

depends.

[illegible]

## PLANNING COMMISSION HEARING

DATE: May 13, 2008 TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: June 5, 2008 TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Allandale Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Mark + JoAnn Mays, 3106 Yellowpine Terr  
+ 7801 Shoal Creek #141, 7875-7, Allandale I am in favor  
Residents since 1972. (Estoy de acuerdo)

Address We abhor these plans -- COA will be ☒ I object  
creating more traffic congestion, too much (No estoy de acuerdo)

Comments density, and pollution in our neighborhood, thus ruining  
the Allandale area for current and future residents. JoAnn + Mark Mays  
(BURNET RD, SHOAL CREEK, + ANDERSON ARE ALREADY HEAVILY TRAFFICED)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) William A. Paynter  
2425 Ashdale

Address Apt. 42  
Austin, TX 78757

☐ I am in favor  
(Estoy de acuerdo)

☒ I object  
(No estoy de acuerdo)

Comments SHOULD BE EITHER COMMERCIAL  
OR RESIDENTIAL

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) KATHRYN SMATHERS

Address 3314 FOSTER LANE AUSTIN 78757

Comments Too much traffic. Congestion is already high

☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print)

KATHRYN SMATHERS

Address

3314 FOSTER LANE AUSTIN TX 78757

Comments

Traffic/congestion is already high

☐ I am in favor

(Estoy de acuerdo)

☒ I object

(No estoy de acuerdo)

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**File #** C14-2008-0088

**Planning Commission Hearing Date:** May 13, 2008

**Name (please print)** JAMES KEITHLEY

☐ I am in favor  
(Estoy de acuerdo)

**Address** 7509 PINLEAF PLACE

☒ I object  
(No estoy de acuerdo)

**Comments** \_\_\_\_\_

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print)

Paul K. Smith

Address

7801 Shoal Creek Blvd. #228

Comments

I support the VMU plan.

☒ I am in favor

(Estoy de acuerdo)

☐ I object

(No estoy de acuerdo)

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print)

John J. Goodson

Address

7801 Shovel Creek #118

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

Comments

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Deanna Goodson

Address 7801 Shoal Crk Blvd #118

Comments Businesses have rights too

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

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## Holubeck, Andrew

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**From:** Mark van Gelder [mark\_vg@sbcglobal.net]  
**Sent:** Thursday, May 08, 2008 5:23 PM  
**To:** Holubeck, Andrew  
**Subject:** Allandale Neighborhood VMU Planning and Zoning

Dear Mr. Holubeck,

Thank you for taking time to listen to my concerns and answer my questions during our phone conversation the other day about the proposed VMU zoning changes in the Allandale neighborhood where I live. I am emailing you my comments here in hopes that they will be included in the information presented to the Planning Commission and Austin City Council during the upcoming hearings regarding this matter.

First of all, I want to voice my support for the recommendations submitted by the Allandale Neighborhood Association concerning this issue. I believe our Neighborhood Association has carefully evaluated the details of the VMU proposals, and is suggesting modifications which are in the best interest of residents and long-time homeowners here in Allandale, such as myself. We are the people who will be directly impacted in our daily lives by the results of whatever zoning changes are made.

My other specific comment regards helping to insure that a present and future traffic congestion problem on Burnet Road South of FM 2222 can be improved, rather than worsened, as a result of any zoning stipulations for this area which might be implemented by the City of Austin.

Traffic on Burnet Road, South of the light at FM 2222, currently suffers from a lack of any left hand turn lanes in either direction for the remainder of its length, other than the ones at the North Loop Blvd. traffic light. This means that any vehicle attempting to turn left from either direction, completely blocks one of the two lanes of traffic. Since Burnet Road has been designated as a Core Transit Corridor, I believe any further development along Burnet Road must include a plan for solving this exiting "left turn problem", before it gets any worse due to even heavier traffic use.

Currently, there is adequate building setback space in front of the businesses along the stated section of Burnet Road to allow for construction of at least a shared left turn lane, similar to the existing center lane in Burnet Road North of 2222. If new zoning along Burnet Road allows for construction of buildings closer to this Transit Corridor which might in any way limit the possibilities for necessary widening of the road to include turn lanes, such zoning would, in my opinion, be a grave mistake.

I therefore urge the Austin Planning Commission, the Austin City Council, and all other entities concerned with planning and regulating development along Burnet Road to take this need for the above mentioned traffic flow improvement into serious consideration. I look forward to hearing the status of the City's plans for constructing center turn lanes for the sections of the Burnet Lane Transit Corridor which presently lack them.

Sincerely,  
Mark van Gelder  
Allandale Neighborhood home owner  
6408 Nasco Drive  
Austin, TX 78757

5/9/2008

**Holubeck, Andrew**

---

**From:** Paulette Kern [paulettekern@sbcglobal.net]  
**Sent:** Thursday, May 08, 2008 11:03 PM  
**To:** Holubeck, Andrew  
**Cc:** Anne Young; Tom Linehan  
**Subject:** Case # C14-2008-0088

RE: VMU hearings at PC and Council  
Case #C14-2008-0088  
Allandale Neighborhood Assc. OIOO Application

Dear Mr. Holubeck;

I apologize for our late addition to the packet for the Allandale OIOO Application. If you are able, I would like to convey the message below with the packet.  
Thank you for your help.

The following properties are our top priority for removal from VMUOD :

Tract 2 (shallow, adjacent to SF)

Tract 3 (shallow, adjacent to SF)

Tract 5 (6400 Burnet - flooding of surrounding SF properties, extending far into neighborhood, etc.)

Tract 7 - 10 (shallow, adjacent to SF)

7800 Shoal Creek, 7858 Shoal Creek, 2951 W. Anderson Lane (Adjacent to Shoal Creek Boulevard - too much traffic directly down SCB)

Paulette Kern  
zoning chair,  
ANA

5/9/2008

**Holubeck, Andrew**

**From:** Paulette Kern [paulettekern@sbcglobal.net]  
**Sent:** Friday, May 09, 2008 11:07 AM  
**To:** Holubeck, Andrew  
**Subject:** correction to letter, case # C14-2008-0088

Mr Holubeck; Just one quick correction. sorry I didn't catch it on my previous proofs. I have mixed my terminology in paragraph 5. I am sure that you would understand by meaning, but for clarity's sake, I have corrected in bold--should be Compatibility Standards rather than Commercial Design Standards.

Thanks,  
 Paulette Kern

**To:** Andrew Holubeck, City of Austin, NPZD  
**From:** Paulette Kern  
**Re:** Case # C14-2008-0088  
 Allandale VMU OI/OO Application hearings

Dear Mr. Holubeck;

Please add the following comments to the staff packet for Planning Commission and City Council. I will be out of town most of the time between the two hearings. I appreciate your communications with Anne Young. You have been quite helpful.

Thanks,  
 Paulette Kern  
 ANA zoning chair  
 454-9166

Allandale's Application response is based on the principle that the creation of the VMUOD is an illegal zoning change, as it was done without notice or right of petition. All of the Allandale properties in the Overlay were zoned CS and are now VMU. This is a huge change. However, I realize this is not the proper venue for this argument.

Allandale has issues with the VMUOD on many levels. We spent a long time studying and dealing with the associated ordinance in order to determine its actual effects when implemented on the ground, so we believe that our comments and concerns are quite valid.

And we have offered alternative, real, ideas for absorbing density in other ways more palatable and less damaging to our neighborhood. This work was begun as a part of our OI/OO Application development and continues to this day.

In response to the City's request for an OI/OO Application from Allandale Neighborhood Association, we created a task force specifically to address the issues and assist us in developing the Application. The task force generated a set of recommendations that is strikingly similar in most ways to the Application that was finally submitted to the City. The major difference being the inclusion of properties along Anderson Lane and slightly higher density caps (at 20 units per acre) where VMU would be accepted (but with similar stipulations). The Executive Committee vote between two options was close, but concerns about whether or not the City would recognize the density cap recommendations made the difference. For while it is true that many Allandale residents would be open to some VMU, very few foresaw or would embrace the magnitude of density we saw the City approve at 5350 Burnet, the "poster child for VMU".

This ordinance puts in place incentives for very high levels of density without a comprehensive plan addressing infrastructure (water, wastewater, schools, parks, mass transit, fire, EMS, flooding, etc). And in Allandale's case, this addition of significant density is taking place next to SF2 homes. Regarding our traffic concerns, it is becoming apparent to us that results of current City plans will be to disperse traffic throughout the neighborhoods to reduce load on "corridors". The message I hear is that preservation of neighborhoods--especially SF2 neighborhoods-- is becoming a very low priority in a increasing area of Austin. I respectfully suggest that it is going too far.

It has been asserted by the City that all VMU development will be considered "new" development and will be subject to the **Compatibility** Standards, however, this is not stated in the Ordinance and is currently the subject of much debate. And even as we are told that compatibility standards will protect the neighborhoods, recent actions by the City lead us to doubt this assurance. These actions include an amendment to the McMansion ordinance that was passed recently by Planning

5/12/2008

Commission. It seeks to dilute the processing of waivers and variances from compatability standards and impervious cover requirements for commercial developments near residential homes. The Ordinance also does not provide for nearby open and green space, even though these are put forth as a positive aspect of VMU.

A blanket approach to VMU zoning is not appropriate for the shallow commercial properties which are adjacent to single family residences along Burnet Road. Allandale seeks to place density at each end of its long, narrow stretch of Burnet Rd., and we believe that the density goals you have set for our neighborhood can be met by that approach. In fact, VMU has already been granted to the Allandale lots between North Loop and Hancock and at 5350 Burnet. Our plan to add density along Anderson Lane and at North Loop is by far the most financially feasible for developers and the mosst acceptable to Allandale residents. This node approach would provide much better future planning for this area of Austin. Let our neighborhood have a seat at the table to plan our future, rather than removing us through this blanket overlay.

Respectfully,

Paulette Kern  
ANA zoning chair

**Holubeck, Andrew**

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**From:** Jeffrey L Stewart [jjeff37@sbcglobal.net]  
**Sent:** Friday, May 09, 2008 8:41 AM  
**To:** Holubeck, Andrew  
**Subject:** Comments to the Planning Commission for File#C14-2008-0088

Andrew,

Thanks for the time you spent with me on the phone yesterday morning to try to clarify the notice as referenced above.

Below are my "for the record" comments:

I support the **EXCLUSION** of Tracts 2, 3, 5, and 7 through 10, as well as the properties at 7800 Shoal Creek, 7858 Shoal Creek, and 2951 W. Anderson Lane from VMU zoning (as listed on the Allandale VMU Neighborhood Planning Area Vertical Mixed Use (VMU) Overlay District C14-2008-0088 Tract Map).

I believe that any VMU development in these areas will cause **irreversible** harm to the city and neighborhood that I have spent nearly all of my life residing in.

Thank you,

Jeffrey Stewart  
6204 Woodview Ave  
Austin TX 78757

JJeff37@sbcglobal.net

5/9/2008

**Holubeck, Andrew**

---

**From:** Laura Dennis [lor1484@yahoo.com]  
**Sent:** Saturday, May 10, 2008 9:27 AM  
**To:** Holubeck, Andrew  
**Subject:** c14-2008-0088

Planning Commission:  
Re: File #C14-2008-0088

I support the **exclusion** of Tracts 2,3,5 and 7 through 10 as well as the properties at 7800 Shoal Creek 7858 Shoal Creek, and 2951 W. Anderson Lane.

I own a home directly behind one of the proposed tracts and prefer to have a warehouse in my backyard than an apartment building.

I am also concerned about the effects of subsidized housing on the local schools. Specifically lots of extra kids with little or no extra property taxes.

It also seems like there will not be enough parking for these tenants which might cause them to seek extra parking on my street which already has many parked vehicles.

Thanks,  
Laura Dennis  
6905 Daugherty  
Austin, TX 78757

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Be a better friend, newshound, and know-it-all with Yahoo! Mobile. [Try it now.](#)

5/12/2008

**Holubeck, Andrew**

---

**From:** Margie Gordon [mgordon289@sbcglobal.net]  
**Sent:** Sunday, May 11, 2008 1:42 PM  
**To:** Holubeck, Andrew  
**Subject:** VMU response

Dear Andrew,

This is to respond to the notice we received about the VMU planned for Burnet Rd. Our home is adjacent to the commercial property which will become VMU in the future. **We support the exclusion of Tracts 2,3,5, and 7 through 10, as well as the properties at 7800 Shoal Creek, and 2951 Anderson Lane.**

Sincerely,

David & Margie Gordon  
7201 Daugherty Street  
Austin, TX 78757

5/12/2008



Holubeck, Andrew

---

**From:** NPZD  
**Sent:** Monday, May 12, 2008 10:49 AM  
**To:** Holubeck, Andrew  
**Subject:** FW: File# C14-2008-0088 Mixed use development (MUD)

FYI

---

**From:** George W Mulder [mailto:george\_w\_mulder@sbcglobal.net]  
**Sent:** Saturday, May 10, 2008 1:59 PM  
**To:** NHCD; NPZD  
**Subject:** File# C14-2008-0088 Mixed use development (MUD)

*I support the Exclusion of Tracts 2,3,5 and 7 through 10 as well as properties at 7800 Shoal Creek, 7855 Shoal Creek, and 2951 W. Anderson Lane.*

*I think that M.U.D. is an appropriate acronym for this proposition. I feel that there is a place for such development in Austin but backed up to existing residential areas and homes is not the place. I also feel that not having a requirement for 100% parking is asking for trouble as they will be parking in the neighborhoods adjoining the "MUD" properties and that will generate a whole lot of ill will. I know that if they did it behind my house and people started parking in front of my residence and friends came over and there was no place to park, I would be pissed to say the least.*

*My point is to consider carefully whether or not you would want to live in a situation like that and consider carefully before you shoot yourself in the foot. If you think everyone was up in arms about Wal-Mart "you ain't seen nuthin yet".*

*Namaste  
George W Mulder  
6805 Daugherty St  
Austin TX 78757*

5/12/2008

Holubeck, Andrew

---

**From:** Anne Young [Argyle\_Anne@att.net]  
**Sent:** Monday, May 12, 2008 11:59 AM  
**To:** Holubeck, Andrew  
**Subject:** Allandale VMU OI/OO Application; Case Number C14-2008-0088

VMU OI/OO Application Case: C14-2008-0088  
PC Hearing Date: Tuesday, May 13, 2008 (item 3k)

Mr. Holubeck;

As you already know, I have numerous concerns regarding the City's creation of the VMUOD. I have communicated those concerns directly to the Planning Commission members and will do the same with the City Council members. I am asking them to support the Allandale Neighborhood Association's recommendation to **exclude tracts 2, 3, 5, and 7-10 from the VMUOD** due to their potential impacts on adjacent single family properties.

Anne Young  
Shoalmont Drive, adjacent to VMUOD

5/12/2008

May 10, 2008

Re: File # C14-2008-0088

Dear Planning Commission Member,

I am writing in regards to the VMU overlay in the Allandale neighborhood.

My home is directly adjacent to one of the properties being considered for a zoning change to VMU.

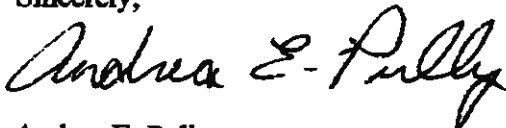
I have owned and loved my home for close to 10 years. This is my first home and it has meant the world to me, reflected by the investments I have made in my property by landscaping, new roof, exterior painting, etc. Should this zoning change occur the value of my property will decrease, the privacy and security I treasure will be threatened. Perhaps even more so my faith in the planning commission to listen to all the voices in our community will be effected.

I am deeply concerned about the movement towards applying VMU to all lots on the west side of Burnet Road. Although I am not necessarily against VMU zoning, I am alarmed by the way it has been applied to the narrow tracts 2 and 3 in my neighborhood without the adjacent neighbor's input.

I believe that the density gains set for Allandale are adequately met at Anderson Lane and North Loop. I respectfully request the Planning Commission's support for the Allandale Neighborhood Association's recommendation for exclusion of Tracts 2 and 3.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Andrea E. Pully". The signature is written in dark ink and is positioned above the printed name and address.

Andrea E. Pully  
5511 Montview Street

**PLANNING COMMISSION HEARING****DATE: May 13, 2008 TIME: 6:00 P.M.****LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin****CITY COUNCIL HEARING****DATE: June 5, 2008 TIME: 4:00 P.M.****LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin**

For questions regarding the vertical mixed use application for the Allandale Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

**File # C14-2008-0088****Planning Commission Hearing Date: May 13, 2008****Name (please print)**Andrea E. Pully**Address**5511 Montview St.**Comments**Letter attached

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

**INFORMATION ON PUBLIC HEARINGS**

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

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**From:** Mary Sisson [mailto:msbsisson@austin.rr.com]  
**Sent:** Tuesday, May 13, 2008 11:07 AM  
**To:** Holubeck, Andrew  
**Subject:** File # C14-2008-0088

My name is Mary S. Sisson  
My address is 7205 Daugherty St.  
Austin, TX 78757

**Comments on File # C14-2008-0088:** I strongly support the **EXCLUSION of Tracts 2, 3, and 7 thru 10 from the VMUOD**. These tracts are too shallow to permit much of an impact on your goal of densifying along these Tracts of the designated Core Transit Corridor.

**FACT 1:** Most VMU residents will still have cars for those occasions when a bus won't do, even if they take the bus, walk, or cycle to work. Your Design Standards would allow a builder to provide **parking for ONLY 60%** of the businesses and residents on the VMU premises. This would throw the parking of overflow vehicles onto neighboring streets 24 hours a day. This is unacceptable. Two residents on our street had events this weekend where their guests parked on long stretches of the street at each end of Daugherty at Richcreek and Greenlawn Parkway. I couldn't help but look at it and wonder how difficult it would have been for their guests to find parking if overflow parking from VMU structures on Burnet were a fact of our lives. It would have been even worse if the VMU residents were also entertaining at the same time! When plumbers, electricians, lawn care givers, tree trimmers, painters, construction workers, and other service givers arrive with their trucks, and sometimes trailers, to provide their services for me they always pull up in front of my house. This is true for all of us who live along these tracts. Where will they park if the streets are full of VMU cars?

When cars are parked on both sides of the street, as happens regularly on some stretches of Daugherty behind these Tracts, there is barely enough space for two cars driving in opposite directions to safely pass each other without slowing to creep speed. If both are trucks, one has to find a place to pull in so the other can get by first. Yesterday I watched as 3 school buses drove by while cars were parked on one side. It didn't look like they could have gotten through if there had been cars parked on both sides. It made me wonder if fire trucks or EMS trucks would be able to get through.

**FACT 2:** The Design Standards for Mixed Use prohibit parking in front of the buildings. Unless a VMU developer utilizes the "right" to provide parallel or head-in parking on Burnet, this would necessitate that ALL vehicles for residents, business employees/owners, supply and delivery trucks, moving vans, trash trucks, utility trucks, postal vehicles will drive through and idle or park in the rear. This will be another severe impact for the Single Family Residents on Daugherty for both noise and air pollution. So, while you are enriching the environment for

the few pedestrians along these Tracks by these Standards, you are making life worse for the families who live behind the VMU developments.

**FACT 3:** The erection of 4 story structures with residents on the top 3 on the other side of our back fences is an intrusion into the privacy of those who live behind these Tracks! I expect to see provisions requiring the planting of tall trees along the VMU side of the fence or building codes which require that windows be placed up high on the apartment walls so that the residents get light but can't see into our back yards and windows.

My own back yard is a shallow one - 42' - and I am concerned about the potential damage to my trees and plants from the elimination of the morning sun as well as the increase in air pollution that will be generated from the back of the VMU structure.

**FACT 4:** The City Council's vision is for a more attractive, efficient, and liveable community and to ensure a high quality appearance for Austin. These are laudable goals but as I understand the Design Standards and see the actual VMU's already built, I foresee that they will give Austin a cookie cutter look-alike appearance that will ultimately ruin its unique and Weird Austin image. We will look like Any City, USA.

## Holubeck, Andrew

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**From:** Tim Fackler [timothyfackler@hotmail.com]  
**Sent:** Tuesday, May 13, 2008 10:04 AM  
**To:** Holubeck, Andrew  
**Subject:** C14-2008-0088 Comment on VMUOD  
**Attachments:** C14-2008-0088.pdf



Dear Mr. Holubeck, [Send](#)

I've attached a copy of my comment form directed to the Planning Commission.

My spouse Nathalie Frensley and I are opposed to the inclusion of Tracts 2 and 3 in the VMUOD. In this we support the Allandale Neighborhood Association's recommendation. We support also the Association's other recommendations, including the recommendation to exclude Tracts 5 and 7 through 10.

We believe inclusion of these shallow commercial lots is not necessary to obtain the gains in density the Commissioners are seeking in the Burnet Road corridor. The proposed higher density VMU development in these shallow lots we believe would impose unwarranted burdens on neighboring single family property owners through reduced property values, the intrusion of commercial activity into adjacent neighborhoods, and congestion not commensurate with the goal of habitable, commercially viable density.

We are not opposed to VMU in the Burnet Road corridor. Rather, we believe the desired gains in density can be most effectively met through development at specific points in the corridor, notably at North Loop and at Anderson Lane.

Thanks very much for your consideration in this matter.

Tim Fackler  
5601 Montview St.  
Austin, TX 78756

---

Stay in touch when you're away with Windows Live Messenger. IM anytime you're online.

5/13/2008

**PLANNING COMMISSION HEARING**

**DATE:** May 13, 2008

**TIME:** 6:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

974-6525

Attn:

Andrew  
Holubeck

**CITY COUNCIL HEARING**

**DATE:** June 5, 2008

**TIME:** 4:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the All  
please call Andrew Holubeck at (512) 974-2054 or email at: andrew.l

**Necesita información en Español, favor de llamar a Andrew Holu** .....  
hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the  
first page when you call. See attached sheets for more information.

**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box  
1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

**File #** C14-2008-0088

**Planning Commission Hearing Date:** May 13, 2008

**Name (please print)** Tim Fackler & Nathalie Frensley

☐ I am in favor

~~(Estoy de acuerdo)~~

**Address** 5601 Montview St. 78756

☐ I object

~~(No estoy de acuerdo)~~

**Comments** We support exclusion of Tracts 2,3,5 and 7 through 10 as well  
as 7800 Shoal Creek, 7858 Shoal Creek, & 2951 W. Anderson from the  
VMUOD.

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PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

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continuation that is not later than 60 days from the announcement, no further notice is required.



**Holubeck, Andrew**

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**From:** Natalie Smith [nataliesmith@gmail.com]  
**Sent:** Tuesday, May 13, 2008 10:12 AM  
**To:** Holubeck, Andrew  
**Subject:** C14-2008-0088

To the Planning Commission:

As residents and property owners in Allandale living within 300 feet of a proposed VMU overlay, we are writing to express our concerns. Without significant improvements to municipal infrastructure, VMU along Anderson Lane and Burnet Road will cause more problems than it will solve.

We support Allandale Neighborhood Association's recommendations to exclude all of the properties bordering Allandale along Anderson Lane and Burnet Road with the exception of Northcross Mall area and the properties at the corner of Burnet and North Loop.

The idea of VMU does appeal to us in principle. We moved to Allandale almost five years ago - before the birth of our first child - because we wanted the conveniences of city life: parks, libraries, hospitals, a grocery store and post office within walking distance, and an elementary school within walking distance. However, the traffic on the roads bordering Allandale, and even down Shoal Creek Blvd (in front of our house) is considerable. The intersection at Anderson Lane and Burnet Road is so unpleasant for a pedestrian that we have walked to the branch library on the other corner only once. I walk much further to Old Quarry (across MoPac!) or to the Yarbrough branch library on Hancock to avoid crossing the Burnet-Anderson intersection.

It is unclear how the proposed benefits of VMU - revitalization of Burnet Road, a broader tax base, more pedestrian access, etc. - can overcome the potential disadvantages of increased congestion, traffic, and pollution. To make VMU work along Burnet and Anderson, the City of Austin would need to make major improvements and investments to the infrastructure, including roads and mass transportation, the problem of traffic in the neighborhood, overflow commercial parking along neighborhood streets, as well as expansion of our schools, parks and open space. It is criminally naive to think that VMU would NOT bring a huge influx of cars to the area. Our mass transit is just not good enough. Austin is not - for better or worse - Midtown Manhattan or Lincoln Park, Chicago.

VMU is not the only means to 'revitalize' Burnet.

The City needs to plan for the future. In those plans, we all, as residents of Austin, need to consider how best to accommodate growth while preserving what is valuable and unique in our city and our neighborhoods. We urge the planning commission to accept Allandale's neighborhood recommendations for the VMU Overlay District's Opt-Out.

Sincerely,

Brian Carlson and Natalie Smith  
7713 Shoal Creek Blvd  
Austin, TX 78757  
512-420-0945

5/13/2008

**Holubeck, Andrew**

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**From:** Randy Robnett [Randy.Robnett@oag.state.tx.us]  
**Sent:** Tuesday, May 13, 2008 11:09 AM  
**To:** Holubeck, Andrew  
**Cc:** Randy Ray Robnett; Stephanie Brown  
**Subject:** Allandale and VMUs

Dear Mr. Holubeck,

I live on at 2504 White Horse Trail in Allandale. I would like to express my support of the position expressed by the Allandale Neighborhood Association of allowing only Tracts # 1 and 12 to be zoned for VMU use. All other tracts, 2-11 and 13-15 would be excluded from VMU use. I believe that this is what the Planning Commission is also proposing for the hearing tonight.

Thanks for your help in giving the neighborhoods a voice in their futures.

Thanks,  
Randy Robnett  
512-936-7926

**Holubeck, Andrew**

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**From:** DAVID WERTH [hammer88@flash.net]  
**Sent:** Tuesday, May 13, 2008 2:06 PM  
**To:** Holubeck, Andrew  
**Subject:** opposition to vmu overlay C14-2008-0088

Concerning VMU file # C14-2008-0088 Allandale tracts 10 and 11

Planning commission members,

It is my understanding that the Allendale neighborhood association requested that all tracts with the exception of # 1 & #12 be excluded from the VMU overlay for the Allandale Planning Area. I support that recommendation. My property at 7515 Daugherty would be bordered on two sides if VMU status is granted to tracts 10 & 11, which I vehemently oppose. However I believe that my concerns are true in general for other properties along Burnet Rd.

Property owners already have issues from flooding, light and sound pollution from these properties. In addition neighbors must contend with problems such as violations of existing zoning, damage to fences, and dumpster placement and collection times. This is the result of past zoning that favored commercial property owners over residential home owners. Please do not do this again.

VMU along Burnet will give us :

More food dumpsters behind our houses.

Construction on our back property lines for sewage line upgrades.

Overburdening transportation infrastructure, leading to traffic congestion and air pollution.

Lower relative property values.

Looming concrete parking garages 25 ft behind our properties

The chance of tall structures blocking the sunlight to our yards and roofs.

I'm not an expert on these things, but there will be other burdens you are asking property owners and neighbors to contend with. Parking, crime rates come to mind .

VMU does not even mandate trees between SF1 neighborhoods and the 30 ft tall parking garages looming over our back yards that VMU will bring to us. PLEASE VOTE TO DENIE VMU TO ALL TRACTS NOT SUPPORTED BY THE ANA RECOMMENDATIONS.

Sincerely,

David Werth

## PLANNING COMMISSION HEARING

DATE: May 13, 2008 TIME: 6:00 P.M.  
LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: June 5, 2008 TIME: 4:00 P.M.  
LOCATION: City Hall, Rm. 1002, Council Chambers  
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For questions regarding the vertical mixed use application for the Allandale Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) DONNA BETH MCCORMICK

☐ I am in favor  
(Estoy de acuerdo)

Address 5703 SHOGHWOOD

☒ I object  
(No estoy de acuerdo)

Comments VMU needs to be managed. One size does not fit all.

*Thanks*

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This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

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Denis Oxford

---

6819 Daugherty Street  
Austin, Texas 78757

Date: 10 May 2008

To:  
Neighborhood Planning and Zoning Department  
C/O Andrew Holubeck  
PO Box 1088  
Austin, Texas 78767-8835

Re: Zoning Comment

Dear Mr Holubeck,

Enclosed is my comment form. In my opinion the amount of room that is given on the form is representative of the amount of control the city council would like to seed to the neighborhood groups.

My full comments are:

I am not sure that the steady growth of Austin can be stopped or slowed. Under the current leadership that is not likely. However the cost of such growth needs to be boar by those that are benefiting the most or at the very least equally among everyone.

This proposal in its current state lets the property owners that back up to the commercial property on Burnet road carry most of the financial burden for the planners vision.

Loss of privacy, (with 60' high buildings that allow new neighbors to look into our back yard and bed rooms) increased water flow across our lots (with waved impervious cover requirements), increased neighborhood traffic (caused by strangers stranger parking in front of our houses do to reduced parking requirements) New unknown neighbors (do to relaxed use requirements), loss of ability to give input (do to economic housing consideration) ail lead to a reduction in value for the residential use of my home.

Of course we can probably get a MVU overlay on our property but then we would incur the cost of higher taxes or moving because our property would not be zoned residential any longer.

The people need provisions in this zoning change that compensate us for the loss or reduction in the residential use of our property. That compensation can be in the form of direct payment or legal aid for court actions against developers who's development are causing such loss. There are many other methods that could be used for compensation for our losses.

The bottom line is that growth may be unstoppable but the homeowners of the residential use property that are adjacent to such radical re-zoning should not carry the burden of the cost for such changes.

## PLANNING COMMISSION HEARING

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) DENIS OXFORD

☐ I am in favor  
(Estoy de acuerdo)

Address 6819 DAUGHERTY

☐ I object  
(No estoy de acuerdo)

Comments ZONING SHOULD BE IMPLEMENTED IN SUCH A WAY  
THAT PREVENTS FINANCIAL DAMAGES TO THE ADJACENT PROPERTIES

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) MARGARET F. HOTZ

Address 3309 FOSTER LANE

Comments \_\_\_\_\_

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

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## PLANNING COMMISSION HEARING

DATE: May 13, 2008 TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: June 5, 2008 TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Allandale Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Anthony Dill

☒ I am in favor  
(Estoy de acuerdo)

Address 5508 ? 5510 Burnett Rd

☐ I object  
(No estoy de acuerdo)

Home Address 809 E 49th Ave, W, TX 78751

Comments \_\_\_\_\_

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Bobby DILL

☒ I am in favor  
(Estoy de acuerdo)

Address 5508 and 5510 Ducrest rd

☐ I object  
(No estoy de acuerdo)

Comments IN FAVOR

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) ERIK LINDQVIST

☐ I am in favor  
(Estoy de acuerdo)

Address 7511 DAUGHERTY ST 78757

☐ I object  
(No estoy de acuerdo)

Comments DUE TO CONCERNS OVER NOISE, FLOODING, LACK OF  
PRIVACY IN OUR BACKYARD AND THE IMPACT ON SMALL  
BUSINESS IN MY AREA, I SUPPORT THE EXCLUSION OF TRACTS 2,3,5 AND 7-10

AS WELL AS 7800 SHOAL CREEK AND 2951 W. ANDERSON LANE,

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**Holubeck, Andrew**

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**From:** Laursen, Melissa  
**Sent:** Wednesday, June 11, 2008 11:01 AM  
**To:** Hargrove, Frances (COACD)  
**Cc:** 'judybeglau@aol.com'; Holubeck, Andrew  
**Subject:** RE: 311 Applications Group - vmu planning

Andrew Holubeck is the case manager for the Allandale VMU application. I have copied him on this email, and he can include this email in his packet for the City Council Hearing.

Andrew can be reached at 974-2054 if you have any questions.

Thank you,

*Melissa*

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**From:** Hargrove, Frances (COACD)  
**Sent:** Wednesday, June 11, 2008 10:43 AM  
**To:** Laursen, Melissa  
**Cc:** 'judybeglau@aol.com'  
**Subject:** FW: 311 Applications Group - vmu planning

Hi Melissa,

I understand that you are the correct person that can address this citizen's concerns about vertical mixed used planning in her neighborhood. Please let me know if I need to send this to someone else. Thanks so much.

Frances

Frances Hargrove  
Communications & Information Referral  
Austin 3-1-1  
512-972-9802

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**From:** judybeglau@aol.com [mailto:judybeglau@aol.com]  
**Sent:** Wednesday, June 11, 2008 8:18 AM  
**To:** COA311Web; McCarty, Brad; Hargrove, Frances (COACD)  
**Subject:** 311 Applications Group - vmu planning

THIS EMAIL WAS GENERATED VIA THE COA311 WEBSITE. Date/Time Submitted: Wednesday, 6/11/08, 0817 hours

**From:** Judy Beglau

**E-mail address:** judybeglau@aol.com

**Subject:** vmu planning

**Comments:**

6/11/2008

Dear People Planning the Future of My Neighborhood; Please take into consideration the impact on quality of life in Allandale when you make your decision about the VMU planning on Burnet Rd. I am especially concerned about tract 5, which cuts deep into the neighborhood. If through streets are cut to Shoal Creek, this would really impact neighborhood life. Shoal Creek is already groaning with bike, pedestrian, and car traffic. Please drive down this road at 5pm before you make any decisions that would put more traffic on this road. You have a tough job. Please don't sacrifice Allandale when making your decisions. Thank you, Judy Beglau

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Edwin & Traci McGary

☒ I am in favor  
(Estoy de acuerdo)

Address 6318 Burnet Rd Austin, TX 78757

☐ I object  
(No estoy de acuerdo)

Comments \_\_\_\_\_  
\_\_\_\_\_

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Robert Vinson

☐ I am in favor  
(Estoy de acuerdo)

Address 6824 Burnet Rd. Austin, TX 78757

☒ I object  
(No estoy de acuerdo)

Comments Allowing neighbor to build to front Property Line  
would block viewing of our property.

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Anthony S. Delmonico

☒ I am in favor  
(Estoy de acuerdo)

Address 5505 Montview St.

☐ I object  
(No estoy de acuerdo)

Comments This city block needs Addressing. The block needs  
to be split half Residential to the west & commercial to the East.

**PLANNING COMMISSION COMMENT FORM**

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) IRENE KONIG

☐ I am in favor  
(Estoy de acuerdo)

Address P.O. Box 80043, Austin 78718  
owner of 17001 Daugherty

☐ I object  
(No estoy de acuerdo)

Comments

see attached page

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PO Box 80043

Austin, Tx 78708

May 6, 2008

Dear Planning Commission,

I am the owner of the house  
at 7001 Daugherty. After the development  
of the land at the back of Daugherty's

back yard (namely the car dealership  
on Burnet Rd.)  
a number of years ago, we have had  
trouble with water flowing down into  
my home causing extensive damage.

I also had to put in a French drain in  
as well as doing costly repairs to the  
interior. The business never  
addressed this. I know the neighbor  
has had similar issues.

Now there is a call for further,  
more complex development.  
not only is the view from our  
back yard insightly, but no efforts

were made on the part of the business  
to do something about this. They profit  
and our tenants and owners suffer.

So I have a great reluctance  
for more commercial development.

Daugherty has been a quiet, residential,  
relatively safe area, and I would  
hate for this to be compromised.

Sincerely,

Gene König.



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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) ALBERT LOPEZ

Address 2501 CASCADE DR

Comments VMU WILL BE AN IMPROVEMENT OVER THE CURRENT PARKING LOTS + MARGINAL BUILDINGS ALONG CORRIDORS

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print)

IVAN JOE WILEY

Address

2508 SPRUCELEAF CIRCLE - 78757

☐ I am in favor  
(Estoy de acuerdo)

☒ I object  
(No estoy de acuerdo)

Comments

NO PLAN FOR PARKS - ROADS - MORE CONGESTION ON OUR STREETS.  
LEAVE ALLANDALE AREA ALONE. IT HAS BEEN A GOOD NEIGHBORHOOD FOR YEARS. DO NOT  
ALLOW A LOT OF APTS AND LOW INCOME HOUSING TO DRIBB UP CRIME.

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Jennifer Persinger

☐ I am in favor

Address 2425 Ashdale Dr #95

(*Estoy de acuerdo*)

☒ I object

(No estoy de acuerdo)

Comments Traffic is already bad enough on Burnet rd - Don't make it worse!

**Holubeck, Andrew**

---

**From:** clayways [info@clayways.com]  
**Sent:** Tuesday, May 13, 2008 5:17 PM  
**To:** Holubeck, Andrew; Leffingwell, Lee; Martinez, Mike [Council Member]  
**Subject:** VMU

I just wanted y'all to have a copy of the letter I sent to the Planning Commission.

Kit Adams

To the Planning Commission,

My name is Kit Adams and I'm a homeowner in Allandale as well as the owner of a commercial property on Burnet.

I'm writing to ask you to support the exclusion of Tracts 2, 3, and 7-10 from the VMU plan for Burnet Rd. /Anderson Lane. Community means a great deal to me and I do not think single family property owners who live adjacent to these particular lots should have even the potential of a 60' building looming over their homes. Please understand that I'm for VMU, just not for the shallower lots. It is my understanding that the density gains the Commission has set for Allandale can be met at Anderson Lane and North Loop, so excluding these few properties from VMU zoning should not have an impact on density gains the commission desires.

I also want to voice my opinion that the commission is ignoring the input of those most affected by the inclusion of the shallow lots, as well as the many neighbors who kept those people in mind as they volunteered their time to survey the entire neighborhood about VMU. The cookie cutter VMU zoning without exception is a slap in the face of all those people who worked so hard to show you what Allandale would like to see happen. I'm not against VMU, just the version that excludes anyone else's opinion but yours. We all helped make Austin the incredibly unique and thriving city that it is. We love our homes, our businesses and our neighbors. You are proposing a blanket VMU solution that doesn't show even an inkling of respect for those who already live here.

Have you driven up and down the Burnet and Anderson corridors and into the neighborhoods on either side, or are you just looking at a map placed in front of you? You are voting on something that will have tremendous impact on hundreds of families and businesses. We're not some projected potential; we're already invested here- we need you to hear us. Please, vote to exclude tracts 2, 3 and 7-10 from the VMUOD.

Kit Adams  
2111 Shoalmont Dr.  
And 5442 Burnet Rd.  
Austin, TX 78756

5/13/2008

**John R. Brougher, Jr.**  
3017 Southwestern Boulevard, Dallas, Texas 75225-7841  
Tel. 214-368-7242 Fax 214-368-2126 Email: johnbdal@att.net  
Cell Telephone 214-533-3143

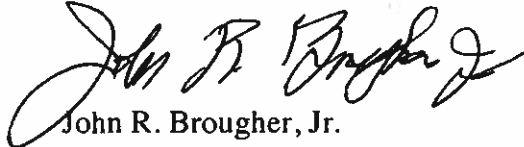
May 5, 2008

City of Austin  
Neighborhood Planning & Zoning Dept.  
P.O. Box 1088  
Austin, TX 78767-1088

Please change the address of Brougher Partners, Ltd. C14-2008-0088 AH 0227030203  
for the purposes of your correspondence to:

BROUGHER PARTNERS, LTD.  
C/O DAVID W. BROUGHER, ~~PARTNER~~ *Member of General Partner*  
700 YOUNG RANCH ROAD  
GEORGETOWN, TX 78628-6654

Thank you.

  
John R. Brougher, Jr.

MAIL

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**File #** C14-2008-0088

**Planning Commission Hearing Date:** May 13, 2008

**Name (please print)**

PEDRO ALFONSO

**Address**

11807 BALCONES WAY 78750 (HOME)

**Comments**

5434/36/40 BURNET PROPERTY



I am in favor  
(Estoy de acuerdo)



I object  
(No estoy de acuerdo)

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print)

Address

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

Comments

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## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Debra Junell

Address 2500 Cascade Drive

Comments I want Tracts 2, 3 and 7 through 10  
excluded. They are too narrow & back up directly to homes.

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object as noted  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

During its public hearing, the board or commission may postpone or continue an applicant's hearing to a later date. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.



## PLANNING COMMISSION HEARING

DATE: May 13, 2008

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: June 5, 2008

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Allandale Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Mac Q. Munn

☐ I am in favor  
(Estoy de acuerdo)

Address 2502 Cascade Dr.

☒ I object  
(No estoy de acuerdo)

Comments The proposed zoning change will increase traffic,  
noise and crime in our neighborhood, which we do  
not need or want.

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PLANNING COMMISSION COMMENT FORM

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File # C14-2008-0088

City Council Hearing - June 5, 2008 - 4pm  
Planning Commission Hearing Date: May 13, 2008

Name (please print) Emma Lea Mayton

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

Address 7101 Daugherty St. Austin, Tx 78757

Comments If VMU is approved for the West Side of Burnet Road, Blocks of 6900, 7000, 7100, 7200 & North to North Cross Drive all of us who have homes that back up to the commercial properties on West Side of Burnet Rd will have no sunshine in our yards until noon and no south easterly breezes we enjoy now.

## Holubeck, Andrew

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**From:** James Hendricks [trogon77@yahoo.com]  
**Sent:** Monday, June 09, 2008 9:48 PM  
**To:** Wynn, Will  
**Cc:** trogon77@yahoo.com; Holubeck, Andrew; Argyle\_Anne@att.net  
**Subject:** VMU Case#: C14-2008-0088

Regarding: VMU Overlay District  
Case#: C14-2008-0088  
City Council Hearing Date: June 18, 2008

To: Will Wynn

Dear Mayor Wynn;

I am a concerned homeowner living within 300' of one the tracts the above referenced case is concerned with. Please note that for many reasons including increased noise, traffic, litter, and property tax appraisals, as well as reduced privacy for adjacent residential neighbors, I support the exclusion of tracts 2, 3, 5, and 7 through 10 as well as the properties at 7800 Shoal Creek Blvd., 7858 Shoal Creek Blvd., and 2951 West Anderson Lane from the VMU Overlay District. I feel that the inclusion of these particular tracts would contribute little to the stated goals of the City's VMU development plan, and yet would greatly decrease the quality of life for nearby residents. I hope that you will consider my views when making your decision at the hearing on June 18th.

Thanking you in advance,

Sincerely,

James B. Hendricks  
2114 Shoalmont Drive  
Austin, Texas 78756

phone#: 512-459-6364

**Holubeck, Andrew**

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**From:** DAVID WERTH [hammer88@flash.net]  
**Sent:** Tuesday, May 13, 2008 2:06 PM  
**To:** Holubeck, Andrew  
**Subject:** opposition to vmu overlay C14-2008-0088

Concerning VMU file # C14-2008-0088 Allendale tracts 10 and 11

Planning commission members,

It is my understanding that the Allendale neighborhood association requested that all tracts with the exception of # 1 & #12 be excluded from the VMU overlay for the Allendale Planning Area. I support that recommendation. My property at 7515 Daugherty would be bordered on two sides if VMU status is granted to tracts 10 & 11, which I vehemently oppose. However I believe that my concerns are true in general for other properties along Burnet Rd.

Property owners already have issues from flooding, light and sound pollution from these properties. In addition neighbors must contend with problems such as violations of existing zoning, damage to fences, and dumpster placement and collection times. This is the result of past zoning that favored commercial property owners over residential home owners. Please do not do this again.

VMU along Burnet will give us :

More food dumpsters behind our houses.

Construction on our back property lines for sewage line upgrades.

Overburdening transportation infrastructure, leading to traffic congestion and air pollution.

Lower relative property values.

Looming concrete parking garages 25 ft behind our properties

The chance of tall structures blocking the sunlight to our yards and roofs.

I'm not an expert on these things, but there will be other burdens you are asking property owners and neighbors to contend with. Parking, crime rates come to mind .

VMU does not even mandate trees between SF1 neighborhoods and the 30 ft tall parking garages looming over our back yards that VMU will bring to us. PLEASE VOTE TO DENIE VMU TO ALL TRACTS NOT SUPPORTED BY THE ANA RECOMMENDATIONS.

Sincerely,

David Werth

6/10/2008

## Holubeck, Andrew

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**From:** Randy Robnett [Randy.Robnett@oag.state.tx.us]  
**Sent:** Tuesday, May 13, 2008 11:09 AM  
**To:** Holubeck, Andrew  
**Cc:** Randy Ray Robnett; Stephanie Brown  
**Subject:** Allandale and VMUs

Dear Mr. Holubeck,

I live on at 2504 White Horse Trail in Allandale. I would like to express my support of the position expressed by the Allandale Neighborhood Association of allowing only Tracts # 1 and 12 to be zoned for VMU use. All other tracts, 2-11 and 13-15 would be excluded from VMU use. I believe that this is what the Planning Commission is also proposing for the hearing tonight.

Thanks for your help in giving the neighborhoods a voice in their futures.

Thanks,  
Randy Robnett  
512-936-7926

## **Holubeck, Andrew**

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**From:** Guernsey, Greg  
**Sent:** Tuesday, June 10, 2008 10:14 AM  
**To:** Edwards, Sue; Adams, George; Holubeck, Andrew  
**Cc:** Sandoval, Marie  
**Subject:** REMOVING tract 5 from Allandale's VMU application

Hi Sue:

I will forward this e-mail onto George Adams (Mister VMU) and the Case Manager, Andrew Holubeck and see if they have been contacted by Ms. Province about this request.

Greg

-----Original Message-----

**From:** Edwards, Sue  
**Sent:** Tuesday, June 10, 2008 8:59 AM  
**To:** Guernsey, Greg  
**Cc:** Sandoval, Marie  
**Subject:** FW: Flooding at Bull Creek Road and White Rock

Greg,

Have you or staff been in contact with this person? Do you know the issues, etc?

Thanks,  
Sue

-----Original Message-----

**From:** Anne Province [mailto:annietx@mindspring.com]  
**Sent:** Monday, June 09, 2008 8:53 PM  
**To:** Edwards, Sue  
**Subject:** Flooding at Bull Creek Road and White Rock

Dear Ms. Edwards,

I'm writing to ask your helping in REMOVING tract 5 from Allandale's VMU application. I may be writing too late--this goes before council June 18. This is the old Burnet Road drive-in movie theater and goes very deeply into our neighborhood.

I think VMU on tract 5 is a GREAT idea, but exclusion at this time would allow for more careful planning than the opt-in/out-out process allows. Specifically, planning on tract 5 should address the long-time flooding problem at Bull Creek Road and White Rock Drive.

As you know, the city has spent a lot of time and money addressing the flooding problems at this intersection, much of which seems to be caused by run-off from tract 5. At 22 acres, this tract is large enough for a green space buffer for the homes in the neighborhood AND to address the flooding.

I'd like to see VMU on this site. Shoot, I hope someone builds single-story condominiums so that when I have to leave my home I can stay in the Ehood. I just hope we'll handle this with a little more finesse than the VMU overlay district allows.

Thanks for listening,

Anne Province  
6400 Nasco Drive

# P E T I T I O N

Date: \_\_\_\_\_

Case Number: C 14-2008-0088

Tract Number(s): 7-10

Addresses of

Rezoning Request: \_\_\_\_\_ See Attached

To: Austin City Council

We, the undersigned owners of property affected by the creation of a Vertical Mixed Use Overlay District by the City of Austin, do hereby protest against any action by the City Council which would add or retain Vertical Mixed Use zoning for the properties referenced above as part of the VMU Opt-In/Opt-Out Application process.

We oppose the proposed addition/retention of VMU zoning for these properties for numerous reasons, including the following:

- A. These properties did not have Vertical Mixed Use zoning until it was automatically granted to them by the City Council during the creation of a VMU Overlay District. At the time the VMU Overlay District was created, notice was not sent to each of the owners of property within 200' of the subject tracts. Therefore, the surrounding property owners were deprived of the right of protest at the time the Overlay District was created.
- B. Official representatives of the City of Austin provided conflicting responses to concerned neighbors about whether or not the creation of an Overlay District, which automatically granted a new zoning category to each of the subject properties, constituted a zoning change as typically recognized by the citizens of Austin.
- C. Citizens were not allowed the right of petition at the time of the creation of the Overlay District, and protest petitions submitted at that time have been disregarded by the City Council. This petition should be viewed as part of a continuing effort to protest the automatic approval of new zoning for the subject properties.
- D. These properties are shallow and are located adjacent to established single family homes. The VMU zoning creates extremely different development possibilities on the subject properties, many of which cause **significantly** greater impact on the surrounding residents.
- E. The City Council's stated goal for the creation of the VMU Overlay District was to allow for increased residential density. These subject properties offer the smallest potential for added residential density and the highest potential for tremendously negative impacts on adjacent single family homes.
- F. And because VMU developments can now be constructed on these properties without a zoning change, the surrounding neighbors will have little or no opportunity for input on the proposed (re)developments at any point in the City's approval process.

Case Number: C14-2008-0088

Address of

Rezoning Request: See attached

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

1. Mary Sisson MARY S. SISSON 7205 Daugherty St.
2. Martha Chilton Martha Chilton 7203 Daugherty St.
3. Don Clark DON CLARK 7501 Daugherty St.
4. David W. Hoster DAVID W. HOSTER 7505 DAUGHERTY ST
5. Erik Lindqvist ERIK LINDQVIST 7511 DAUGHERTY ST
6. Margie Gordon Margie Gordon 7201 Daugherty St.
7. David Gordon David Gordon 7201 Daugherty St.
8. Greg Bednar Greg Bednar 7513 Daugherty
9. Daniel Chilton Daniel Chilton 7203 Daugherty St
10. B. Newman B. NEWMAN 7405 Daugherty St
11. Christian Augustus Christian Augustus 7407 Daugherty St
12. Denis Oxford DENIS OXFORD 6819 DAUGHERTY ST
13. Angela Oxford Angela Oxford 6819 Daugherty St
14. Chris + Pam Latzko CHRIS LATZKO 7509 Daugherty
15. Chuck Brewer Chuck Brewer 2500 Spruceleaf Cir.
16. Celia Brewer Celia Brewer 2500 Spruceleaf Cir
17. Stephanie Ryan Stephanie Ryan 7305 Daugherty St.
18. Alice L. McCluskey Alice L. McCluskey 7301 DAUGHERTY



Case Number: C-17-2008-0088

Address of

Rezoning Request: See attached

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Rebecca Garrison 7105 Daugherty

Michael Layman 7009 Daugherty St.

Laura Dennis 6905 Daugherty St

Sandra Hallmark SANDRA HALLMARK 6905 Daugherty

Shannon Pearce 2406 Pegram Ave

Leo's MEAT 2410 PEGMAN AVE

Robin Smith 6813 Daugherty

Sara Zettner 6811 Daugherty St.

Steven Zettner 6811 Daugherty St.

Maria Elena Becerra 6809 Daugherty Street.

Alexander Ekrat 2419 Greenlawn Pkwy

Arthur Lewis 6817 Daugherty St

Emma Lea Mayton Emma Lea Mayton 7101 Daugherty St. 78757

Ginger Carriage 7557 Daugherty 78757

Sarah Havis 7515 Daugherty 78757

Lisa Lindqvist 7511 Daugherty 78757

Jerry Suva 6607 Daugherty 78757

James Steckel 6907 Daugherty 78757

Tracy Bernard 7007 Daugherty

Marcus Drizzle 7103 Daugherty St 78757

Greg for Anderson  
6/10/2008

**PETITION OF DAUGHERTY STREET NEIGHBORS TO THE REAR OF TRACTS 7, 8, 9, AND 10**  
**ON VMU OVERLAY ZONING**

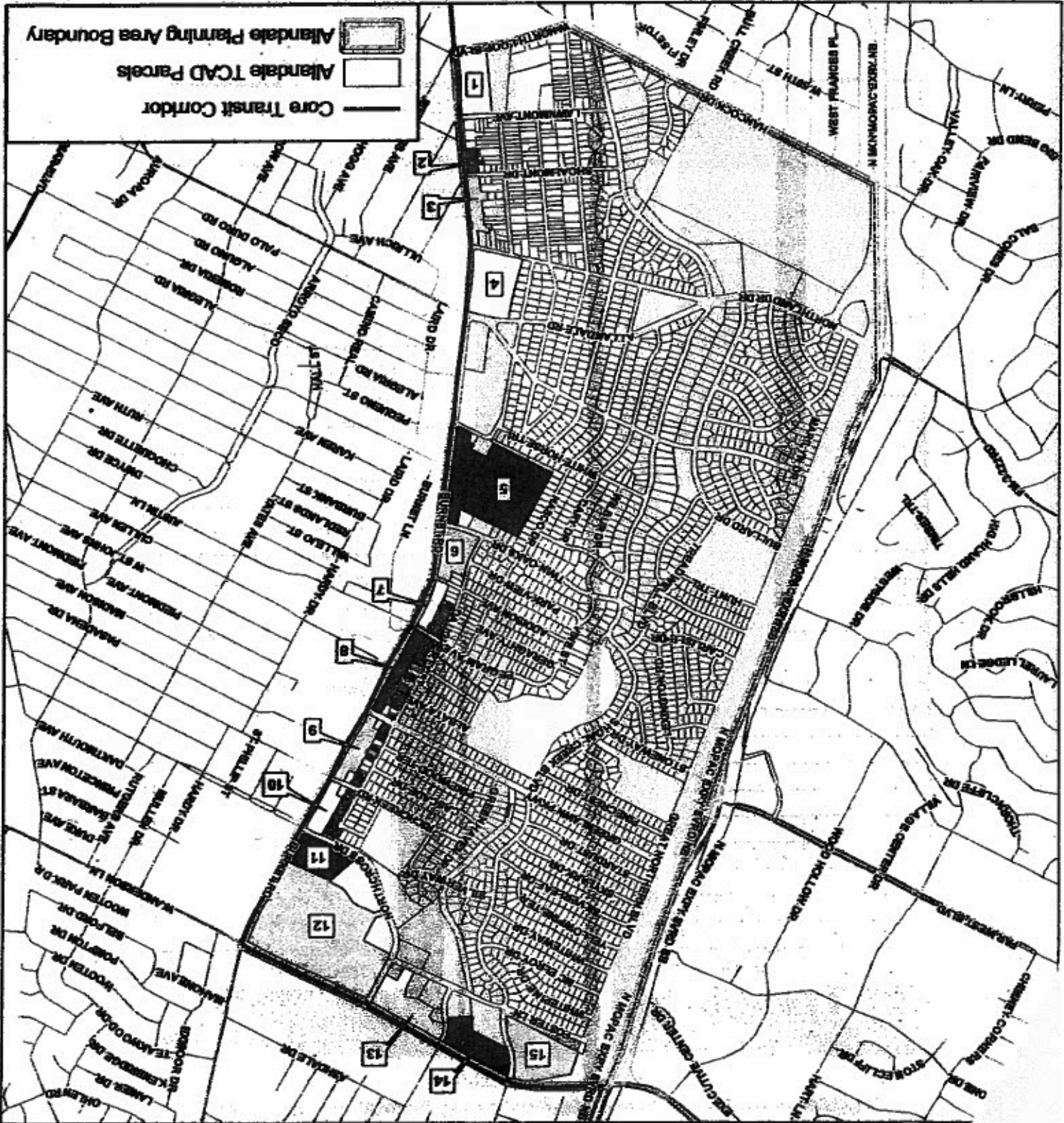
**File Number: C14-2008-0088**

| <u>TRACT</u><br><u>NUMBER</u>            | <u>NUMBER OF</u><br><u>RESIDENCES</u> | <u>NUMBER</u><br><u>OPPOSED</u><br><u>TO VMU</u> | <u># OPPOSED TO VMU</u><br><u>BUT DON'T SIGN</u><br><u>PETITIONS</u> | <u>NUMBER</u><br><u>SUPPORTERS</u><br><u>OF VMU</u> | <u># NOT HOME</u><br><u>OR DON'T</u><br><u>ANS DOOR</u> | <u>OTHER</u> |
|--|---------------------------------------|--|--|---|---|--------------|
| 7  | 10                                    | 6  | 1  | 0   | 3   | 0            |
| 8  | 16                                    | 11   | 1  | 0   | 2   | 1*, 1**      |
| 9  | 12                                    | 7  | 0  | 1   | 3   | 1*           |
| 10                                       | 9                                     | 8  | 0  | 1   | 0   | 0            |
| <b>TOTAL:</b>                            | <b>47</b>                             | <b>32</b>  | <b>2</b>   | <b>2</b>  | <b>8</b>  | <b>3</b>     |
| <b>%AGE</b>                              |                                       | <b>68%</b>                                       | <b>4%</b>  | <b>4%</b>   | <b>17%</b>  | <b>6%</b>    |
| <b>Combined total of those opposed -</b> |                                       | <b>34</b>  |  |   |   |              |
|  |                                       | <b>72%</b>                                       |  |   |   |              |

\* residences owned by government  
\*\* vacant lot

Date collected by Margie Gordon and Mary S. Sisson -  
residents behind Tract 9  
Chart prepared by Mary S. Sisson 6/10/08  
[msbsisson@austin.tx.com](mailto:msbsisson@austin.tx.com)  
512-453-1740

**Allendale VMU Neighborhood Planning Area**  
 Vertical Mixed-Use Urban Overlay District



31-red - opposed to VNU membership  
Blue - opposed but with margin - 2  
Light Blue - government turned - 2  
dark blue - not known  
white blocks