NEIGHBORHOOD PLAN AMENDMENT & ZONING CHANGE
REVIEW SHEET


ADDRESS: 1506 Waller Street, 908 E. 15th Street, and 807 E. 16th Street.

AREA: .75 Acres

OWNER: Stephen Petty

AGENT: Stahl, Bernal & Davies, L.L.P. (Alison Gardner)

LAND USE AND ZONING CHANGE TABLE:

<table>
<thead>
<tr>
<th>Tract #</th>
<th>Existing Land Use &amp; Zoning</th>
<th>Applicant’s Request</th>
<th>Staff Recommendation</th>
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<tbody>
<tr>
<td>1</td>
<td>Single Family SF-3-NP</td>
<td>Mixed Use GR-MU-CO-NP</td>
<td>Single Family SF-3-NP</td>
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<td>908 E. 15th Street</td>
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<td>2</td>
<td>Multi Family SF-3-NP</td>
<td>Mixed Use GR-MU-CO-NP</td>
<td>Neighborhood Mixed Use LR-MU-CO-NP</td>
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<td>Neighborhood Mixed Use LR-MU-CO-NP</td>
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<td>1506 Waller Street</td>
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PLANNING COMMISSION:
The motion to deny the applicant’s requests for mixed use land use and GR-MU-CO-NP zoning was approved by Commissioner Mandy Dealey’s motion, Commissioner Jay Reddy second the motion on a vote of 7-0. Commissioners Paula Hui and Perla Cavazos were absent. (8/26/08).

BACKGROUND:
The subject tracts 1-3 comprise 0.75 acre that currently have renter occupied single-family houses. The applicant has proposed to build residential units (condos or apartments) on 908 E. 15th street and 807 E. 16th street properties (Tracts 1, 2). The applicant is proposing to renovate the single-family house on 1506 Waller street property (Tract 3) because of its historical significance.

The current zoning on all three tracts is SF-3-NP, (Family Residence-Neighborhood Plan). The Future land use designation is Single Family on tracts 1 and 3, and multi-family on tract 2.
The request (Case C14-2008-0166) is for GR-MU-CO-NP (Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan). The conditional overlay being offered by the applicant is:

1. Limiting the office and commercial uses to only those allowed in LO (Limited Office) base zoning.
2. A maximum of 500 daily vehicle trips
3. A maximum of 24 residential units

Additionally, the applicant requests a change to the future land use map (NPA-2007-0009.03) changing the land use designation on all three tracts to Mixed Use.

**BASIS FOR STAFF RECOMMENDATION & ANALYSIS:**

**Tract 1 (908 E. 15th Street):** Staff recommends maintaining Single Family land use on 908 E. 15th street property (Tract 1) because of the residential character of 15th street. The Central East Austin neighborhood plan mentions maintaining the residential character of the single family neighborhoods while allowing commercial and mix of land uses along existing commercial corridors. The existing land uses along 15th street are predominately single family residences. Therefore, staff feels that single family land use on Tract 1 will help maintain the residential character of 15th street. Below are excerpts from the Central East Austin neighborhood plan:

- Preserve the existing housing stock. *Page 10*
- Maintain and preserve the integrity of current residential districts. *Page 6*
- Increase mixed-use opportunities where appropriate on commercial corridors. *Page 13*

Staff recommends that the zoning for this tract remain single-family residence—neighborhood plan (SF-3-NP) combining district zoning.

**Tracts 2 and 3 (1506 Waller St.; 807 E. 16th St.):** Staff recommends a change from Single Family and Multi Family land use to Neighborhood Mixed Use land use designation because the intensity of the land uses on 16th street are higher than 15th street. The existing land uses along 16th street are a mix of single family, neighborhood commercial, mixed use and industry. The neighborhood plan does not designate 16th street as a commercial corridor but because of the existing and future land use designations along the street and the adjacency to I-35 frontage road, staff feels that neighborhood mixed use would be more appropriate. Additionally, the neighborhood plan goals and objectives call for neighborhood oriented commercial development that would serve residents living in the immediate vicinity of the development. Below are excerpts from the neighborhood plan that relate to the proposed changes:

- Increase mixed-use opportunities where appropriate on commercial corridors. *Page 13*
- Promote new development for a mix of uses that respects and enhances the residential neighborhoods of Central East Austin. *Page 10*
- Recognize that this is an urban area and identify areas for increased residential density. *Page 10*
• For office or commercial properties in the Swede Hill area add a Mixed Use Overlay and Smart Growth Mixed Use Building “Special Use”. Page 18

Staff recommendation for the two tracts on 16th street is LR-MU-CO-NP (Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan). Staff recommends accepting the conditions offered by the applicant, namely:

1. Limiting the office and commercial uses to only those allowed in LO (Limited Office) base zoning.
2. A maximum of 500 daily vehicle trips
3. A maximum of 24 residential units. (Site constraints may not allow the full development of 24 units on this portion of the project. The number and placement of the units would be specified when the site plan is developed and reviewed.)

PUBLIC MEETING:
Pursuant to neighborhood plan amendment policies, NPZD staff held a public stakeholder meeting on September 26, 2007. Stakeholders within 300 feet of the subject tract, neighborhood association in the area, and the neighborhood plan contact team (OCEAN) were notified of this community meeting. Meeting participants had concerns about parking spillover into the adjacent single-family neighborhood. Some meeting participants want to maintain the existing land use and zoning on the subject properties. The meeting notes from the community meeting are attached to this report. No vote was taken at this meeting.

AREA STUDY:
The site falls within the Central East Austin Neighborhood Planning Area, adopted in December 2001. The Future Land Use Map adopted with the plan calls for Single Family on tracts 1506 Waller Street, 908 E. 15th street (Tracts 1, 3) and Multi Family on 807 E. 16th street (Tract 2). Please refer to the attached Future Land Use Map.

TIA: A traffic impact analysis was waived for this case because the development will generate less than 2,000 vehicle trips per day. [LDC, 25-6-117]

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No   HILL COUNTRY ROADWAY: No

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**Transportation**

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the development will generate less than 2,000 vehicle trips per day. [LDC, 25-6-117]

A Neighborhood Traffic Analysis may have to be performed prior to approval of a site plan.

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City.

**CITY COUNCIL DATE:** Action:

September 25, 2008 Postponed to November 6, 2008 at the request of the applicant.

November 6, 2008

**ORDINANCE READINGS:** 1st 2nd 3rd

**ORDINANCE NUMBER:**

**CASE MANAGERS:**

Minal Bhakta (Plan Amendment) Email: Minal.bhakta@ci.austin.tx.us Phone: 974-6453
Robert Heil (Zoning Case) Email: Robert.heil@ci.austin.tx.us Phone: 974-2330
LIST OF ATTACHMENTS

Attachment 1: Future Land Use Map near subject tract
Attachment 2: Central East Austin Future Land Use Map
Attachment 3: Zoning Map and Aerial Photos
Attachment 4: Goals and Objectives from the Central East Austin Neighborhood Plan
Attachment 5: Community Meeting Notes
Attachment 6: Applicant’s proposal and letter of support
Attachment 7: Petition in Opposition and Letters of opposition
Central East Austin
Proposed Neighborhood Plan Amendment
NPA-2007-0009.03

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of assisting in neighborhood planning discussions and decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.
NEW! Try Live Search 411
Dial 1-800-CALL-411 for latest info
Goals and Objectives from Central East Austin Neighborhood Plan
Adopted December 2001
www.ci.austin.tx.us/zoning/central_east_austin.htm

**Historic Preservation**
Goal: Preserve, restore and recognize historic resources and other unique neighborhood features. *Page 6*

Objective: Maintain and preserve the integrity of current residential districts. *Page 6*

**Housing**
Goal: Create housing that is affordable, accessible, and attractive to a diverse range of people. *Page 9*

Objective: Increase the amount of housing units available. *Page 9*

Objective: Maintain and create affordable, safe, well-managed rental housing. *Page 10*

Objective: Preserve the existing housing stock. *Page 10*

Objective: Make it possible for existing residents (both home owners and renters) to stay. *Page 10*

**Land Use**
Goal: Promote new development for a mix of uses that respects and enhances the residential neighborhoods of Central East Austin. *Page 10*

Objective: Recognize that this is an urban area and identify areas for increased residential density. *Page 10*

Objective: Increase mixed-use opportunities where appropriate on commercial corridors. *Page 13*

**Action 25:** For office or commercial properties along Rosewood Avenue between Angelina and Northwestern add Mixed-Use Overlay and Smart Growth Mixed-Use Building "Special Use". *Page 17*

**Action 31:** For office or commercial properties in the Swede Hill area add a Mixed Use Overlay and Smart Growth Mixed Use Building "Special Use". *Page 18*
Objective: Develop a strategy for utilizing vacant land. Page 20

Action 37: Identify owners and tax status for vacant properties as a first step towards a potential "community land trust" that could work with CDC’s and other organizations to target properties for housing or other development. Page 20

**Urban Design**

Goal: Respect the historic, ethnic and cultural character of the neighborhoods of Central East Austin. Page 27

Goal: Ensure compatibility and encourage a complimentary relationship between adjacent land uses. Page 27
MEETING NOTES

1506 Waller Street; 807 E. 16th Street; 908 E. 15th Street
Central East Austin Neighborhood Plan
NPA-2007-0009.03

Applicant's Proposal

- Requesting plan amendment from multi-family and single-family to mixed use
- Handout with a sketch of proposal
- Topography constraints on the property
- Changed proposal to GR-MU-CO-NP after neighborhood input
- Some of the uses under GR are restaurant (general), and retail (general)
- Unknown if the house on the corner will be kept
- 8-12 units (approx. 15,000 square feet) with commercial below.

Neighborhood Comments

- Participants would like to keep commercial development along the 11th Street and 12th Street corridors (existing commercial corridors).
- Concerned about the commercial businesses attracting crime.
- Maintain existing land use and zoning on the properties
- Will the house on the corner of Waller and 16th street be kept and improved? House has historical significance.
- Adaptive reuse of the older structure on the site for a neighborhood restaurant.
- Some of the GR uses may not be compatible with the adjacent existing uses.
- Concern about the number of parking spaces—will there be spillover into the neighborhood?
- How much additional traffic will be generated?

OCEAN (Neighborhood Planning Contact Team): September 11, 2007
Community Meeting: September 26, 2007
Swede Hill Neighborhood Association: October 2, 2007
Bhakta, Minal

From: Schnier, Will R.  
Sent: Thursday, May 01, 2008 10:07 AM  
To: Bhakta, Minal  
Cc: Schnier, Will R.  
Subject: FW: Do you want a 41-unit apartment project in Swede Hill? Or 3 new offices plus 14 new apartments?

Minal –

I’m writing in regards to the zoning case no. C14-07-0131 as described in the email below. As a neighborhood resident and property owner, I am in full support of either proposed zoning change on the three lots identified. Furthermore, I would be willing to consider sporting any height and setback variances which the property owner may request as a result of the overly-restrictive compatibility standard requirements imposed by adjacent properties. Likewise, due to the close proximity to downtown, affordable housing requirements should not be attached to the rezoning request or any subsequent variance requests.

The full financial and land-use value of this site is not being realized under the current SF-3 zoning right next to IH-35 and the structures currently on the site(s) are a blight to the neighborhood (as are many of the un-improved homes in the Central East Austin area, including the Stasswender House). Unfortunately, several neighbors in the area an ignorant to the issues which affect successful land development and the corresponding property value increases and instead make pie-in-the-sky suggestions based solely on personal emotions.

The applicant’s representatives have been very patient and appeared in front the neighborhood on several occasions; however the burden of the failure to come to an agreement between the parties in this specific case rests primarily on us as the neighborhood. I realize this may be an unusual position for a member of the neighborhood to take, however as somebody who plays this game for a living, I cannot allow the emotions of the neighborhood to jeopardize what would be a drastic improvement to this little corner of the neighborhood.

Sincerely,

Will Schnier

Will Schnier  
Project Manager, Land Development  
Jacobs Carter::Burgess  
2705 Bee Caves Road, Suite 300  
Austin, Texas 78746  
☎ phone: 512.314.3100  
✉ fax: 512.314.3135  
✉ email: (note new email address)

From: Swede Hill Neighborhood Association [mailto:  
Sent: Wednesday, April 30, 2008 10:16 PM  
To: v  
Cc: SW  
Subject: Do you want a 41-unit apartment project in Swede Hill? Or 3 new offices plus 14 new apartments?

Swede Hill Neighborhood Association Meeting

9/15/2008
Dear OCEAN, Austin Planning Commission, and Austin City Council,

I live in the Swede Hill Neighborhood Association and I am in favor of the zoning changes if the property owners will work with our neighborhood association to seek its input. Keep it informed and find common values that might benefit both their property and the neighborhood. Unfortunately, the property owners have not sought the Swede Hill Neighborhood Association's input or kept it informed. I would like to invite them to interact with us.

I strongly support density, diversity and affordability in our inner city neighborhoods, including Swede Hill. I believe that neighborhoods become stronger when they are able to provide necessities like groceries, restaurants, coffee shops, bars, hardware stores, and other business offices and household services within the neighborhood. I believe that it makes a neighborhood stronger when it has lots of public and semi-public places for neighbors to gather and get to know one another better socially. Not only could we form stronger alliances and resolve more of our challenges together as neighbors if we spent more time together and communicated more, but we would also be able to support critical urban concepts like using our collective purchasing power in our own neighborhoods, and reducing traffic congestion and slowing climate change by socializing, shopping and conducting business within our own neighborhood. I am excited about living right in the middle of a thriving social urban center.

I hope that the applicants for this zoning change will respect the Swede Hill Neighborhood Association enough to seek its input, keep it informed and work toward common goals. The negative results of their failure to do so thus far are obvious.

--

Ann del Llano
907 East 13th Street
Austin, Texas 78702
512-587-6438
adel@doing.com

PS: Casey, thank you for offering to deliver all of our written input to the appropriate decision makers.

-----

Vernon Smith
1005 E. 13th
Austin, TX 78702
(512)476-9273

My family and I are AGAINST ALL the zoning changes proposed. We believe Swede Hill is a quite, beautiful neighborhood as is and commercial additions to the neighborhood is going to change ALL that. We live seconds away from downtown so everything we need is just a small drive or bicycle ride away. If we bring commercial business to our neighborhood, we can expect more traffic, more crime and more pollution. What makes our neighborhood so great is the safe environment we have built for ourselves and our children and we don't need to change that. Let's keep Swede Hill green and beautiful. Let's not pollute it with concrete.

Once again, we are AGAINST ALL zoning changes proposed!
# PETITION

**Case Number:** C14-2008-0166  
**Date:** Aug. 28, 2008

**1506 WALLER ST, 807 E 16TH ST & 908 E 15TH ST**

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**Validated By:**  
Stacy Meeks

**Total Area of Petitioner:**  
84,008.88

**Total %:**  
28.67%

*Dr. Legett has removed her name from the petition*
Case #C14 2008-0166

Rey Legett <riegett@gmail.com>
To: Robert Heil <robert.heil@ci.austin.tx.us>

Thu, Sep 25, 2008 at 2:54 PM

Mr. Heil,

My mother, Dr. Georgia Legett, asked me to notify you that she would like her name removed from the petition opposing zoning case #C14 2008-0166. She owns property located at 1405 Waller, 1407 Waller and 1003 E. 15th Street.

I will obtain her signature on the request and mail an original to your attention.

Rey Legett
926-1999

Georgia Legett, M. D.

RECEIVED
SEP 30 2008
Neighborhood Planning & Zoning
SHNA Board of Directors opposes any change in zoning to the lots referenced in # C14-2007-0131 for the following reasons:

- Swede Hill has consistently expressed a preference for exclusively residential zoning within our neighborhood’s boundaries and development of commercial services along the 12th St corridor. There presently exist 350, 000 sq ft of untapped commercial potential three blocks from the proposed development.

- Both proposed zoning districts—GR-MU & MF-5—allow buildings up to 60 ft in height, 33,000 sq ft of floor space and up to 2000 new vehicle trips/day into and out of Swede Hill.

- These development standards will permit structures incompatible in scale and design to our historic residential neighborhood, and generate intensity of use that poses daily traffic hazards on our narrow streets, further depletes limited off-street parking availability, and invades the privacy of adjacent single family homes.

- Commercial zoning sets a dangerous precedent that will tempt other property owners to follow suit, driving commercial activity deeper into Swede Hill neighborhood.

- Once a zoning change is achieved, it carries through with the land. The applicant is not bound to develop the site as he has proposed; he is limited only by the development standards of the zoning district. To support either of his zoning change requests would be to say that we are comfortable with the potential outcome, should the developer exploit the applicable development standards to the fullest. We are not comfortable with that scenario.

- MU—mixed use—is not mandatory. This designation allows a developer to mix residential and commercial space, but does not require him or her to do so. There is no guarantee that a zoning change to GR-MU will result in more residential units for Swede Hill.

- As proposed, the MF-5 site plan mandates removal of the Stasswender House at the corner of Waller & E 16th St.

- The applicant incorrectly cites the mix of higher zoning along E 16th St as an indication that his properties should follow suit.

  Only one of the project’s three lots is located on E 16th Street.

  The commercial highway zoning districts that the applicant references are the Denny’s and The Doubletree, neither of which has drives on E 16th Street, neither of which impacts Swede Hill neighborhood with the traffic they generate.
The industry zoning referenced by the applicant is a gravestone business at the corner of E 16th and Navasota. It generates fewer than 10 vehicle trips/day.

The mixed-use zoning referenced by the applicant is a small addition to a single-family property. It generates no traffic.

Collectively, these commercial properties impact traffic and parking in Swede Hill far less than will any development under either of the proposed zoning districts.
Dear Ms. Laursen, Ms. Bhakta, and Mr. Heil:
Below is the 11th email we've rec'd concerning the proposed zoning change in Swede Hill. I sent each of you today a compilation of 10 emails that the Swede Hill Neighborhood Association has received about these cases.
Is it possible for these emails to become a part of the packet that the City Council and Planning Commission gets?
Thanks very much for running last night's meeting so well.
Casey Monahan 477-2802, SHNA board member

Begin forwarded message:

Dear OCEAN, Austin Planning Commission, Austin City Council and all concerned others:

I am OPPOSED to all the proposed zoning changes affecting the Swede Hill neighborhood (Case # NPA-2007-0009.03, Case # C14-2007-0131, Case #NPA-20070009.02, and Case #C14-2007-0125).

For years residents and property owners of the Swede Hill Historic District have been advocating to keep this neighborhood an affordable, urban residential neighborhood, and we are losing. I think it is quite apparent that the livability of the neighborhood is no longer affordable and probably never will be again with the gentrification and over-priced development. We can only hope that we can at least keep it residential.

The planning commission supported Swede Hill in our efforts to manage our own neighborhood only to be overturned by the power of a outside small interest group who had no residents or property owners in the neighborhood and who made the City Council succumb to their wishes because the City Council lacks a backbone to take a stand on anything to do with race and class. Such was the case with the property on Olander and 15th that is now zoned for commercial use and is a dentist's office. We told the City Council then that it would be the beginning of commercial infiltration and destruction of this neighborhood and we are now seeing others follow Dr. Loya's lead. The City Council pays lip service to neighborhood planning, but when their own Austin Planning Commission endorsed neighborhood rights, the City Council over turned their recommendation in favor of the rich and politically powerful.
I am sure the new zoning request changes will be relying on the prior non-residential and commercial zoning as examples of how and why their application should be granted. The City Council was wrong and made a mistake in the Olander/15th Street case. I hope they don't continue to make more.

Kelley Kochert
906 East 14th Street
resident and property owner
Message is not flagged. [ Flag for Follow Up ]

Date: Wed Sep 26 21:28:40 2007
From: Vernon Smith <veronsmith@gmail.com>
[ Add to Address Book | Block Address | Report as Spam ]
To: <swede_hill@exsite.com>
Subject: Zoning change to Swede Hill

Vernon Smith
1005 E. 13th
Austin, TX 78702
(512)476-9273

My family and I are AGAINST ALL the zoning changes proposed. We believe Swede Hill is a quite, beautiful neighborhood as is and commerical additons to the neighborhood is going to change ALL that. We live seconds away from downtown so everything we need is just a small drive or bicycle ride away. If we bring commercial business to our neighborhood, we can expect more traffic, more crime and more pollution. What makes our neighborhood so great is the safe environment we have built for ourselves and our children and we don't need to change that. Let's keep Swede Hill green and beautiful. Let's not pollute it with concrete.

Once again, we are AGAINST ALL zoning changes proposed!

Sponsored Links

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www.JeepDealer.com

Texas Chrysler Dealer - See the New 2008 Vehicles at Your Local Texas Chrysler Dealer
www.ChryslerDealer.com

Dodge® - Official Site - Find Great Deals on Dodge® Vehicles at a Local Dealer Online
www.dodgedealer.com

http://e18.email.excite.com/msg_read.php?m=0&s=1&d=1&mid=1333&pr=1&ArId=a3d... 2/3/2008
Message is not flagged. [Flag for Follow Up]

Date: Wed Sep 26 17:01:28 2007
From: John Lemaux <john_lemaux@gmail.com>
To: <swede_hill@excite.com>
Subject: opposed to zoning change

I live in Swede Hill with my wife and daughter and I'm very much opposed to the zoning changes being proposed by Mr. Domaschk and Mr. Petty. I don't see any benefit to our neighborhood by granting them commercial zoning.

Thank you.

John Lemaux
1404 E. 13th St.
Austin, TX 78702
236-1215

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I'm not going to be able to make it to tonight's meeting, but I would like to register my strong opposition to the zoning requests (Case # NPA-2007-0009.03, Case # C14-2007-0131, Case #NPA-2007009.02, and Case #C14-2007-0125) to change residential properties to commercial ones.

Kirsten Siegfried, resident and property owner
1404 East 13th Street

Kirsten Siegfried
Director of Prevention Services
office 454-9711
mobile 921-1215

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Date: Wed Sep 26 14:59:26 2007
From: Lynne Smith <carolynnersmith@hotmail.com>
To: <minalbhakti@charolimtx.us>, melissa.tannen@charolimtx.us
Cc: <swede_bill@excite.com>
Subject: proposed zoning changes

Please find my attached letter regarding zoning change requests in my neighborhood. Please call me at (512) 744-1912 (work #) if you have any questions regarding my letter. Thank you! Lynne Smith

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Letter regarding zoning change requests 92607.doc (37 KB) [Download]

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NeighborhoodAssistance.com/FHA
September 26, 2007

Dear OCEAN, Austin Planning Commission, and Austin City Council,

I am a resident of the Swede Hill neighborhood, living at 1006A E. 13th Street, Austin, Tx. 78702. I am writing you regarding two separate zoning change requests that have been presented to you for consideration. One (case #C14-2007-0131) is for three contiguous properties at addresses 1506 Waller St, 908 E. 15th, and 907 E. 16th Street. The other (case # C14-2007-0125) is for a property at 901 E. 14th Street. The first is requesting a change from single family/multifamily to commercial; the second is requesting zoning change from single-family SF-3 to Commercial GR zoning.

I am strongly opposed to these zoning changes. As a four year resident and seven year property owner in the Swede Hill neighborhood, I have the following objections to these changes:

1. The remarkably quiet inner city residential family character that currently dominates the neighborhood will be significantly altered by changing properties from family dwellings to commercial operations.
2. The vehicle traffic challenges that already impact our neighborhood will become even greater if these properties change zoning.
3. The changes will increase loitering challenges that our neighborhood already struggles with.
4. The historic charm of our neighborhood will be greatly eroded by these zoning changes.
5. These changes will “open the gates” for more zoning requests to be granted in the future and will destroy the extraordinary quality of family homes that have been established for more than 100 years. My home is estimated to have been built in the early 1900’s. My neighbors have raised their families for 35+ years in this neighborhood.
6. These proposed zoning change requests are coming from non-resident landowners who live out of town. They have little investment in the quality of life in our neighborhood and are motivated simply by financial gain. Their interests should not take precedence over those of a family neighborhood community.

I appreciate the opportunity to express my views and look forward to your consideration and response.

Sincerely,

Carol Lynne Smith, 1006-A E. 13th Street, Austin, Tx. 78702 (512) 296-9447
Hello there.
My husband and I can't make tonights meeting we work late.

We are both against the proposed zoning changes in swede hill. We believe those sites should remain residential.

Thank you.

Brooke Ornelas
1308 Bob Harrison 78702
brooke_ornelas@msn.com
512-350-1228

Carlos Truan
1308 Bob Harrison 78702
truanc2@hotmail.com
512-228-0850

Thank you for contributing our input for us.

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Date: Tue Sep 25 12:16:33 2007
From: Francisco Torres <franciscoxtoro@gmail.com>
To: <swede_hill@excite.com>
Subject: No on the Commercial Zoning in Swede Hill

My name:

Francisco Xavier Torres
810 East 13th Street
Austin, Texas 78702
917-254-7619

The negative effects of increased and unwanted traffic in Swede Hill would be devastating. There is no reason to destroy the fabric of the neighborhood in order to make an extra buck. There is room for improvement in Swede Hill but why not use the existing zones to improve the area? There are other avenues for growth besides rezoning. More traffic and increased loitering would harm everyone in the neighborhood. Please do not allow the rezoning of Swede Hill. I will try to be there on Wed. afternoon but if not, I hope the people's voice is heard and Swede Hill is not rezoned. Thank you.

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Hello,

My name is Barbara D. Johnson. I live at 1310 Bob Harrison Street. My phone number is (512) 472-8719.

I am unable to attend the meeting at Carver Library because of a previous commitment. However, I am totally against the zoning change to Swede Hill.

Thank you,

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Date: Mon Sep 24 18:59:46 2007
From: John Houston <houstonjohnn@gmail.com>  
To: <swede_hill@excite.com>
Subject: Swede hill to go commercial

To whom it may concern,

DISCLAIMER:
This is no way an appreciation/acceptance/approval/acknowledgement of any sort of a home owners association. I've lived here for over 20 years, 15 of which are on 1007 east 13th, and see no need for an HOA. I would have rather had the morgue( a biomedical facility) than the Denny's/Hotel( invasive light pollution etc.). Really, was that the right choice? I think not, however hindsight is always 20/20.

Now that that's over...

John R Houston  
1007 e 13th st.  
Austin, Texas, 78702  
512-480-9452

I, John R Houston of 1007 e 13th street, Austin, TX, 78702, and phone number, (512)480-9452, am AGAINST the zoning changes ( case # C14-2007-0125 ) as proposed by Elwood Domaschk of Houston, Texas.

I, John R Houston of 1007 e 13th street, Austin, TX, 78702, and phone number, (512)480-9452, am AGAINST the zoning changes ( case # C14-2007-0131 ) as proposed by Stephen Petty of California.

Let me know if you need more in writing, signatures etc...enuf is enuf. I will try to make this meeting, but cannot guarantee it.

Thanks and please keep the ' Neighbor in the Hood',

--John R Houston

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I am unable to attend the meeting but my statement is as follows:

I am adamantly opposed to the commercial zoning changes. The proposed developments would be a blight on the character of the Swede Hill neighborhood.

Kent Wang

1306-A Comal St

217-3866

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Date: Wed Oct 3 13:00:46 2007
From: Randall Ward <randall@grandecom> [Add to Address Book | Block Address | Report as Spam]
To: oeanohill@xmail.com

Subject: Zoning Changes: case# C14-2007-0131 / case# C14-2007-0125

Dear OCEAN, Austin Planning Commission and Austin City Council:

My wife and I own a residential lot at 1400 E 13th Street. We plan to build our home there in the coming months and will live there when it is completed. I am writing you regarding the two requests for zoning changes (case# C14-2007-0131 and case# C14-2007-0125) that seek to change the respective properties zoning from residential to commercial. We strongly oppose these zoning changes. Any potential positive effects would be greatly outweighed by the negative impact the re-zoning of those properties would have on the neighborhood.

We add our voices to those in the neighborhood that seek to keep the properties zoned as residential.

Randall & Jill Ward
1400 E 13th Street
458-1210

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Date: Fri Oct 26 14:40:13 2007

From: Andrew Roberts <rob.mat.2007@nycmail.com>

To: melissa.laursen@co.columbia.ny.us, bhakta@co.columbia.ny.us, robert.heil@co.columbia.ny.us

Cc: sw6edehill@co.columbia.ny.us


Dear Ms. Laursen and Bhakta and Mr. Heil:


My name is Andrew Roberts and I am the owner of 902 East 13th Street, which sits immediately behind 903 East 14th Street, one of the properties requesting rezoning (in combination with 901 East 13th St).

I oppose the rezoning request and want to express my support for the current neighborhood plan that focused commercial development on 11th Street and 12th Street.

I recognize that these lots are somewhat "exposed" or on the border of the neighborhood, making them appear to be reasonable candidates for rezoning. However, I am greatly concerned with any precedent that such rezoning creates. I fear that once either of these lots is rezoned, the neighboring lots become more "exposed" and therefore have a basis for requesting an upgrade in zoning. Slowly but surely the neighborhood housing stock is encroached upon and diminished. And as a neighbor of 901 and 902 East 14th, I would personally feel encroached upon when a single family house disappears and is replaced by a commercial structure.

From a practical point of view, the Swede Hill Neighborhood streets, such as Waller and Olander, are very narrow streets and not safe for increased traffic. With cars legally parked, a fire truck would have a difficult time navigating turns—all the more important if a business is located in the neighborhood.

In conclusion, please apply only the highest standards of appropriate for the individual property (and its context in the neighborhood) when considering upgrading zoning restrictions to more general/intensive uses. The rezoning issue is not about a specific property owner or their development plans. For example a neighborhood supported plan can evaporate if the owner sells the lot once they obtain new zoning restrictions.

Thank you for you attention with this matter.

Sincerely,

Andrew Roberts

518-932-4617(c)
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Date: Tue Oct 2 16:11:31 2007
From: Gene Chiles gene@chiles.com
To: Gene@chiles.com
Cc: GENE HILL

Subject: I oppose the proposed zoning changes case #C14-2007-0131 and case # C14-2007-0125

Dear Ocean, Austin Planning Commission and Austin City Council:

I own a late 1800’s home at 908 East 14th Street which is located in a National Historic District. It is less than a half of a block from the requested zoning change at 901 East 14th (to be amended to include 903 East 14th) and approximately a block from the requested zoning change for 908 East 15th, 1506 Waller and 907 East 16th Street.

I oppose any change in the neighborhood plan or zoning for Swede Hill. With each change comes more precedent for more changes - it is a small area and with much more change it won't be a unique and special residential area. Ugly, tall buildings with traffic and congestion done purely cut of greed are replacing original historic homes.

I strongly oppose and object to any plan change/re-zoning of 901 and/or 903 East 14th (even though the applicant is "modifying" the request to something less than GR, having apparently abandoned their ill conceived plans to build a parking lot!!!). The property is properly designated as single family and properly zoned SF-3. It is not a location for any type of commercial activity nor is it property that calls out to be high density multifamily or high rise or multi use. There is no compelling reason to modify the plan or zoning. It is and should remain Single Family Residential.

The 900 block 16th Street does have a restaurant and hotel on the north side but any change in the plan or zoning will have negative effect on traffic, street parking and the neighborhood in general. 15th and Waller in this area are primarily single family residences and should remain so.

Sincerely,

Rosalie Chiles

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Date: Tue Oct 2 15:24:49 2007
From: Tracy Witte <witte3@yahoo.com>
[Add to Address Book | Block Address | Report as Spam]
To: <michael.laursen@si.eastlink.ca>, <michael.bhakta@si.eastlink.ca>, <robert.heil@si.eastlink.ca>
Cc: <swede_hill@eastlink.ca>

Subject: We oppose the proposed zoning changes case #C14-2007-0131 and case # C14-2007-0125

Dear Ms. Laursen, Ms. Bhakta and Mr. Heil:

My boyfriend John and I absolutely oppose any change in zoning of the properties at 901 and 903 E 14th St and at 1508 Waller, 908 E 15th St and 807 E 16th St.

Swede Hill is the most unique and diverse neighborhood in which either of us has had the pleasure of living. Here, people of vastly different means and motivation, interests and ideologies pursue their individual ambitions but also make time to 'look out for one another and to cultivate a community where all enjoy relative peace, privacy and security in the midst of urban sprawl.

John and I are quite lucky to have spent the last six years among such people.

The introduction of any sort of commercial activity will wreck the residential character of this neighborhood and diminish its diversity as one family after another moves away to avoid living with its negative effects.

Swede Hill already experiences periodic off-street parking challenges during major events at The Erwin Center and Memorial Stadium. An influx of traffic to Swede Hill on a daily basis will only amplify this problem. Our streets are not designed to accommodate high-volume traffic and bumper-to-bumper parking, and 'Residential Parking' permits will do nothing to avert the potential crisis. The practical application of this solution is decidedly impractical: Residents will end up circling their blocks, waiting and waiting for tow trucks to arrive and to remove the offending vehicles.

In addition to the inconvenience and potential pedestrian hazards, a restaurant or some other establishment that operates at night will bring invasive light pollution, noise and the diminution of one's sense of privacy, especially for the families living directly across from the proposed developments. Several of these residents already deal with the Denny's relentless neon signage. How much more outside illumination should they have to put up with?

John and I also worry about how commercial or
multi-family structures will impact the historic character of Swede Hill. On our side of the 900 block of E 14th St, every house was erected on or before 1900. Many of the other homes in the area are of similar age. Mr. Domaschk’s representative, Emily Domaschk, suggested that he might move the 903 house (built in 1930) “a few blocks over” and erect a larger multi-use building in its place. She insisted that Mr. Domaschk has “a history” of respecting “the history” of the East Side. It is difficult to reconcile this assertion with his proposal to yank a home from its 80-year moorings and drop it down on an alien plot of land in order to make room for a new building incongruous in use, scale and architectural design to every home in its vicinity. It defies credibility. In fact, that Mr. Domaschk’s first thought for our historic district was to establish a parking lot, speaks volumes. That he thought he could mitigate the offense with cobblestone, simply an exclamation point.

This is not to say that no contemporary single-family structure has a place in Swede Hill, but let it be something gorgeous and daring that enhances the beauty of adjacent homes and does not tower over the families who have worked for years to restore their properties. And whatever it is, let it in no way detract from the serene and unspoiled quality of Swede Hill Park.

Finally, neither Mr. Petty nor Mr. Domaschk lives in Austin. Mr. Petty resides in California and is presently in Germany where his wife is teaching, and Mr. Domaschk resides in Houston. John and I fail to see how the interests of two long distance landowners with nothing but potential profit at stake trump the collective interest of a vibrant residential community whose quality of life and property are diminished by the introduction of commercial development and incompatible multi-family residential structures.

We urge you to support the single-family integrity of Swede Hill and to recommend that these proposed zoning changes be denied. Swede Hill is far too fine a place to be treated as a foregone commercial conclusion.

Sincerely,
Tracy Witte

John Filo & Tracy Witte, residents
908 E 14th St Austin 78702
To: OCEAN, Austin Planning Commission, and Austin City Council

Re: Proposed Zoning Changes in Swede Hill Neighborhood

Dear OCEAN, Austin Planning Commission, and Austin City Council,

I have been an owner/resident in Swede Hill for almost 20 years, serving in the past, for several terms, as president of the Swede Hill Neighborhood Assn. In recent years, our neighborhood has frequently been the target of "development." We are a remarkably diverse and highly accessible neighborhood, where neighbors get to know and care for one another, working together to protect and enhance the environment, both in terms of beautification and ecologic preservation. Prior City Councils have noted the success of our neighborhood as a model for good community and stated the need for preservation and support of our community.

The neighborhood has always been eager for commercial redevelopment of the 11th and 12th St. corridors. We suffered when businesses at IH35 between 11th and 12th took flight. We look forward to new neighborhood-friendly local businesses, improved public transportation routes and continued public beautification projects in our area. We are unanimously opposed, however, to further commercial construction within the residential area by corporations and businesses. As I understand it, the now-proposed changes would put neighborhood-unfriendly businesses directly behind my own home, by our park. This would be a complete reversal of the point of view supported by the Austin Planning Commission and the Austin City Council in past years! We were so pleased with the Commission and Council's past support of our neighborhood and we are disturbed and confused by the possibility you may abandon your stated support for communities such as ours.

I strongly urge OCEAN, the Austin Planning Commission, and the Austin City Council to continue to protect and support the residential nature of Swede Hill. Please take a strong stand against commercial development within the residential community. Put the businesses along the business corridor!

Thank you,

Judith Filler
904 East 13th St.
Austin TX 78702
512-472-7224
512-825-8572 cell


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Date: Thu Sep 27 10:48:17 2007

From: Jennifer Tisdale <jtisdale@yahoo.com>

[Add to Address Book | Block Address | Report as Spam]

To: <swede.hill@comcast.com>

Subject: Concerns: Commercial Zoning in Swede Hill

September 27, 2007

To OCEAN, Austin Planning Commission and the Austin City Council:

I would like to express my opposition to two zoning cases before the City of Austin, both in the Swede Hill neighborhood. Cases #C14-2007-0125 and #C14-2007-0131 seek commercial status in an area that already faces distinct challenges due to its proximity to Interstate 35.

As a Swede Hill property owner for more than six years, I have observed various residential and commercial changes. These two proposed cases, however, are not changes that I would support.

Brittmoore 1256 LTD’s proposal would contribute little to Swede Hill, yet add to neighborhood traffic congestion and pollution. Stephen Petty’s zoning request would allow for almost any commercial structure and such designation ‘lives’ with the property, not the owner.

It is obvious that East Austin is undergoing major changes, but I hope you will carefully evaluate and consider some of the long-term effects of commercial zoning in a residential neighborhood. While there are certainly pros and cons concerning these petitions, I believe that granting these changes will only lead to further commercial development.

Many thanks for your consideration, and for listening to the comments of property owners who reside in the neighborhood, and are not merely landowners.

Jennifer Tisdale
1208 East 13th Street
Austin, TX 78702
512-320-0035

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Dear OCEAN, Austin Planning Commission, and Austin City Council:

My name is Will Schnier, I live at 1309 E. 13th Street, 78702 and my phone number is (512) 297-7404.

I am writing to say that I am AGAINST the zoning changes associated with COA Case # C14-2007-0125 as proposed by Elwood Domaschik of Houston, Texas and Case # C14-2007-0131 as proposed by Stephen Petty of California. The zoning changes proposed by these absent, out of town landowners are not in accordance with the wishes of the neighborhood and will only serve to set back the progress that we've worked so hard to achieve over the past recent years.

I encourage you not to approve the proposed zoning districts.

Sincerely,

Will Schnier

Will Schnier
Project Manager
Carter: Burgess
2705 Sive Caves Road, Suite 300
Austin, Texas 78746

phone: 512.314.3100
fax: 512.314.3135

email: will.schnier@c-b.com
This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application’s hearing to a later date, or may evaluate the City staff’s recommendation and public input forwarding its own recommendation to the City Council. 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.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin’s land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission’s name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2008-0166
Contact: Robert Heil, (512) 974-2330
Public Hearing:
August 26, 2008 Planning Commission

CASEY MONAGAN

Your Name (please print)
903 E. 15th, 905 E. 15, 904 E. 14th
Your address(es) affected by this application

CASEY MONAGAN 8/26/08
Signature Date

Comments:

Zoning change would seriously and irrevocably harm the historic nature of our neighborhood. It will reduce affordable housing substantially.

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810
PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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Case Number: C14-2008-0166
Contact: Robert Heil, (512) 974-2330
Public Hearing:
August 26, 2008 Planning Commission

Casey Monahan
904 E. 14
905 E. 15th, 903 E. 15

Your address(es) affected by this application
Casey Monahan
Signature 26 Aug 08
Date

Comments:
This zoning change will seriously harm our neighborhood. It will also serve to raise property taxes, thus reducing miner city affordable housing

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810
PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application’s hearing to a later date, or may evaluate the City staff’s recommendation and public input forwarding its own recommendation to the City Council. 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.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin’s land development process, visit our website:  
www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission’s name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2008-0166
Contact: Robert Heil, (512) 974-2330
Public Hearing:
August 26, 2008 Planning Commission

Paul E. Clift
1007 E. 15th Street

Your Name (please print)

Your address(es) affected by this application

Signature

Date

8/19/08

Comments:

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Robert Heil)
P. O. Box 1088
Austin, TX 78767-8810
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Case Number: C14-2008-0166
Contact: Robert Heil, (512) 974-2330
Public Hearing:
August 26, 2008 Planning Commission

Fernando Loya
901 East 15th/Austin, TX 78702

Your address(es) affected by this application

Signature 8-19-08

Comments:
I support this change to enhance our neighborhood.

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City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
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Mixed-Use

We presented this alternative version (1 of 2) to the March and April 08 SHNA and OCEAN Meetings.

The proposal of a Mixed-Use Development. We are supporting our rezoning request of GR-MU-CO-NP reet, 807 E. 16th Street and 908 E. 15th

for GR-MU Zoning because of the more stringent standards permitted in GR, but we are additional overlay to the property that will only be permitted in LO-MU and the neighborhood

rates the existing Stasswender House. In stasswender House there are two additional light weight floors of the west building, and 14 tons on the upper levels. Both this plan and the MP concerns about traffic flow and adjacencies. We site plan to limit vehicular traffic from 16th Street.
For the best possible print results, click the printer icon on the Live Search Maps page.
Location: 1506 Waller St., 908 E. 15th St., and 807 E. 16th St.
Existing: Single-Family and Multi-Family
Proposed: Mixed Use