From: Stanton Strickland
Sent: Monday, August 24, 2026 9:27 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>
Cc: Stanton Strickland <stantonstricklandTX@gmail.com>
Subject: Written Comments – 1187 Navasota – NPA-2026-0009.01 / C14-2026-0028

Dear Ms. Meredith and Mr. Tomko:
Thank you again for confirming receipt of my earlier postponement request.

Attached are my written comments concerning the proposed neighborhood plan amendment and rezoning of 1187 Navasota Street, specifically:

- NPA-2026-0009.01 — Wesley Relocation Project
- C14-2026-0028 — Wesley Property Donation

I respectfully request that these written comments be included in the official record for both cases and distributed to the Chair and members of the Planning Commission in advance of tomorrow evening's hearing.

I have also registered to attend and speak in person at the hearing in the event the postponement is not granted.

Please confirm receipt when convenient, and please let me know if there is anything further I need to do to ensure that the attached comments are included with the materials provided to the Commission.

Thank you very much for your assistance.

Best regards,

Stanton Strickland
Robertson Hill Resident and Property Owner
Austin, Texas 78702

WRITTEN COMMENTS TO THE AUSTIN PLANNING COMMISSION

1187 Navasota Street

NPA-2026-0009.01 - Wesley Relocation Project
C14-2026-0028 - Wesley Property Donation

Submitted by Stanton Strickland | Robertson Hill Resident and Property Owner | August 24, 2026

Executive Summary

Chair and Commissioners:

I respectfully oppose the requested neighborhood plan amendment and rezoning of 1187 Navasota Street. My opposition is not opposition to Wesley United Methodist Church. Wesley is an important historic institution in our neighborhood and in Austin, and I sincerely want the Church to thrive and succeed in its mission.

The issue before the Commission, however, is not whether Wesley is a worthy institution or whether its present intentions are well meaning. Zoning runs with the land. The Commission's recommendation should therefore be based upon the property, surrounding land uses, the City's adopted Central East Austin Neighborhood Plan and Future Land Use Map, the evidence supporting a change, and the permanent development entitlements that would result. Those considerations weigh against the requested change.

The fundamental questions are straightforward:

- What material change has occurred in the immediately surrounding residential area that makes the existing SF-3-NP zoning and Single Family FLUM designation no longer appropriate?
- What evidence demonstrates that Navasota Street should now function as an extension or tributary of nearby commercial corridors?
- What traffic, land-use, development-trend, or other empirical analysis demonstrates that introducing commercial zoning at this interior residential location is appropriate?
- Why is a permanent change from residential to commercial zoning necessary to accomplish the Church's presently described objectives?
- If a more limited mechanism could accomplish those objectives, why should the City instead create broader development rights that will remain with the land regardless of future ownership?

I respectfully submit that the present record does not adequately answer those questions.

1. 1187 Navasota Is an Interior Parcel Within an Established Residential Area

The staff materials describe the surrounding area as predominantly single family and identify single-family residential uses around 1187 Navasota. That fact should be the starting point. This is not a parcel situated on East 11th Street or East 12th Street, nor a commercial-corridor property seeking zoning consistent with neighboring commercial uses. It is an approximately 0.215-acre interior lot within an established residential neighborhood. The existing SF-3-NP zoning and Single Family FLUM designation therefore are not anomalies; they reflect the predominant land-use pattern immediately surrounding the property.

2. The Adopted Central East Austin Neighborhood Plan Represents a Deliberate Planning Decision

The Central East Austin Neighborhood Plan was adopted by the City on December 13, 2001 and incorporated into Austin's comprehensive planning framework. It resulted from a City-sponsored neighborhood planning process involving residents, property owners, businesses, institutions, City staff, and other stakeholders. The Plan made deliberate choices about where different types and intensities of development should occur and its Future Land Use Map designates 1187 Navasota as Single Family. Neighborhood plans cannot freeze a neighborhood permanently in time, but a parcel-specific departure should rest on a discernible planning rationale supported by evidence showing why circumstances have changed or why the original planning judgment is no longer appropriate.

3. Connecting Two Commercial Corridors Does Not Make a Residential Street a Commercial Corridor

The staff recommendation presents an important planning question. The Central East Austin Neighborhood Plan encourages mixed-use and greater commercial intensity in appropriate locations, particularly along established commercial corridors. Navasota Street has never been identified or designated as a commercial corridor. Staff's rationale appears to place weight on Navasota's role connecting the nearby commercial corridors of E. 11th /Rosewood Ave. and E. 12th Streets. Respectfully, that conclusion requires substantially more support. Virtually every interior residential street in an urban grid ultimately connects to larger streets carrying commercial activity. If merely connecting commercial corridors is enough to justify commercial zoning along the connecting residential street, the distinction between a commercial corridor and the residential neighborhood served by that corridor becomes difficult to maintain. A residential street should not become a de facto commercial tributary merely because traffic can travel along it from one commercial corridor to another.

4. Where Is the Evidence Supporting That Planning Conclusion?

If Navasota's function as a connector is an important justification for changing the land use of 1187 Navasota, the Commission should ask what evidence demonstrates the consequences of that conclusion. Where is the traffic analysis showing existing volumes during morning and evening peak periods and off-peak hours, neighborhood versus through traffic, or the potential traffic-generating effects of uses enabled by the proposed zoning? Where is the transportation or land-use modeling demonstrating that Navasota functions differently from other residential streets in Robertson Hill because it connects commercial corridors? Where is the localized development-trend analysis for the blocks and area immediately surrounding 1187 Navasota?

5. The Immediately Surrounding Development Pattern Deserves Examination

I have lived on San Bernard Street for almost twenty years. I am personally aware of roughly 10 to 12 newly constructed houses in recent years within approximately 500 feet of 1187 Navasota. I offer that observation not as a substitute for City data, but to illustrate why the data matter. If the surrounding area were demonstrably transitioning away from residential use toward office or commercial development, that could provide evidence of changed conditions. Conversely, substantial private investment continues to produce new residential construction in the area immediately around this property and that evidence would reinforce the conclusion that the existing residential designation remains appropriate. The Commission should have that information before permanently changing the land-use entitlement of this parcel.

6. A Planning Recommendation Should Be Supported by Evidence, Not Merely a Conclusion

Staff expertise deserves respect. But a recommendation and the evidentiary basis for that recommendation are not the same thing. The Commission should be able to identify facts demonstrating why this particular interior residential parcel should depart from the City's adopted FLUM and the zoning pattern surrounding it. What changed? What planning condition makes SF-3-NP unsuitable today? What demonstrated public need requires commercial zoning at this location? What empirical evidence establishes that Navasota's connection between commercial corridors makes commercial or office zoning appropriate here? What analysis addresses effects upon immediately surrounding residential properties? And what evidence establishes that the requested permanent entitlements are reasonably proportional to the applicant's stated need?

7. Reliance and Predictability Created by the Neighborhood Plan

For nearly twenty-five years, Robertson Hill residents and property owners have been able to look to the City's adopted Central East Austin Neighborhood Plan, its Future Land Use Map, and the established zoning pattern when making decisions to purchase, restore, improve, and build homes. Those documents do not guarantee that zoning will never change, but they should mean something. If an individual interior residential parcel can be changed from Single Family to Neighborhood Mixed Use and from residential to office zoning without evidence of materially changed surrounding conditions or a compelling land-use justification unique to the property, the Commission should ask what predictability the adopted neighborhood plan actually provides.

8. Texas Spot-Zoning Considerations Counsel Caution

Texas courts have long recognized concerns associated with singling out a small tract for different zoning treatment from similarly situated surrounding property. In City of Pharr v. Tippitt, 616 S.W.2d 173 (Tex. 1981), the Texas Supreme Court identified considerations including respect for the approved comprehensive zoning plan, the nature and degree of adverse impact on neighboring land, the suitability of the tract for its existing zoning and evidence of changed conditions, and whether the amendment bears a substantial relationship to public health, safety, morals, general welfare, or a substantial public need.

Tippitt itself is instructive because the Supreme Court ultimately upheld the rezoning only after examining a markedly different factual setting. The tract there comprised 10.1 acres in an undeveloped farming area. The Court emphasized that it was large enough to be planned as a self-contained development, that traffic could be directed away from existing residences, that the project would have internal streets and off-street parking, and that the change would increase potential family units only from approximately 44 to 50. The Court expressly distinguished that circumstance from unplanned or piecemeal rezoning of an isolated lot or small tract affecting already-developed land.

1187 Navasota presents a substantially different factual picture. At approximately 0.215 acre, it is roughly one-forty-seventh the size of the tract in Tippitt and lies within an already-developed, predominantly residential neighborhood. The surrounding residential pattern, the parcel's continued suitability for residential use, and the absence in the materials presented to the Commission of comparable traffic, localized development-trend, or other empirical analysis are therefore directly relevant under the Tippitt framework.

Subsequent Texas decisions reinforce these principles. In City of Rusk v. Cox, 665 S.W.2d 233 (Tex. App.-Tyler 1984, no writ), the court applied Tippitt and invalidated the rezoning of a 2.7-acre tract from single-family residential to general business. The court rejected the argument that the change was merely an extension of nearby business zoning and warned that such reasoning could permit an established residential

area to be piecemealed out of existence through successive rezoning - the very domino effect that comprehensive zoning is intended to prevent.

The Austin Court of Appeals likewise applied Tippitt in 2800 La Frontera No. 1A, Ltd. v. City of Round Rock, No. 03-08-00790-CV, 2010 WL 143418 (Tex. App.-Austin Jan. 12, 2010, no pet.) (mem. op.). La Frontera reiterated that spot zoning is preferential, piecemeal treatment that defeats a pre-established comprehensive plan, while also recognizing that rezoning may be sustained when it bears a reasonable relationship to the general welfare and an orderly zoning-development plan. The court upheld the challenged changes there because they were generally consistent with the surrounding mixed-use PUD and did not introduce substantially inconsistent new uses. That reasoning underscores the importance here of comparing the requested commercial base zoning with the predominantly residential land-use pattern immediately surrounding 1187 Navasota.

Other Texas courts applying Tippitt have similarly focused on concrete facts supporting the relationship between a zoning change, surrounding uses, changed conditions, and public purpose. The lesson is not that every parcel-specific rezoning is unlawful. It is that the smaller and more isolated the parcel, and the greater the departure from the established surrounding pattern and adopted plan, the more important a demonstrated planning justification becomes. Tippitt supplies a useful Texas-law framework for evaluating whether this parcel-specific departure from the adopted plan is supported by the type of evidence and planning justification that should precede a permanent zoning change.

9. The Commission Must Evaluate the Permanent Entitlement, Not Merely Wesley's Present Intentions

I recognize that Wesley has narrowed its zoning request from LO-MU-NP to LO-NP and that staff recommends LO-CO-NP. That narrowing is meaningful, but it does not eliminate the long-term consequences of changing the property's base zoning from residential to commercial.

Texas enacted Senate Bill 840 in 2025. Subject to specified exceptions, SB 840 requires municipalities to allow qualifying multifamily and mixed-use residential development in zoning classifications that permit office, commercial, retail, warehouse, or mixed-use development. The statute also limits municipal restrictions on qualifying projects, including density, height, setbacks, and floor-area ratio.

The City of Austin's January 2026 SB 840 implementation guidance explains that qualifying multifamily and mixed-use residential development is a by-right permitted use on most commercially zoned lots. For qualifying development, Austin identifies a maximum density of 54 units per acre, no maximum FAR, a maximum height equal to the greater of the otherwise applicable commercial height or 45 feet, and setback limitations established by the statute. Austin has also described SB 840 as creating new development entitlements and greater by-right entitlements on affected commercially zoned property.

The approximately 0.215-acre size of 1187 Navasota obviously constrains its development potential, and any actual project would remain subject to applicable site-development and other requirements. But that does not eliminate the fundamental planning issue: changing this property from SF-3-NP to an LO commercial base district potentially changes not simply the uses contemplated by today's applicant, but the range and intensity of residential development rights that state law may attach to the property in the future.

10. A Legitimate Institutional Objective Does Not Necessarily Require a Broad Permanent Rezoning

Wesley may have entirely legitimate objectives for 1187 Navasota. The question is whether accomplishing those objectives requires permanently changing an interior residential parcel from SF-3-NP and changing its adopted FLUM designation from Single Family to Neighborhood Mixed Use. Before creating broader

permanent entitlements, the City should determine whether a narrower mechanism could accommodate a specifically demonstrated institutional need while preserving the fundamental residential planning decision applicable to this property and its neighbors.

Conclusion

The issue before the Commission is ultimately one of evidence and planning consistency. The adopted Neighborhood Plan and FLUM designate this property Single Family. The existing zoning is SF-3-NP. The surrounding area is predominantly residential. Navasota is not itself an identified commercial corridor. And the materials presented to the Commission do not appear to supply the traffic analysis, transportation modeling, localized development-trend data, or comparable empirical evidence necessary to demonstrate why this particular interior residential parcel should now be converted to commercial zoning.

Against those facts stands a planning conclusion that places significance on Navasota connecting nearby commercial corridors. Respectfully, that is not enough to justify a permanent departure from the City's own adopted neighborhood plan.

I therefore ask the Planning Commission to recommend preservation of the existing SF-3-NP zoning and Single Family Future Land Use designation. Alternatively, if Wesley demonstrates a specific use that cannot reasonably occur under the existing entitlement, I ask the Commission to require consideration of a substantially narrower mechanism tailored to that demonstrated need rather than creating broader permanent commercial entitlements.

The City asked this community to participate in a neighborhood planning process. Residents did so. A plan was adopted. Property owners have relied upon it for nearly twenty-five years. Changing that plan may sometimes be appropriate. But when the City proposes to do so, particularly one residential parcel at a time, the evidence supporting the change should be as deliberate and thorough as the planning process that produced the designation in the first place.

Thank you for your consideration.

Stanton Strickland

Robertson Hill Resident and Property Owner
Austin, Texas 78702

Sources and Authorities

- City of Austin, C14-2026-0028 Zoning Staff Report and Backup - Wesley Property Donation (staff materials previously reviewed for the case).
- City of Austin, NPA-2026-0009.01 Neighborhood Plan Amendment Staff Report and Backup - Wesley Relocation Project (staff materials previously reviewed for the case).
- City of Austin, Central East Austin Neighborhood Plan (adopted Dec. 13, 2001), including Future Land Use Map and land-use policies.
- City of Austin, Senate Bill 840 Implementation Guidelines (Jan. 9, 2026).
- City of Austin, Citywide Density Bonus Program materials (May 2026) (describing SB 840 as creating new development entitlements / greater by-right entitlements).
- Texas Senate Bill 840, 89th Leg., R.S. (2025), final enrolled text.
- City of Pharr v. Tippitt, 616 S.W.2d 173 (Tex. 1981).
- City of Rusk v. Cox, 665 S.W.2d 233 (Tex. App.-Tyler 1984, no writ).
- 2800 La Frontera No. 1A, Ltd. v. City of Round Rock, No. 03-08-00790-CV, 2010 WL 143418 (Tex. App.-Austin Jan. 12, 2010, no pet.) (mem. op.).