

Holubeck, Andrew

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

5/12/2008

Holubeck, Andrew

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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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 Bumet 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.

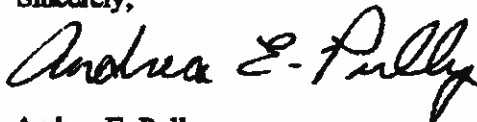
I have owned and loved my home for close to 10 years. This is my first home and it has meant the world to me, reflected by the investments I have made in my property by landscaping, new roof, exterior painting, etc. Should this zoning change occur the value of my property will decrease, the privacy and 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,



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. 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.

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.

From: Mary Sisson [mailto:mssbisson@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 Tracks, 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

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.h

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 Frensky

☒ 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.

INFORMATION ON PUBLIC HEARINGS

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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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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.

Holubeck, Andrew

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

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

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

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

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. 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) DONNA BETH MCCORMICK

☐ I am in favor
(Estoy de acuerdo)

Address 5703 SHAWWOOD

☒ I object
(No estoy de acuerdo)

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

ghank

INFORMATION ON PUBLIC HEARINGS

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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) all 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

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. 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) DENIS OXFORD

Address 6819 DAUGHTERTY

ZONING SHOULD BE IMPLEMENTED IN SUCH A WAY

Comments THAT PREVENTS FINANCIAL DAMAGES TO THE ADJACENT PROPERTIES

☐ 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)

MARGARET F. HOTZ

Address

3309 FOSTER LANE

- ☐ 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) Anthony Dill

☒ I am in favor
(Estoy de acuerdo)

Address 5508 E 5510 Burnett Rd

☐ I object
(No estoy de acuerdo)

Home Address 809 E 49th A.H.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 Burnet Rd

☐ I object
(No estoy de acuerdo)

Comments IN FAVOR

INFORMATION ON PUBLIC HEARINGS

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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

INFORMATION ON PUBLIC HEARINGS

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Edwin & Traci McGary

Address 6318 Burnet Rd Austin, TX 78757

Comments _____

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

PLANNING COMMISSION COMMENT FORM

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Robert Vinson

Address 6824 Burnet Rd. Austin, TX 78757

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

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

PLANNING COMMISSION COMMENT FORM

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) Anthony S. Delmonico

Address 5505 Montview St.

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

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

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 787108

☐ I object
(No estoy de acuerdo)

Comments owner of 17001 Daugherty

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 St.) 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 insightful, but no efforts

were made on the part of the businesses
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 Koenig.

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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File # C14-2008-0088**Planning Commission Hearing Date: May 13, 2008**Name (please print) ALBERT LOPEZ☒ I am in favor
(Estoy de acuerdo)Address 2501 CASCADE DR☐ I object
(No estoy de acuerdo)Comments VMU WILL BE AN IMPROVEMENT OVER THE
CURRENT PARKING LOTS + MARGINAL BUILDINGS. ALONG
CORRIDORS.**INFORMATION ON PUBLIC HEARINGS**

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File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print)

IRAN 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 BRING 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
(Estoy de acuerdo)
☒ I object
(No estoy de acuerdo)

Address 2425 Ashdale Dr #95

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

P E T I T I O N

Date: June 16, 2008

Case Number: C-14-2008-0088

Tract Number(s): Tract 5

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 property referenced above as part of the VMU Opt-In/Opt-Out Application process.

We oppose the proposed addition/retention of VMU zoning for the property known as Burnet Storage for numerous reasons, including the following:

- A. This property did not have Vertical Mixed Use zoning until it was automatically granted 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 tract. 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 the subject property, 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 property.
- D. This property is surrounded on three sides by adjacent, 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 improvements existing on this property are currently causing flooding on the surrounding single family properties. Though alerted to the problem, the City of Austin has been unwilling or unable to adequately address the problem.
- F. This property extends deep into the Allandale Neighborhood, and development changes on this property should therefore involve the surrounding single family neighbors to a significant degree.
- G. And because VMU developments can now be constructed on this property without a zoning change, the surrounding neighbors will have little or no opportunity for input on the proposed (re)development at any point in the City's approval process.

Case Number: C-14-2008-0088
Address of
Rezoning Request: See attached

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

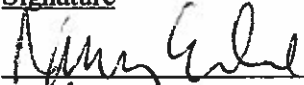
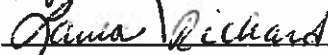
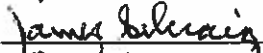

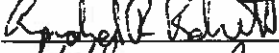






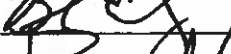





Printed Name

Address

	SHARI A. GAERTNER	6305 NASCO AUSTIN 78757
	George L. Roman	6405 NASCO DR
	Leske Dadidakis	6411 Nasco Drive
	Mark Fletcher	6401 Nasco Dr 78757
	Rickey Carter	6309 NASCO DR 78757
	LINDA M. JENNINGS	6403 NASCO DR 78757
	Charles E. Rodgers	6409 Nasco Dr 78757
	TRAVIS J. TUREK	6413 Nasco Dr. 78757
	Mark J. Heberts	6501 Nasco Dr 78757
	Heather Kristin Petersen	6503 Nasco Dr 78757
	Claire Benedikt	6505 NASCO DR 78757
	John M. Whitman	2503 Twin Oaks 78757
	Richard L. Martin	2501 Twin Oaks Dr 78757
	EDNA J. SECORD	6100 Wynnwood Ave 78757
	Susan Bartkovak	1606 Sage Boot Dr Pflugerville 78660
	LEIF ALLRED	2210 WHITE HORSE TRAIL 78757
	Margaret Long Wallace	6101 Shoalwood, Austin, 78757
	LINDA HARTY	2506 White Horse Trail Austin 78757
	James Miller	6306 Nasco Dr. Austin, TX 78757
	GERARD ALCALA	2504 WHITE HORSE TR 78757
	ROBERT WHITLOCK	6304 NASCO DR. 78757
	MARK VANGELDER	6408 NASCO DR. 78757
	MARK HARMON	21000 TWIN OAKS DR. 78757
	Rob Peters	2500 " " " "
	Kevin Drew	6401 NASCO DR 78757
	Megan	6300 CARY DR.
	Lynn O'Evans	6402 NASCO 78757
		6401 NASCO 78757
		6407 NASCO 78757

Case Number: C-14-2008-0088
Address of _____
Rezoning Request: _____ See attached

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	Nancy Edwards	6103 Bull Creek Rd.
	Laura Richard	6104 Bull Creek Rd.
	James Selcraig	6202 Bull Creek Rd.
	David Whitworth	6105 Bull Creek Rd.
	Randal R Robnett	2504 White Horse Tr.
	Stephanie Brown	2504 White Horse Tr.
	Jerry C. Moore	2206 White Horse Tr.
	DAVID A. STARNY	2208 White Horse
	Cathy Savage	2242 White Horse Trl.
	Keith Savage	2212 White Horse Trl.
dupe - 	JERRY C. MOORE	2206 White Horse Trail
	BRAD CASTLEBERRY	6206 WYNONA AVE.
	Brandon Calhoun	6205 Shadwood Ave
	Jeffrey L. STEWART	6204 WOODVIEW AVE.
	Shanta Strube	6202 Woodview Ave.
	Mary C Price	8106 " "
	Mercedin Draper	6104 Shadwood Avenue

Case Number: C-14-2008-0088

Address of

Rezoning Request: See attached

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

R. J. Carroll, Jr.

Robert J. Carroll, Jr.

2502 Twin Oaks Dr. Austin, TX 78701

Susanna Heinrich

Susanna Heinrich

2507 Twin Oaks Dr. 7875

Austin Ticket Co.

Austin Ticket Co.

2110 White Horse Trl. Ste. G. 78751

Tracy Arldt-Sherman

Tracy Arldt-Sherman

2505 TWIN OAKS 78751

Milton J. Matus

MILTON J. MATUS

6603 NASCO 78757

Mary Jean Matus

MARY JEAN MATUS

6603 NASCO 78757

Eileen Andersen

Eileen Andersen

6507 NASCO 78757

Vikki Pinson

Vikki Pinson

6004 Daugherty 78757

George Suckle

George Suckle

4204 Cary Dr.

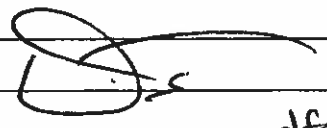

Case Number: C-14-2008-0088
Address of
Rezoning Request: See attached

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

- Barbara Jo Tucker Barbara Tucker 6204 Bull Creek Rd
allendal@swbell.net
- Marilyn L. Almond Marilyn Almond 6207 Bull Creek Rd.
- Horn 2 tution - 2600 White Horse Trail
pepitados@aol.com
- Donna Fay  6205 Nasco Co Austin, TX 78715
dfay4e@Austin.rr.com
- David Gilliam  David Gilliam 6101 Nasco
BKAANDDAVID.US
- Susanna Butler Susanna Butler 6100 Nasco Dr
- Kathleen Earthman Kathleen Earthman 6106 Nasco
- Shannon Mazar Shannon Mazar 2500 White Horse
- Dennis Tucker DENNIS TUCKER 6204 Bull Creek Rd.
- Amanda Taulbee Amanda Taulbee 6003 Bull Creek Rd
- Tom Faulkner TOM FAULKNER 6205 Bull Creek Rd.
tomf@futurepublishing.com
- Carol Clay GR Clay 18@earthlink.net 6306 Cary Dr
- John Parnot 6008 Shealcreek John Parnot
- Mark Thomas Mark Thomas 6300 Wilbur Dr
- Richard Hefferman Richard Hefferman 6103 Bull Creek Rd.



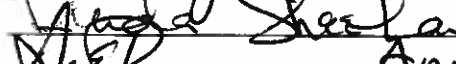
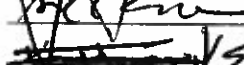
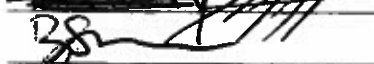
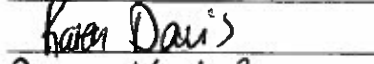
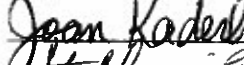
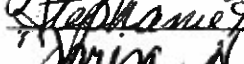
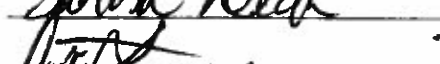

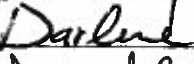
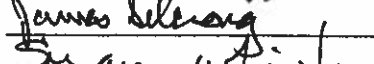
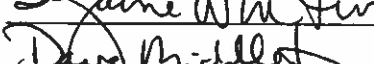
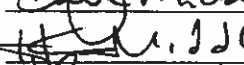

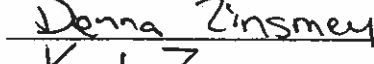

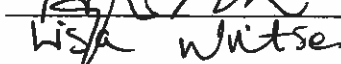




Case Number: C-14-2008-0088
Address of _____
Rezoning Request: _____ See attached

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

	JORDAN HOGAN	6410 NASCO DR.
	Hilary DeWeerd	6201 Cary Dr
	Linda Sheehan	6205 Cary Dr.
	Anne Province	6400 Nasco Dr.
	K. Stant	2606 White Horse
	Betsy Shuman	6302 Cary Drive
	Karen Davis	6302 Cary Drive
	Joan Kaderli	6404 Cary Dr.
	Stephanie H. Brown	2504 White Horse Tr
	Tarisa Dean	2502 White Horse Trail
	Justin T. Dean	same
	Wally Workman	2602 White Horse Trl
	Darlene Gifford	6206 Cary Dr.
	James Selcraig	6202 Bull Creek Rd.
	Suzanne Whitworth	6105 Bull Creek Rd
	Dave Middleton	2501 White Rock Dr
	Heather Middleton	2501 White Rock Dr
	Lavinia Martin	6202 Bull Creek Rd.
	Danna Zinsmeyer	6067 Bull Creek
	Kurt Zinsmeyer	6007 Bull Creek Rd
	Hugh McCann	6011 Cary Dr.
	Lisa Witsen	6011 Cary Dr

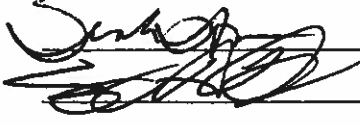
Case Number: C-14-2008-0088
Address of
Rezoning Request: See attached

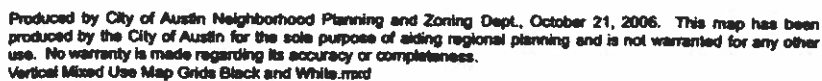
(PLEASE USE BLACK INK WHEN SIGNING PETITION)








Signature

Printed Name

Address

 SARAH NELSON 10408 CARY 78757
Gregory Dvorak 2601 Cavileer Ave 78757



- Legend**
-  **Planning Areas**
 -  **Core Transit Corridor**
 -  **Future Core Transit Corridor**
 -  **Vertical Mixed Use Overlay District ("Opt-out")**
 -  **VMU Residentially Used Properties ("Opt-In")**
 -  **Mixed Use Combining Districts ("Opt-in")**
 -  **TCAD Parcels**

Holubeck, Andrew

From: Paulette Kern [paulettekern@sbcglobal.net]
Sent: Tuesday, June 17, 2008 1:00 PM
To: Wynn, Will; Cole, Sheryl; Kim, Jennifer; Dunkerley, Betty; Martinez, Mike [Council Member]; McCracken, Brewster; Leffingwell, Lee
Cc: May, Rachel; Rye, Stephen; McDonald, Stephanie; Williams, Nancy; Watson, Matt; Holubeck, Andrew
Subject: Allandale VMU application hearing, Wed. June 18, 2008

I apologize if you receive this twice, as I am a bit computer challenged!--Paulette

Re:Allandale VMU OI/OO Application
Council hearing, Wed. June 18, 2008
Case # C14-2008-0088

Council Members:

The Allandale VMU OI/OO Application hearing is scheduled for your 4:00 agenda tomorrow, and I want to give you a quick update on recent developments regarding it.

We are still requesting **exclusion of Tracts 2, 3, and 7 – 10**, and we believe that we have your support on the request. In fact, we are quite hopeful that this portion of our Application will be on your consent agenda tomorrow.

And we have made progress in our discussions about the exclusion of Tracts 5, 14, and 15. We are now requesting postponement of those specific tracts, separate from the remainder of our Application. While we still believe that exclusion of these tracts the best option for our neighborhood, we are willing to discuss the specifics of their inclusion.

As part of our work on the VMUOD issues, we contacted the owners of the largest property within Tract 5, 6400 Burnet Road (Burnet Self Storage). We engaged them directly in discussions regarding our concerns about the inclusion of Tract 5 in the VMUOD, through Friday afternoon. But we were informed yesterday that they have now designated an attorney to represent them from this point forward.

The attorney is now stating that the property owner will accept nothing less than VMU zoning with all of the bonus incentives. The attorney has informed us that we have only one option - to accept a Conditional Overlay for the tract that will require a Conditional Use permit only if the bonuses are utilized. Obviously that does not address our concerns in any way.

Given this recent development, as well as newly suggested proposals resulting from the review meetings for the Commercial Design Standards, we simply need more time to work on the issues related to Tracts 5, 14, and 15.

The approach, proposed by Council Member McCracken at the end of the Design Standards Meeting last Friday, June 13, is one that ANA is willing to consider and work toward.

Please support our request for the **postponement of Tracts 5, 14, and 15**. However, if this postponement is not approved, we will be ready to explain our concerns regarding this tract at

6/17/2008

the hearing and to request your support for its exclusion from the VMUOD. Owner's attorney says they have a petition. So, if this goes to hearing Wednesday, it is my understanding, that petition will trigger supermajority requirement to exclude this tract at this time. We need your support.

If you have questions regarding our Application, please contact me.

Paulette Kern
zoning chair, Allandale Neighborhood Assn.
454-9166, 297-4275

Holubeck, Andrew

From: viki schmidt [viki.schmidt@gmail.com]
Sent: Saturday, June 14, 2008 8:59 PM
To: Holubeck, Andrew
Subject: VMU in Allandale

June 15, 2008

RE: File Number: C14-2008-0088

Dear Mr. Holubeck,

I am writing in reference to the above case to be discussed on June 18th dealing with VMU Overlay within the Allandale Neighborhood. I have lived on Montview St. for 22 years and my home is located directly behind one of the properties considered for a zoning change to VMU.

I request that you exclude tracts 2, 3, and 7-10 from the VMU Overlay District. These tracts are extremely narrow and are directly behind modest single family dwellings such as my own. Placing a potentially 60 ft. tall building, apartments or parking garage, on these tracts is inappropriate. It will destroy our privacy and endanger the resale value of our properties. Since VMU automatically waives the responsibility of the developer to provide sufficient parking (what were you thinking??), the overflow of parked cars will crowd neighborhood streets and make them more dangerous for families and the elderly. Site development standards may be relaxed and there will be considerable pressure on the city to ease the compatibility standards which have traditionally applied to commercial properties that border on residential areas. Please exclude these tracts from VMU Overlay as has been recommended by the Planning Commission.

Site #5 is an enormous site, surrounded on three sides by single family dwellings, which is already causing flooding problems for neighbors. While VMU may be appropriate for a site of this size, it should not be done without detailed study of the impact on the surrounding neighborhood and the addition of protections such as green space and flood mitigation measures. This site should be excluded from the VMU Overlay until these protections are in place.

As a city council member you have a great deal of power to impact the lives of ordinary citizens for years to come. Long after your tenure is over, we will be living with the consequences of your decisions. While some folks choose to live in a high density area, such as downtown or the Triangle, that is not everyone's choice. If the City Council insists on forcing high density in areas that are inappropriate, over the objections of the current residents directly affected, the concept of neighborhood participation and citizen input will have been a sham and the idea that our city government is responsive to the opinions of its citizens will be history.

Do not sacrifice the needs and preferences of current residents in order to achieve an abstract densification target. Please exclude tracts 2, 3, 5, and 7-10 from the VMU Overlay District.

Sincerely,

Viki Schmidt
5421 Montview St.
Austin, TX 78756

6/17/2008

Holubeck, Andrew

From: Tim Fackler [fackler@mail.utexas.edu]
Sent: Monday, June 16, 2008 11:11 AM
To: Holubeck, Andrew
Subject: Case# C14-2008-0088: Request exclusion of tracts from VMUOD

Dear Mr. Holubeck,

The City Council on 18 June 2008 is scheduled to hear a zoning case (#C14-2008-0088) involving application of vertical mixed use (VMU) in the Burnet Road corridor and adjacent areas.

My spouse Nathalie Frensley and I are writing to request your support for excluding tracts 2, 3, 5, and 7-10 from the VMU overlay district in these areas.

We believe that the gains in density the City is seeking along the Burnet Road corridor can be obtained without including these shallow commercial lots. Moreover, 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 incommensurate with the goal of habitable, commercially viable density.

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

Thanks very much for your consideration in this matter.

Tim Fackler & Nathalie Frensley
5601 Montview St.
Austin, TX 78756

--
Tim Fackler
Liberal Arts Instructional Technology Services Mezes Hall 2.302 University Station B3500
Austin, TX 78712-1087

512-232-5698 (o)
512-471-7718 (f)
fackler@mail.utexas.edu
<http://web.austin.utexas.edu/fackler/>

Case Number: C14-2008-0088

City Council Hearing Date: June 18, 2008

Dear City Council 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 ten years. This is my first home and it means 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 City Council to listen to and consider all voices in the community when they are making decisions 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 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 City Council's support for the Allandale Neighborhood Association's recommendation for exclusion of tracts 2, 3, 5, and 7-10 from the VMU Overlay District.

Thank you.

Sincerely,

Andrea E. Pully
5511 Montview Street

Holubeck, Andrew

From: Kate Davis [catie74@hotmail.com]
Sent: Wednesday, June 18, 2008 9:35 AM
To: Wynn, Will
Cc: Holubeck, Andrew
Subject: Case Number C14-2008-0088 Vehicle Mixed Use on Burnet Road

Case Number: C14-2008-0088
City Council Hearing Date: June 18, 2008

Dear Mayor Winn,

Please support Allandale's request for exclusion of Tracts 2, 3, 5, and 7-10 from the VMU Overlay District. These are the VMUOD tracts that are located immediately adjacent to single family homes in my neighborhood. The lots are very shallow and would significantly impact our quality of life. I appreciate your willingness to listen to our concerns and request. That is why I will continue to support you in future elections.

Sincerely,
Catherine C. Davis
5422 Montview Street, Austin, TX 78756

cc: Andrew.Holubeck@ci.austin.tx.us

Need to know now? Get instant answers with Windows Live Messenger. [IM on your terms.](#)

6/18/2008