiet residential street. I also understand that rezoning in that fashion might have a concomitant result of widening the right of way for 44th street, potentially destroying the greensward that presently exists. These changes would substantially diminish our quality of life in the neighborhood.

My neighbor Andrew Schulz has shared with us his detailed critique of the density and

traffic study supporting this proposal, which I understand he has separately sent to you. We endorse his points with regard to traffic and safety.

Thank you for your consideration of these comments. We urge you to reject the proposal.

Regards,
Erich and Faith Schwartz

copy to: Ms. Marcelle Boudreaux, Planner Senior, Planning Department
Hon. Zohaib Qadri, Council Member, Austin City Council

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From: [Meredith, Maureen](#)
To: [Collier Gibson](#)
Cc: [Boudreaux, Marcelle](#)
Subject: RE: Case Number: NPA-2024-0019.01
Date: Monday, February 10, 2025 12:09:45 PM

Collier,
Thank you. I will submit as late material for PC hearing tomorrow.
Maureen

From: Collier Gibson <[REDACTED]>
Sent: Monday, February 10, 2025 11:56 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: RE: Case Number: NPA-2024-0019.01

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Hi Maureen,

I understand the meeting regarding the rezoning is happening tomorrow. I'd like to update my comment to the below given some additional details I've learned. Thank you for your assistance.

Dear Austin Planning Commission,

I am a resident of the neighborhood affected by the proposed rezoning and am writing to express my thoughts about the current proposal.

I support the general concept of developing these vacant lots with the goal of increasing density in the neighborhood. I understand Austin does not have enough housing and these lots seems like a great opportunity to help with that.

I have reservations about approving a rezoning request without some sort of development plan in place. As it was communicated to me by their agent, Victoria Haase, the current property owner is seeking this zoning change prior to selling the property, rather than having a specific development project planned. Further, they stated at the Hancock Neighborhood Association meeting that they were unwilling to spend the money to develop potential plans that would provide additional information about the development.

The current zoning already permits townhouse development, which would appropriately increase urban density in the neighborhood. It also seems reasonable to convert the lot into some sort of mixed-use commercial/residential development and it was communicated on one of the meetings that such a development was possible.

It appears that the current owner is hoping to change the zoning and sell the property for a higher price given it's new zoning potential. If the goal is to increase urban density in Austin, then it would

seem more appropriate to me that the individual or entity willing to actually undertake development should benefit financially rather than someone merely flipping the land.

I am not opposed to potentially re-zoning the property, but I believe the current circumstances are not the appropriate ones. Asking the developer to at least give a basic idea of what they would like to develop on the land prior to approving a zoning request would incentivize actual development of new housing stock rather than speculation and give neighborhood residents the opportunity to understand how the development might impact them.

Thank you for your consideration.

Sent with [Proton Mail](#) secure email.

On Monday, December 2nd, 2024 at 8:30 AM, Meredith, Maureen
<Maureen.Meredith@austintexas.gov> wrote:

Hi, Collier:

Thanks for the follow up.

Maureen

From: Collier Gibson [REDACTED]

Sent: Tuesday, November 26, 2024 3:04 PM

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

Subject: RE: Case Number: NPA-2024-0019.01

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Hi Maureen,

She did reach out and we were able to talk, thanks for that. It sounded like maybe she was having some issue with her email as she said she never received my message.

After speaking with her, my previous comment stands. Victoria mentioned some potential projects mentioned such as townhouses or maybe something mixed-use with retail or office space on the bottom and apartments/condos on top. These all seem reasonable and in line with the goal of allowing more density in that area.

However, the fact that there's no plan in place and that the designation is quite broad and allows for building heights of up to 70 ft make it hard to have an opinion or understand how the rezoning would impact the area.

If the current owner wanted to develop the lot and had a general idea of what they were doing there - or it was sold and the new owner could give a rough idea of the

planned development - then that would be more reasonable in my opinion.

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On Tuesday, November 26th, 2024 at 2:19 PM, Meredith, Maureen
<Maureen.Meredith@austintexas.gov> wrote:

Collier:

Victoria Haase asks if it's ok for me to get your phone number so she can call you?

Maureen

From: Collier Gibson [REDACTED]
Sent: Monday, November 25, 2024 2:30 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: RE: Case Number: NPA-2024-0019.01

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Hey Maureen,

Thanks. I tried to reach Victoria again via email and never heard back so I'll just put my comment below. If I'm misunderstanding something, please let me know.

Dear Austin Planning Commission,

I am a resident of the neighborhood affected by the proposed rezoning and am writing to express my thoughts about the current proposal.

I support the general concept of developing these vacant lots with the goal of increasing density in the neighborhood. I understand Austin does not have enough housing and these lots seems like a great opportunity to help with that.

I have some reservations about approving a rezoning request without some sort of rough development plan in place. My understanding is that the current property owner is seeking this zoning change prior to selling the property, rather than having a specific development project planned.

As I understand it, the current zoning already permits townhouse development, which would appropriately increase urban density in our neighborhood. It also seems reasonable to convert the lot into some sort of mixed-use commercial/residential development. However, I

believe the neighborhood would benefit from more detailed information before approving a zoning change so having that proposed the person or entity planning to do the development would make more sense to me.

Thank you for your consideration.

Sent with [Proton Mail](#) secure email.

On Thursday, November 7th, 2024 at 5:59 PM, Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:

Hi, Collier:

We haven't scheduled the cases for Planning Commission yet, so you can send your comments now if you want and when the cases are scheduled I can include them in the staff reports.

Maureen

From: Collier Gibson [REDACTED]
Sent: Thursday, November 7, 2024 4:46 PM
To: Meredith, Maureen
<Maureen.Meredith@austintexas.gov>
Subject: RE: Case Number: NPA-2024-0019.01

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Hi Marueen,

When is the deadline to submit letters in support or opposition here? I had reached out to Victoria a few times but still haven't been able to get in touch with her.

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On Tuesday, August 27th, 2024 at 2:33 PM, Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:

Hi, Collier:

Attached is the summary letter the applicant's agents submitted that provides a little more detail about what they are proposing. However, eventually a virtual community meeting will be scheduled where you will be able to ask questions to learn more about the proposed rezoning and plan amendment changes. If you want, you could also call Victoria Haase and talk to her about any questions you have. Here's her email:

Victoria

Victoria@throwerdesign.com. Her phone number is (512) 476-4456.

When the cases are scheduled for public hearings, you will be able to provide comments to be included in the staff case reports. For the zoning case, there is a zoning petition process that you can read more about here:

<https://www.austintexas.gov/page/frequently-asked-questions-faqs>.

Scroll down until you see "When are petitions rights valid? How do I file a zoning petition?".

Maureen

From: Collier Gibson

[REDACTED]

[REDACTED] 2:15 PM

To: Meredith, Maureen

<Maureen.Meredith@austintexas.gov>

Subject: Case Number: NPA-2024-0019.01

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Hi Maureen,

I live in the 500 ft area of the proposed land use designation by Sierra Halo LLC with the Case number in the email title.

I'm unfamiliar with how this process works but would be interesting in learning more details about what the proposed project is as well as what input I have into the change.

Thank you.

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From: [Jackie Burniske](#)
To: [Meredith, Maureen](#); [Boudreaux, Marcelle](#); [Kirk Watson](#); [Azhar, Awais - BC](#); [Hempel, Claire - BC](#); [Barge, Sara](#); [Phillips, Alberta - BC](#); [Beeler, Melissa](#)
Subject: Hancock Homeowner Opposition to Red River Development
Date: Monday, February 10, 2025 7:56:51 PM

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Greetings,

I am writing in opposition to the Single Family to Neighborhood Mixed Use land use of 4305, 4307, 4309 Red River Street, on the Planning Committee Meeting agenda being held February 11, 2025.

I am unable to attend the meeting and am submitting this opinion.

6) Plan Amendment: NPA-2024-0019.01 - Red River; District 9 Location: 4305, 4307, 4309 Red River Street, Boggy Creek Watershed; Central Austin Combined (Hancock) Neighborhood Plan Owner/Applicant: Sierra Halo, LLC Agent: Thrower Design, LLC (Victoria Haase and Ron Thrower) Request: Single Family to Neighborhood Mixed Use land use Staff Rec.: Recommended Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov Planning Department

7. Rezoning: C14-2024-0121 - Red River; District 9 Location: 4305, 4307, 4309 Red River Street, Boggy Creek Watershed; Central Austin Combined (Hancock) Neighborhood Planning Area Owner/Applicant: Sierra Halo, LLC (C. Copeland) Agent: Thrower Design, LLC (Victoria Haase) Request: SF-3-CO-NP to LR-MU-DB90-NP Staff Rec.: Staff recommends LR-MU-V-CO-NP Staff: Marcelle Boudreaux, 512-974-8094, marcelle.boudreaux@austintexas.gov Planning Department

I live at 800 East 44th St and I am a home owner at this address since 2012.

STAFF RECOMMENDATION: Staff supports the applicant's request for Neighborhood Mixed Use land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Neighborhood Mixed Use land use because the property is located on Red River Street which has a mix of land uses. The property is near public transportation and could provide additional housing units for the City.

I am in opposition to the rezoning of the 3 small houses on Red River to 7 stories mixed use.

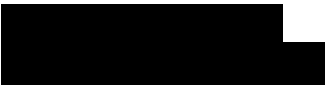
70 feet is more than double any building in the area, and there is no parking for this development.

The current owner is hoping to rezone the property without a specific plan. City staff is approving the plan, stating the development would provide additional housing. The owner of the property does not have a plan for the property, so we don't know that it will be housing. The owner plans to sell the property once it is rezoned, at a higher price to someone else to develop.

I understand the goal to increase housing in the area but the city should know what the plans of the developer are before rezoning.

I am a member of the Hancock Neighborhood Association (HNA) and I am in agreement with the opposition that HNA stated.

- 1) HNA membership voted against the rezoning
- 2) The developer's representative spoke to HNA meeting on January 27th and said they didn't want to spend the money to develop potential plans that would provide additional information about the development;
- 3) There's no more reason to up-zone this property without a plan than to up-zone every other SF-3 property in the neighborhood for purely speculative reasons.

Thank you,
Jackie Burniske
800 East 44th St


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