

**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT APPEAL TO COUNCIL
REVIEW SHEET**

CASE NUMBER: SPC-2010-0033A **COUNCIL HEARING DATE:** August 19, 2010

PROJECT NAME: Push Up Foundation

ADDRESS: 1711 E. Cesar Chavez

NEIGHBORHOOD PLAN: East Cesar Chavez

APPLICANT: Push Up Foundation (Ben Ogbodiegwu)
1711 E. Cesar Chavez
Austin, TX 78702

AGENT: Conley Engineering Inc. (Carl Conley P.E.)
1301 S. Capital of TX Hwy, Unit A 230
Austin, TX 78746

APPELLANT: Sabino and Lori Renteria
United East Austin Coalition

CASE MANAGER: Nikki Hoelter Phone: 974-2863
nikki.hoelter@ci.austin.tx.us

APPEAL:

Sabino Renteria, President and Lori C-Renteria, Secretary of United East Austin Coalition, have appealed the Planning Commission's approval of a conditional use site plan for an automotive washing facility. The appeal states that the organization has code violations and has continued operations without making required improvements for disposal of wastewater. The appellants also understand that the owner of the site intends to construct a high-tech automated carwash.

Prior to the public hearing, Council will need to determine whether the appellant has standing to appeal the conditional use site plan under LDC Section 25-1-181, Standing to Appeal - (A) A person has standing to appeal a decision if: (1) the person is an interested party; and (2) a provision of this title identifies the decision as one that may be appealed by that person. (B) A body holding a public hearing on an appeal shall determine whether a person has standing to appeal the decision.

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit to add an automotive washing use to an existing transitional housing and treatment site. No modification to the building or impervious cover is associated with this site plan; the existing building and parking will be utilized. The owner does intend to provide a containment berm, sediment trap, and sump pump to dispose of the wastewater from the car wash. A site plan exemption and wastewater discharge permit must be obtained for these improvements if the conditional use permit is approved.

SUMMARY STAFF RECOMMENDATION:

Staff recommends denial of the appeal and upholding Planning Commission approval of the conditional use permit. The site plan complies with all requirements of the Land Development Code.

PLANNING COMMISSION ACTION:

A conditional use permit was approved by consent by the Planning Commission on May 11, 2010 (8-0).

PROJECT INFORMATION

SITE AREA	19,598 square feet	0.449 acres	
EXISTING ZONING	CS-MU-CO-NP and CS-1-MU-CO-NP		
WATERSHED	Lady Bird Lake (Urban)		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance (Urban)		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	E. Cesar Chavez		
	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	2:1	0.38:1	0.38:1
BUILDING COVERAGE	95%	38%	38%
PARKING	19	19	19

SUMMARY COMMENTS ON SITE PLAN:

The proposed automotive washing use is located within an existing site that is currently used for transitional housing. The lot is zoned CS-MU-CO-NP and CS-1-MU-CO-NP. Ordinance No. 001214-20 established the zoning and conditional overlay for the site for the East Cesar Chavez Neighborhood Plan, which provided that automotive washing of any type is a conditional use within the CS and CS-1 zoning districts.

The applicant is proposing to use a portion of the existing parking and drive area for the hand carwash. The use appears to be appropriate for this roadway and area. The carwash is shielded from neighboring uses and would otherwise be a permitted use within the CS and CS-1 zoning districts. It is about 25 feet from the nearest residential use, and a wooden fence screens the use from the single family property. All compatibility standards are met. Although the Land Development Code does not distinguish between an automatic and a manual carwash, the site plan does not propose building an automatic car wash. A revision to the conditional use permit and approval by the Planning Commission would be required to make additional improvements to the site.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP and CS-1-MU-CO-NP	Transitional Housing
<i>North</i>	CS-MU-CO-NP	Commercial
<i>South</i>	SF-3-NP	Single-family residential
<i>East</i>	CS-1-MU-NP	Office
<i>West</i>	CS-1-MU-NP	Commercial

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
E. Cesar Chavez	50 ft	36 ft	Arterial

NEIGHBORHOOD ORGNIZATIONS:

6—Barrio Unido Neighborhood Assn.

23—Old Pecan Street Assn.

30—Guadalupe Neighborhood Development

438—Downtown Austin Alliance

402—Downtown Austin Neighborhood Assn (DANA)
452—Guadalupe Association for an Improved Neighborhood
477—El Concilio, Coal. Of Mex Ameri Neigh Assn
511—Austin Neighborhoods Council
623—City of Austin Downtown Commission
742—Austin Independent School District
744—Sentral Plus East Austin Koalition (SPEAK)
751—6IXTH Street Austin Association (Formerly Pecan Street Owners Assn)
767—Downtown Austin Neighborhood Coalition
786—Home Builders Association of Greater Austin
972—PODER
960—Lower Waller Creek
966—Organization of Central East Austin Neighborhoods (OCEAN)
975—East Cesar Chavez Neighborhood Planning Team
1037—Homeless Neighborhood Assn.
1075—League of Bicycling Voters
1113—Austin Parks Foundation
1210—Plaza Saltillo TOD Staff Liaison
1220—Greater East Austin Neighborhood Assn
1188—Austin Street Futbol Collaborative
1189—Tejano Town
1200—Super Duper Neighborhood Objectors and Appealers Organization
1223—East Cesar Chavez Neighborhood Assn
1224—Austin Monorail Project

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

The following evaluation is included to provide staff's position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code (**EVALUATION OF CONDITIONAL USE SITE PLAN**) states:

A. The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

B. A conditional use site plan must:

1. Comply with the requirements of this title;

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The proposed automotive washing use is a conditional use in the East Cesar Chavez neighborhood plan zoning ordinance. The CS and CS-1 zoning districts are intended for uses of a service nature that have operating characteristics or traffic service requirements that are incompatible with residential environments. The site is located on East Cesar Chavez and is physically separated from nearby residential uses.

3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;

Staff Response: The site plan will comply with all requirements of the Land Development Code. All improvements on the site are existing and no new construction will be occurring. In addition, the site plan complies with setback, height, and compatibility requirements.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: The site plan complies with off-street parking and loading facility requirements; all parking is existing and new parking will not be required.

5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

Staff Response: The site plan will comply with all requirements of the Land Development Code including Compatibility Standards, and reasonably protects the health, safety, and welfare of persons and property.

C. In addition, a conditional use site plan may not:

6. More adversely affect an adjoining site than would a permitted use;

An automotive washing use will have no more impact on adjoining properties than other permitted uses in the area which could operate with similar hours.

7. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or

Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation, since it is located within an existing parking lot.

8. Adversely affect an adjacent property or traffic control through the location, lighting, or type of

a sign. Staff Response: All signs and lighting will comply with the Land Development Code.

D. A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

In addition, Sec. 25-5-146 (CONDITIONS OF APPROVAL) states:

(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.



City of Austin Watershed Protection and Development Review Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

SITE PLAN APPEAL

*Received
5/25/10
att*

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Watershed Protection and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission (ZAP or PC), or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. SPC-2010-0033A DATE APPEAL FILED 5-24-10
PROJECT NAME Push UP Foundation YOUR NAME LORI C-Renteria
Conditional Use Permit SIGNATURE Lori C-Renteria
PROJECT ADDRESS 1711 E. Cesar YOUR ADDRESS 1511 Haskell St
Chavez St, 78702 78702
APPLICANT'S NAME Carl Conley YOUR PHONE NO. () N/A WORK
CITY CONTACT Nikki Hoelter (512) 478-6770 HOME

INTERESTED PARTY STATUS: Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date) I showed up late on 5-11 & it passed on consent
- ☒ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☐ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☒ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site. United East Austin Coalition
Sabino is President, Lori is secretary

DECISION TO BE APPEALED*: (Check one)

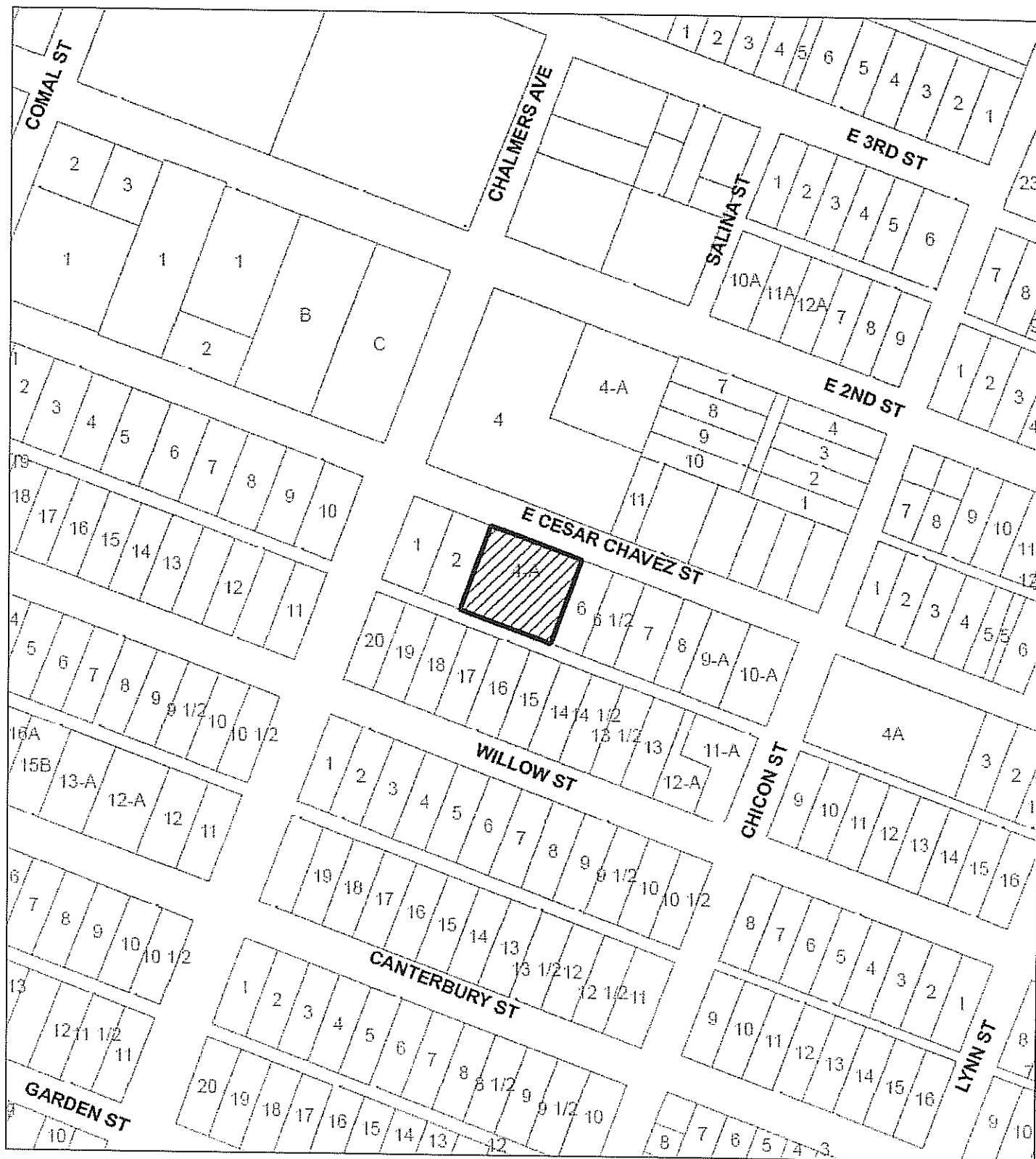
- ☐ Administrative Disapproval/Interpretation of a Site Plan
- ☐ Replacement site plan
- ☒ Land Use Commission Approval/Disapproval of a Site Plan
- ☐ Waiver or Extension
- ☐ Planned Unit Development (PUD) Revision
- ☐ Other: _____



Date of Decision: _____
Date of Decision: _____
Date of Decision: 5-11-10
Date of Decision: _____
Date of Decision: _____

*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

STATEMENT: Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

Push Up is not a trust worthy organization & has
numerous code violations pending. The director stated
on KAZI Radio on 5-20-10 at 10:30am they intend to build a
high tech automated car wash. Conditions have not been met
& they continue operations without making
required improvements for disposal of waste water



-  Subject Tract
-  Base Map

PUSH UP FOUNDATION-CONDITIONAL USE PERMIT

CASE#: SPC-2010-0033A
 ADDRESS: 1711 E CESAR CHAVEZ STREET
 MANAGER: NIKKI HOELTER

1" = 400'



OPERATOR: R.CERVANTEZ

This map has been produced by Notification Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



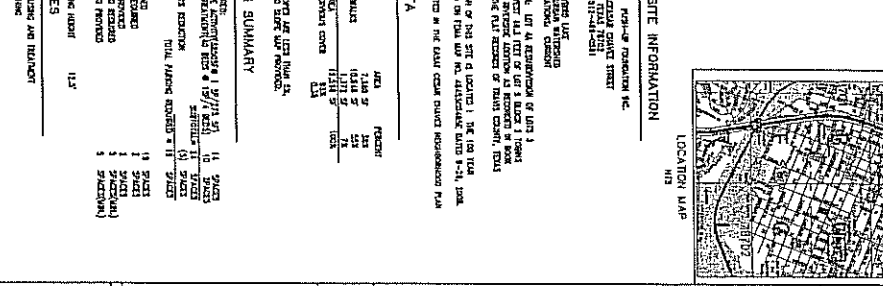
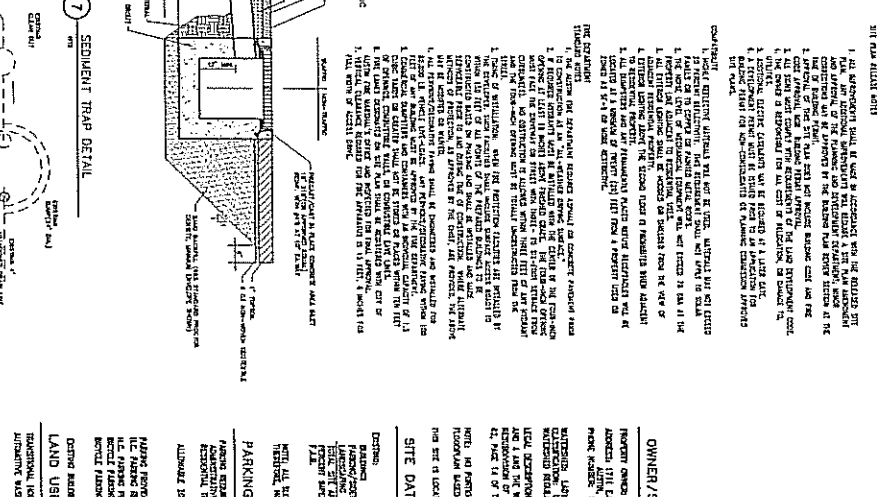
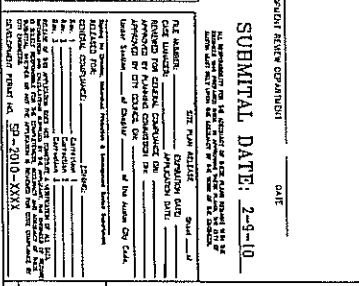
PUSH UP FOUNDATION-CONDITIONAL USE PERMIT



 Subject Tract
 Base Map

CASE#: SPC-2010-0033A
ADDRESS: 1711 E CESAR CHAVEZ ST
MANAGER: NIKKI HOELTER





The drawing shows a mechanical part with various dimensions and a cross-sectional view. The dimensions are as follows:

- Overall length: 100
- Overall width: 100
- Overall height: 100
- Internal dimensions: 10, 20, 30, 40, 50, 60, 70, 80, 90, 100, 110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 210, 220, 230, 240, 250, 260, 270, 280, 290, 300, 310, 320, 330, 340, 350, 360, 370, 380, 390, 400, 410, 420, 430, 440, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 600, 610, 620, 630, 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 790, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 910, 920, 930, 940, 950, 960, 970, 980, 990, 1000

The cross-sectional view shows the internal structure of the part, including a central shaft and various internal components.

Hoelter, Nikki

From: Ben Ogbodiegwu [REDACTED]
Sent: Thursday, May 27, 2010 12:59 PM
To: Hoelter, Nikki
Cc: Guernsey, Greg; cconley@conleyengineering.com; [REDACTED]
Subject: Re: Appeal to Push Up CUP approval

Dear Ms. Hoelter:

It's very important to note: Push-Up applied for a Vertical Mixed Use, but was denied by the same Contact Team chaired by Mr. Sabino Renteria, and the same Contact Team chaired by him ruled to be neutral on May 21, 2010 for our project; because it was not what he wanted, he wants to create a fake organization in order to oppose us. It's a conflict of interest, Mr. and Ms. Renteria already participated in the Contact Team that ruled to be neutral in our project. The decision of the Contact Team is binding, and must be honored by your Department. They did not speak at the hearing nor communicate their opposition in writing to the Director as demanded by the rule; they are not 500 ft away from the our facility. They were invited to our facility but they declined to come; the issue of drainage raised by Mr. Renteria was addressed and approved by the City.

Push-Up was audited and monitored by Austin/Travis County Health and Human Services on monthly basis, but did not audit or monitor any other white non-profit organizations, it's a clear example on how Push-Up has always being selectively and discriminatory treated by the City. Another example, Family Connection was receiving close to \$1 million dollars annually from the HHSD and never audited until recently. I will be waiting for your decision, thanks!

Ben Ogbodiegwu

From: "Hoelter, Nikki" <nikki.hoelter@ci.austin.tx.us>
To: Ben Ogbodiegwu [REDACTED]
Cc: "Guernsey, Greg" <greg.guernsey@ci.austin.tx.us>; cconley@conleyengineering.com; [REDACTED]
Sent: Thu, May 27, 2010 9:03:45 AM
Subject: RE: Appeal to Push Up CUP approval

Ben,

I appreciate your response. At this point, staff is trying to determine if the appellant has standing to appeal. If she does, the appeal will be scheduled for Council. I'll let you know what's decided as soon as I have more information. Thanks!

Nikki Hoelter, Senior Planner
Land Use Review
Planning and Development Review Department
City of Austin
nikki.hoelter@ci.austin.tx.us
Phone: 974-2863
Supervisor: Lynda Courtney, 974-2810
lynda.courtney@ci.austin.tx.us

From: Ben Ogbodiegwu [mailto: [REDACTED]]
Sent: Wednesday, May 26, 2010 9:38 AM
To: Hoelter, Nikki
Cc: Guernsey, Greg; cconley@conleyengineering.com; [REDACTED]
Subject: Re: Appeal to Push Up CUP approval

Dear Ms. Hoelter:

I want to respond to the SITE PLAN APPEAL by Ms. Lori Renteria. She stated as follows:
" I showed up late on 5-11& it passed on consent". The Planning Commission was clear about the time it conducts hearing, Ms. Lori would have been there like everyone on time at 6:pm. (2) "United East Austin Coalition, Sabino is President, Lori is secretary". Push-Up met with the East Austin Contact Team twice in which Mr. Sabino Renteria presided as the Chair, and Ms. Lori also participated in those meetings as well. Push-Up specifically addressed the drainage issue raised by Mr. Renteria which was approved by the City. At the last meeting of April 21, 2010, the Contact Team voted to remain neutral on the issue of Push-Up's request for a conditional use permit. Mr. and Ms. Renteria need to honor and respect the ruling of the Contact Team. It's okay for both Renterias to honor and respect the decision of Contact Team when it voted against Push-Up to be included in the list of applicants approved for vertical mixed use which Contact Team denied Push-Up. (3) " Land Use Commission Approval/Disapproval of a Site Plan". Push-Up is cleared and met all the code requirements of the City of Austin; Push-Up is recommended by staff. Push-Up has no violation issues pending as stated by Ms. Lori Renteria, we are completely in compliance and we have our documents to prove it.

Push-Up has shown that we can comply with the City rules through the temporary permit and we do not intend to do otherwise. We are not interested to build any car wash at 1711 East Cesar Chavez, but considering the option of building a full car wash facility somewhere else to create job opportunities for our clients.

In conclusion, you can look at the attached letter to the petition, it shows that Ms. Renteria has a personal vendetta against Push-Up and she has been used by the special interest groups who want to take our property in spreading lies and fabrications against me and Push-Up. In 2004, she lied to TDCJ about Push-Up not putting the signs up as required by the contract, the contract was awarded to Push-Up after TDCJ found she lied. Mr. and Ms. Renteria could have recused themselves from the Contact Team based on their history, but they did not, and would not honor the decision of the Contact Team which is abiding by law. I personally called Mr. Renteria and offered him an opportunity for us to meet and discuss on this matter, but he would not return my calls. There is an issue of conflict of interest and the appeal does not meet the guidelines of the City of Austin; we therefore, ask the Department to deny the appeal.

Ben Ogbodiegwu

From: "Hoelter, Nikki" <nikki.hoelter@ci.austin.tx.us>
To: Ben Ogbodiegwu [mailto: [REDACTED]]; "Carl P. Conley, P.E." <cconley@conleyengineering.com>
Sent: Tue, May 25, 2010 4:36:37 PM
Subject: Appeal to Push Up CUP approval

This is to inform you that an appeal has been filed on the approval of the CUP approved by the Planning Commission on May 11, 2010.

I received this this afternoon and will need to determine if the appellant has standing to appeal. I'll let you know tomorrow.

Thanks!

Lori C-Renteria

From: Lori C-Renteria [REDACTED]
Sent: Tuesday, May 11, 2010 6:59 PM
To: 'Kathie Tovo'
Cc: carol haywood
Subject: I was too late for the PushUp item

Like a dingbat, it didn't occur to me that item 10 could go on consent so I went to the Comp Plan Task force meeting first. I should have signed up at Planning Commission then run over to the Comp Plan meeting. Oh well, you win some – you lose some. Can you tell me what the vote was and if we have a chance to oppose it at Council? I'm not sure if what they got tonight allows for staff approval or does it still have to go before Council? Please advise. Thanks, Lori [REDACTED]

Lori

From: "Lori Renteria" [REDACTED]
To: <vdickson@statesman.com>
Sent: Thursday, July 20, 2006 3:22 PM
Subject: Fw: Update on PushUp Foundations Complaints

Saw your article. Thought you might want to dig a little deeper so I'm copying a message I sent to our allies. Your article gave me an excuse to bug the folks who are supposed to be helping us with this scam organization. We have about a foot and a half of documentation if you'd like to see for yourself.

Lori C-Renteria, [REDACTED]

East Cesar Chavez Neighborhood Planning Team
 Crime and Safety Chair

— Original Message —

From: Lori Renteria
To: Comm. Margaret Gomez
Cc: david.escamilla@co.travis.tx.us ; Stuart Hersh ; Toby Futrell ; Mayor Will Wynn ; Lee Leffingwell ; Jennifer Kim ; Brewster McCracken ; Betty Dunkerley ; Sheryl Cole ; Mike Martinez ; Judge Sam Biscoe ; Comm. Karen Sonleitner ; Comm. Gerald Daugherty ; Comm. Ron Davis ; joe.woolverton@tdcj.state.tx.us ; sheila.Gaskins@tdcj.state.tx.us ; michael.trimble@co.travis.tx.us ; Vince Cobalis
Sent: Thursday, July 20, 2006 1:24 PM
Subject: Update on PushUp Foundations Complaints

Dear Commissioner Gomez and other allies:

This is an update of our complaints to the TDCJ, Tx Attorney General, Commissioner's Court and City Council starting in 2004 regarding PushUp Foundations housing serious violent felons at their facility located at 1711 E. Cesar Chavez Street under a contract with TDCJ. Our complaints center on faulty public notice, due process, financial assurances statements, and contract fraud. At our East Cesar Chavez Team meeting last night, we found out from Lt. Keith Leach (manager of COA inspectors, 974-1979), Kit Campbell (eastside district manager of inspectors, 974-9024), and Nancy Matehus (city attorney for code enforcement, 974-2343) that PushUp has been taken to court for code violations and despite the PushUp's attorney's advise, they refuse to correct the violations and requested a jury trial which has not been set yet. The violations cited were an illegal car wash operation and possibly excessive trash. And since PushUp backed out of their agreement with the City Housing Dept. (Stuart Hersh, 974-3154) to improve the living conditions inside the shelter, the inspectors will be pursuing authorization to enter the residence area to inspect for unsafe and overcrowded living conditions at the men's shelter where they are housing the felons we are so concerned about. They also told TDCJ that the employment would not include car washes but in an article in the Statesman clearly states the felons are working the car wash (<http://www.statesman.com/news/content/news/stories/local/07/17pushup.html>). **It is my recollection that the contract with TDCJ to accept felons was contingent upon PushUp fixing up the residential areas with assistance from the City Housing Dept.** Thanks for your continued support.

Lori C-Renteria, [REDACTED], East Cesar Chavez Team Crime and Safety Chair.

Lori C-Renteria

From: Lori C-Renteria [REDACTED]
Sent: Monday, May 10, 2010 10:28 AM
To: 'Kathie Tovo'
Subject: Please forward it to anyone: Push Up Foundation

Thanks a lot. Please do forward it. Lori 478-6770

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

From: Kathie Tovo [REDACTED]
Sent: Sunday, May 09, 2010 5:03 PM
To: Lori C-Renteria
Subject: Re: Push Up Foundation

Dear Lori,

Many thanks for such a thorough email. I really appreciate having this background. May I forward it to Danette?

See you Tues --

Best,
Kathie

on 5/9/10 8:30 AM, Lori C-Renteria at [REDACTED] wrote:

> I plan on being at the hearing on PushUp. In 1998, our vision for E.
> Cesar Chavez Street was to make it more of a pedestrian and bike
> transit corridor rather than auto-related. So, in 2000 as part of our
> adopted plan re-zonings, we made all auto/truck/bus related uses
> conditional along with adult entertainment, alcohol sales, and pawn
> shops. We kept all the CS-1 and felt there was just the right amount
> of neighborhood bars in our plan area on this street. You have to
> remember that as a pilot plan area, we could not suggest any base
> down-zoning or the business community would have nuked us before we
> got out of the gate. So, the most we could do was conditional uses on
> the CS and put MU on the homes so both types could co-exist on this
> great street. We have repeatedly told PushUp that there are a 100
> other uses he could pursue to earn money and provide job training for
> his clients like the thrift store he also operates in the parking lot
> without an occupancy permit. We suggested he re-open the commercial
> kitchen (he closed the kitchen and jammed more beds in there instead
> of bringing the kitchen up to code, so his clients rely on Mobile
> Loaves trucks and the soup kitchen to eat) and operate a restaurant or
> coffee shop. He could invest in some very inexpensive equipment and
> go into the landscaping business, janitorial, all kinds of low-skill
> service businesses would be allowed there anything but auto-related, pawn shop or strip
> joint. Car washes don't really provide much job training opportunity in Austin.
>
> He only started this car wash operation once we worked along with
> other social service providers to get his funding cut because of
> corruption, incompetence, and serious overcrowding. I don't know the
> exact year, but I'd say around 2005 or 06.
>
> The Team took no action because we are deeply divided on this case,

> everyone supports the site be used for transitional housing but this
> is not a good operator and the population he wants to serve are men
> with serious felony drug abuse. Our neighborhood and me personally
> have a history of broken promises with this operator. I was his
> biggest fan, helping him secure his first building, acquire the
> second, get city housing to repair both properties, got him elected as
> chair of the Austin Homeless Coalition and a seat on the Downtown
> Community Court Advisory Committee. Then I started getting calls from
> my friends in the homeless provider network telling me Ben was
> incompetent, abusing clients, not honest about the services he was
> supposed to be offering thru interagency agreements and local funding
> and they were asking the city-county-can agencies to yank his
> funding. He turned around and sold off the women's shelter (the asking
> price was \$2 million) which the city and our team spent over a year
> planning to rebuild for him (the city lost about \$200k on staff and engineering costs for
this shelter) the building sold and he was able to operate the men's shelter for about a
> year off that money. As that money got used up, that's when he started the
> illegal car washes. Then when all the city-county contracts dried up,
> he got a contract with Huntsville to bring in serious drug offenders
> who would not be released from prison without a community-based SAF-P
> program to enter and we fought that for 3 years. We pulled 2 feet high
> stack of FOIA records and his own auditors said "the corporation is
> not a going concern" which means bankrupt. He owed \$250,000 in back
> payroll taxes and all kinds of other debt. He lied on his application
> to the Tx Criminal Justice for the SAF-P program and they finally did
> not renew his contract. I asked the county attorney to file fraud on
> him but got no traction. He has sued the city for liens and harassment
> by code enforcement and claims everyone is picking on him because of his ethnicity and the
fact he serves Black men. He has
> become payee for mentally ill homeless people that don't live there. He is
> desperate and the car wash is the only way his group is staying open.
> We want to keep the transitional housing but get a different operator
> with a less scary population like local homeless people with a
> provider we can trust instead of referrals from the state prison
> system which is his primary base now.

> Thanks for asking! See you Tuesday. Lori [REDACTED]

> -----Original Message-----

> From: [REDACTED] On Behalf
> Of ktovo

> Sent: Saturday, May 08, 2010 11:34 PM
> To: Lori C-Renteria
> Subject: Push Up Foundation

> Dear Lori,

> Hello! Hope you are well. I look forward to speaking with you sometime
> about the Comp Plan Citizens Advisory TF. Our PC meetings conflict
> with yours, so I haven't been able to attend. I'd be interested in
> your impressions about the Comp Plan process.

> But on a more immediate front, I am reading the Planning Commission
> packet we received yesterday, and I see that there's an application
> for a conditional use permit at 1711 E. César Chávez for the Push Up Foundation.
> Has the ECCNPT taken a position on this application (for a hand car wash)?

> thanks!



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Your All Day, Any Day, Info Center

CSR Web Intake

This summary report provides the latest available information regarding this Service Request. If you would like additional information on the status of your request please call 311.

Service Request Number 10-00082832

Current Status OPENED

Originally Submitted MAY 21, 2010 11:57 AM



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NOTE: Code Enforcement Complaint filed for continued car wash operations without implementing drainage & retention of waste water, which was part of requirements for conditional use.



"To provide transitional housing and treatment services to substance' abusers so they can become self-sufficient, drug and crime free."

1711 E. Cesar Chavez St * Austin, Texas * 78702 * Office: 512-469-5858 * Fax: 512-469-1788

June 22, 2010

Austin City Council
City Hall
301 W. 2nd Street
Austin, Texas 78701

RE: Request For Public Hearing At 6:p.m.

Dear Austin City Council:

I humbly request for your consideration to schedule our public hearing at 6:p.m.
We are asking this request to enable our supporters who get out of work at 5:p.m. to attend the hearing.
Thanks very much for your support and assistance.

Yours truly,

Ben Ogbodiegwu, MCJA, LCDC
Founder/Executive Director

Cc: Cindy Casillas, Supervisor

Cc: Nikki Hoelter



"To provide transitional housing and treatment services to substance' abusers so they can become self-sufficient, drug and crime free."

1711 E. Cesar Chavez St * Austin, Texas * 78702 * Office: 512-469-5858 * Fax: 512-469-1788

July 13, 2010

RECEIVED

JUL 14 2010

Mr. Greg Guernsey, Director
Planning & Development Review Department
City of Austin
P.O. Box 1088
Austin, Texas 78767-8818

Planning & Development Review

RE: CONDITIONAL USE PERMIT/APPEAL

Dear Mr. Greg Guernsey, Director,

In reference to the appeal of the Appellants, Mr. Sabino, Pio Renteria and Mrs. Lori Co. Renteria dated May 24, 2010, I hereby address the issues raised in the appeal based on your well spelled criteria in your Interested Party Information form Section 25-1 – 131 of the City Code as follows:

1. INTERESTED PARTY STATUS: The Appellants stated in their appeal, "I showed up late on 5-11 and it passed on consent." They also checked one of the criteria: I communicated my interest in writing to the Director or Land Use Commission prior to the decision. (See attached copy of dated correspondence.)

The e-mail of Ms. Nikki Hoelter dated June 1, 2010, Case Manager on this case SPC-2010 – 0033A says: "As of the public hearing date, May 11, 2010, I did not receive any notice from the Cesar Chavez Contact Team, Neighborhood Association, or Property Owner to be listed as an interested party in opposition, nor did anyone show up to the hearing timely or inform me of being in opposition."

IN ADDITION TO THE ABOVE CRITERIA, I QUALIFY AS AN INTERESTED PARTY BY ONE OF THE FOLLOWING CRITERIA: The Appellants checked: "I am an officer of neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site. United East Austin Coalition, Sabino is President, Lori Renteria is Secretary."

- (2) RESPONSE: Mr. Sabino Renteria, Chair of the East Cesar Chavez Contact Team, and Mrs. Lori Renteria, a member, both participated in the 6-3 vote to take no action regarding the matter; thereby, nullifying their said interested party status. The said Appellants have a long history of opposing Push-Up Foundations, Inc. on any issue that would increase the revenue of the agency, but they have always used the East Cesar Contact Team. Please see their own e-mails dated July 20, 2006, and the e-mail from Kathie Tovo of May 09, 2010. Push-Up was denied to participate in the application for Vertical Mixed Use by the East Cesar Chavez Contact Team on July 1, 2009. Prior to the vote, we had invited the Contact Team members and called Mr. Sabino, Chair, to visit our facility. They all declined from doing so, while Mr. Sabino did not return calls.
- (3) STATEMENT; PLEASE PROVIDE A STATEMENT SPECIFYING THE REASON(S) YOU BELIEVE THE DECISION UNDER APPEAL DOES NOT COMPLY WITH APPLICABLE REQUIREMENTS OF THE LAND DEVELOPMENT CODE: Appellants stated as follows: "Push-Up is not a trustworthy organization and has numerous code violations pending. The director stated on Kazi-Radio on 5-20-10 at 10:30 A.M. they intend to build a high tech automated car wash. Conditions have not been met; they continued operations without making required improvements for disposal of waste water."
- (4) RESPONSE: Push-up Fondations, Inc. is a trustworthy agency that has been providing valuable and needed comprehensive services to homeless persons and individuals coming out of jails and prisons for more than fifteen years in Austin/Travis communities. Our agency has been audited and monitored more than any other non-profit organization funded by the City of Austin or the State of Texas, while many dominant non-profit organizations are never audited or monitored. Push-Up has passed all its audits and monitoring visits with non – qualified opinions.
- (5) RESPONSE: Push-Up has no code violations with the city of Austin or with any governmental agencies as alleged by the Appellants. Please see: CITY OF AUSTIN CERTIFICATE OF OCCUPANCY, BUILDING PERMIT NO. 2009 – 109708 BP, ISSUED 10/12/2009.
- (6) RESPONSE: Yes, I spoke at the Kazi – Radio on 5-20-2010, but my comment was about an outside car wash facility to create job opportunities for our clients, not 1711 East Cesar Chavez.
- (7) Push-Up has 60 days in order to complete whatever recommendations stated by inspectors; however, it is a process that we do not control and we had already requested for the permit and details of work to be done in writing from our engineer Mr. Conley.

- (8) The Appellants have worked with some Departments in the City of Austin to sabotage the efforts of our agency, such as: Austin Law Department; Austin/Travis County Health and Human Services and Austin Housing Finance Corporation. Please see the following letters: October 22, 2007; November 3, 2003; and article of January 30, 2009.

We ask the Austin City Council to help us to continue to provide a vital service to our community that we love. Remember: It's always about the people, and not self.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ben Ogbodiegwu', with a stylized flourish at the end.

Ben Ogbodiegwu, MCJA, LCDC
Founder/Executive Director

Cc: Mr. Marc Ott, Austin City Manager
Ms. Sue Edwards, Assistant City Manager
Ms. Sarah Graham, Supervisor
Ms. Nikki Hoelter, Case Manager

EXHIBIT ATTACHMENTS

1. Planning Commission Site Plan Conditional Use Permit Review Sheet
2. El-Conuilio: A Coalition of Mexican American Neighborhood Associations support letter
3. Conley Engineer, Inc. letter to Mr. Guernsey
4. Planning Commission Minutes
5. Interested Party Information
6. Site Plan Appeal
7. Lori Penteria letter to Commissioner Gomez July 20, 2006
8. An ordinance amending Section 25-1-801 of the city code to clarify that Neighborhood Plan Contact Teams may qualify as Interested Parties
9. Approved minutes of East Cesar Chavez Contact Team
10. City of Austin Community Registry United East Austin Coalition
11. Austin Neighborhood's Council United East Austin Coalition not listed, but EEC is
12. Citizen led Austin Safety Partnership United East Austin Coalition not listed, but East Cesar Chavez Contact Team is
13. Austin American Statesman articles of both January 29 and 30, 2009
14. Law Department letter of October 20, 2007
15. E-mails from EEC and Gavino's e-mail, COA

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**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET**

CASE NUMBER: SPC-2010-0033A **PC DATE:** May 11, 2010

PROJECT NAME: Push Up Foundation

ADDRESS OF APPLICATION: 1711 E. Cesar Chavez

APPLICANT: Push Up Foundation (Ben Ogbodiegwu)
1711 E. Cesar Chavez
Austin, TX, 78702

AGENT: Conley Engineering Inc. (Carl Conley, P.E.)
1301 S. Capital of TX Hwy, Unit A 230
Austin, TX 78746

AREA: 19,598 square feet (.449 acres)

WATERSHED: Town Lake (Urban)

WATERSHED ORDINANCE: Comprehensive Watershed Ordinance (urban)

T.I.A.: N/A

CAPITOL VIEW: N/A

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit for an automotive washing use to an existing transitional housing and treatment site. The automotive washing will be a hand car wash; however the Land Development Code does not separate automatic car wash from a hand car wash. No additional construction to the site is proposed with this site plan.

No modification to the building or impervious cover is associated with this site plan/change of use; the existing building and parking will be utilized.

EXISTING ZONING: The proposed automotive washing use is located within an existing site, that's currently used for transitional housing. The lot is zoned CS-MU-CO-NP and CS-1-MU-CO-NP. Ordinance No. 001214-20 established the zoning and conditional overlay for the site for the East Cesar Chavez Neighborhood Plan, which provided Automotive Washing, of any type be a conditional use within the CS and CS-1 zoning districts.

NEIGHBORHOOD ORGANIZATIONS:

- 6—Barrio Unido Neighborhood Assn.
- 23—Old Pecan Street Assn.
- 30—Guadalupe Neighborhood Development
- 438—Downtown Austin Alliance
- 402—Downtown Austin Neighborhood Assn (DANA)
- 452—Guadalupe Association for an Improved Neighborhood
- 477—El Concilio, Coal. Of Mex Ameri Neigh Assn
- 511—Austin Neighborhoods Council
- 623—City of Austin Downtown Commission
- 742—Austin Independent School District
- 744—Sentral Plus East Austin Coalition (SPEAK)
- 751—6IXTH Street Austin Association (Formerly Pecan Street Owners Assn)

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767—Downtown Austin Neighborhood Coalition
786—Home Builders Association of Greater Austin
972—PODER
960—Lower Waller Creek
966—Organization of Central East Austin Neighborhoods (OCEAN)
975—East Cesar Chavez Neighborhood Planning Team
1037—Homeless Neighborhood Assn.
1075—League of Bicycling Voters
1113—Austin Parks Foundation
1210—Plaza Saltillo TOD Staff Liaison
1220—Greater East Austin Neighborhood Assn
1188—Austin Street Futbol Collaborative
1189—Tejano Town
1200—Super Duper Neighborhood Objectors and Appealers Organization
1223—East Cesar Chavez Neighborhood Assn
1224—Austin Monorail Project

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit. The automotive washing use has been in operation for several years and the owner would like to establish a code compliant site. The 7,380 square foot transitional housing and treatment use obtained a certificate of occupancy in 2005, therefore the no-profit agency would like to further their purpose to include the automotive washing use within their training program. The hours of operation for the car wash will be Monday through Saturday, 6am to 8pm. The site plan will comply with all requirements of the Land Development Code prior to its release.

CASE MANAGER: Nikki Hoelter Phone: 974-2863
Nikki.hoelter@ci.austin.tx.us

PROJECT INFORMATION: 19,598 square feet (.449 acres)

EXIST. ZONING: CS-MU-CO-NP and CS-1-MU-CO-NP

ALLOWED F.A.R.: 2:1

EXISTING F.A.R.: .38:1

MAX. BLDG. COVERAGE: 95%

EXISTING BLDG. CVRG: 38%

MAX. IMPERVIOUS CVRG.: 95% **EXISTING IMPERVIOUS CVRG:** 93%

REQUIRED PARKING: 19

PROVIDED PARKING: 19

Proposed Access: E. Cesar Chavez

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting a conditional use permit for an automotive washing use. A portion of the existing parking and drive area will be utilized for the hand car wash. The use appears to be appropriate for this roadway and area, it's shielded from neighboring uses, and would otherwise be a permitted use within the CS and CS-1 zoning districts. The applicant does not propose additional improvements such as building an automatic car wash, additionally the building and parking lot are existing structures. The proposed car wash is about 25 feet from the nearest residential use, additionally a wooden fence screens the use from the single family property. All compatibility standards are met. Staff recommends approval of the conditional use permit.

Environmental: This site is located in the Town Lake Watershed and subject to Urban Watershed regulations. All Environmental comments are cleared.

Transportation: Access to the existing site will be from Cesar Chavez. The site plan complies with all

Push Up Foundation

SPC-2010-0033A

other transportation requirements.

SURROUNDING CONDITIONS:

Zoning/ Land Use

North:	CS-MU-CO-NP, commercial
East:	CS-1-MU-NP; Office
South:	SF-3-NP; Single family residence
West:	CS-1-MU-NP, commercial

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/4**CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA**

A. The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Planning Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section. A conditional use site plan must:

B.

1. **Comply with the requirements of this title;**

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

2. **Comply with the objectives and purposes of the zoning district;**

Staff Response: The proposed automotive washing use is a conditional use in the East Cesar Chavez neighborhood plan zoning ordinance.

3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;**

Staff Response: The site plan will comply with all requirements of the Land Development Code. All improvements on the site are existing and no new construction will be occurring. In addition, the site plan complies with setback, height, and compatibility requirements.

4. **Provide adequate and convenient off-street parking and loading facilities; and**

Staff Response: The site plan complies with off-street parking and loading facility requirements; all parking is existing and new parking will not be required.

5. **Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.**

Staff Response: The site plan will comply with all requirements of the Land Development Code including Compatibility Standards, and reasonably protects the health, safety, and welfare of persons and property.

6. **For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is in the East Cesar Chavez Neighborhood Plan

C. **In addition, a conditional use site plan may not:**

7. **More adversely affect an adjoining site than would a permitted use;**

An automotive washing use will have no more impact on adjoining properties than other permitted uses in the area which could operate with similar hours.

8. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or**

Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation. No parking, signage or traffic changes will occur with this site plan.

9. **Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.** Staff Response: All signs and lighting will comply with the Land Development Code.

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D. 25-5-145. A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

§ 25-5-146 CONDITIONS OF APPROVAL.

(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

1. THIS IS PLANNED TO BE COMPLETED BY APRIL 1967.
2. THE GOVERNMENT HAS REQUESTED THAT THE FBI ASSIST IN THE DEVELOPMENT OF A NATIONAL DATA BANK FOR THE COLLECTION AND ANALYSIS OF INFORMATION ON THE ACTIVITY OF THE ORGANIZATION.
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ORDER/SITE INFORMATION

NOTE DATA


RECEIVED BY THE FBI ON 12/15/61

THESE CONCENTRATIONS ARE AN INDICATION OF LEFTS IN THE
 1960'S AND ARE NOT MEANT TO BE A GUIDE TO THE PRESENT
 SITUATION IN THE UNITED STATES.

RECEIVED 1964

HERSHEY FOODS FORTIFY NUTRITIONALS INC.
1700 N. 10TH STREET, SUITE 100
HERSHEY, PA 17033-4000
TEL: 717/534-6000 FAX: 717/534-6001

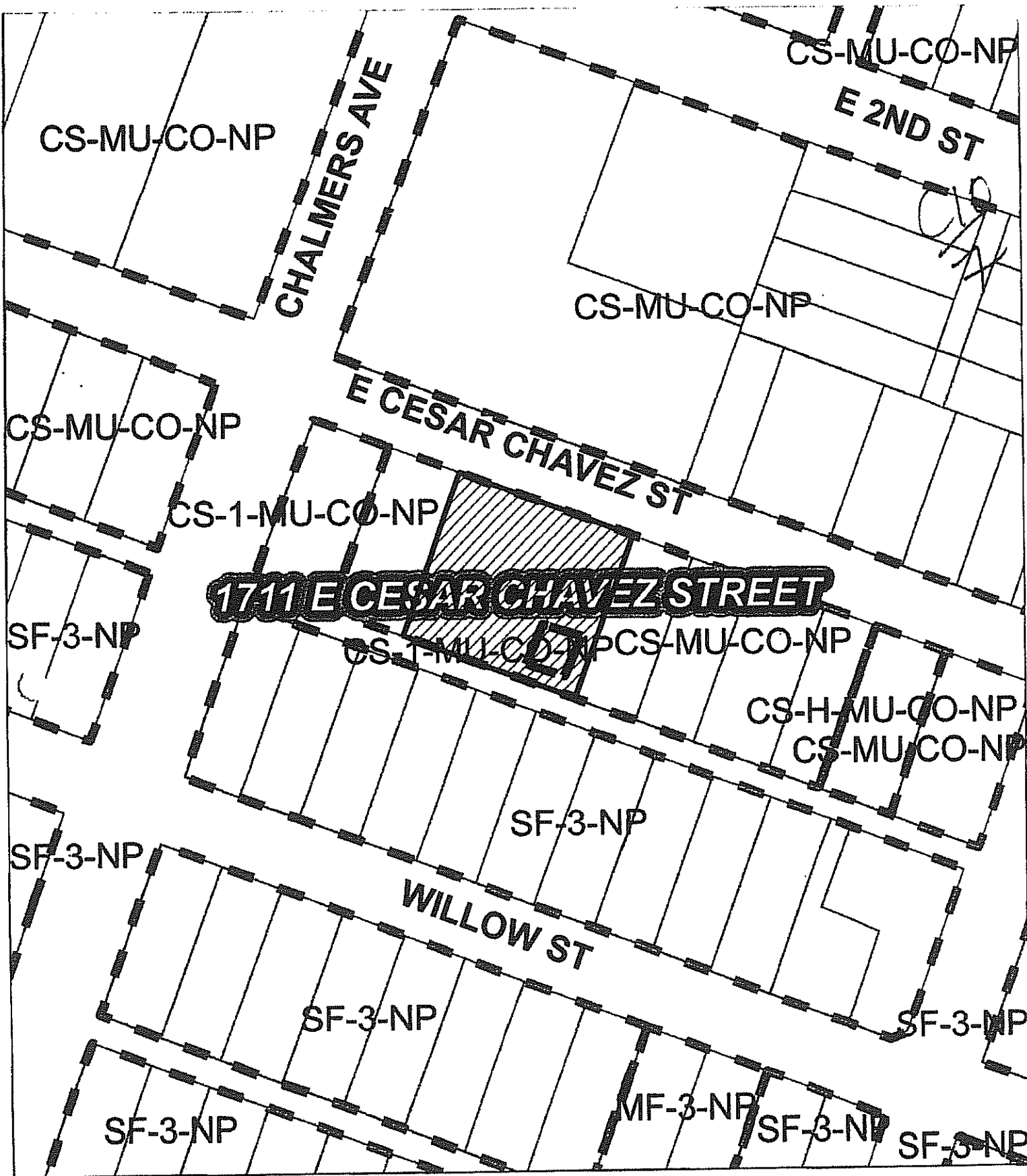
LOCATION MAP
M13

[illegible]

CONDITIONAL USE SITE PLAN
PUSH-UP FOUNDATION
1711 CEASAR CHAVEZ
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS



CORLEY ENGINEERING INC.
Civil Engineers Land Planners Development Consultants
1301 South Capital of Texas Highway, Bldg. A, Suite 230
P.O. Box 182713 Austin, Texas 78718-2713 (512)328-3008

07-11-91-03



PUSH UP FOUNDATION-CONDITIONAL USE PERMIT



-  Subject Tract
-  Base Map

CASE#: SPC-2010-0033A
 ADDRESS: 1711 E CESAR CHAVEZ ST
 MANAGER: NIKKI HOELTER



1" = 100'

OPERATOR: R. PARKER

This map has been produced by Notification Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



El Concilio

"Shaping the 21st Century"

A Coalition of Mexican-American Neighborhood Associations

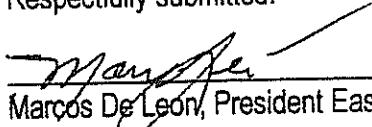
!PAZ EN EL BARRIO!

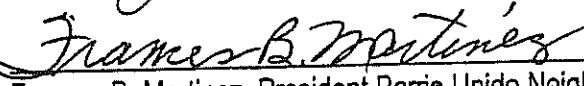
November 18, 2009

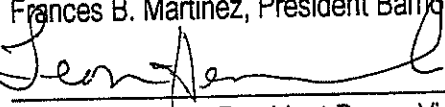
Honorable Lee Leffingwell, Mayor
Honorable Mike Martinez, Mayor-Pro Tem
Honorable Sheryl Cole, Council Member
Honorable Laura Morrison, Council Member
Honorable Randi Shade, Council Member
Honorable Bill Spelman, Council Member
Honorable Chris Riley, Council Member

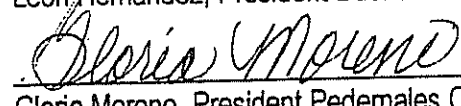
We the members of El Concilio a Coalition of Mexican-American Neighborhood Associations hereby submit this letter in support of Push-up Foundation request for a Site Development Exemption to operate a bucket and sponge car wash located on 1711 Cesar Chavez St. The car wash activity at this location has been a known business to our neighborhood since 1980 under a previous non-profit D.A.R. Since, 1999 when the Push-up Foundation moved into this location and carried on with the car wash activity, it has earned a reputation of being a "Neighborhood Friendly Business". Homeowners and business in our neighborhood have known this activity to be available to us as a Quality detail carwash at a reasonable price. We strongly appreciate this service being available in our Barrio. We also understand that our patronizing of the push-up carwash, assist Push-up Foundation defray cost of it's operations. Giving the most difficult economic times we face today, we pray that the Austin City Council will join us in supporting Push-up Foundations quest to obtain a Site Development Exemption for it's bucket and sponge car wash activity. All we seek is Equity, Fairness and Justice in this process.

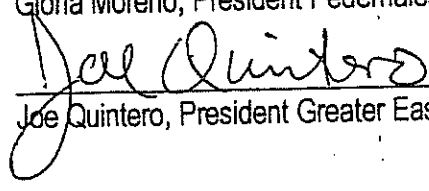
Yours in Christ,
Respectfully submitted:


Marcos De Leon, President East Town Lake Citizens Neighborhood Association


Frances B. Martinez, President Barrio Unido Neighborhood Association


Leon Hernandez, President Buena Vista Neighborhood Association

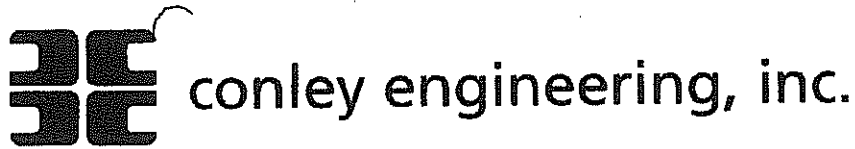

Gloria Moreno, President Pedemales Community Neighborhood Association


Joe Quintero, President Greater East Austin Neighborhood Association

Page 1

!TIERRA, JUSTICIA Y LIBERTAD!

208 Caney St.
Austin, TX 78702



Civil Engineers • Land Planners • Development Consultants

C10
/ 8

February 8, 2010

Mr. Greg Guernsey, Director
Planning & Development Review Department
City of Austin
PO Box 1088
Austin, Texas 78767-8818

Re: Conditional Use Permit
1711 East Cesar Chavez

Dear Mr. Guernsey:

The above referenced site plan is being submitted for the purpose of obtaining an approval for a conditional use for the existing CS-MU-CO zoning for the subject tract.

The existing site is a 0.45 acre tract located on E. Caesar Chavez. Current site improvements consist of 2 one story concrete block buildings and associated parking.

The owner of the property, Push-Up Foundation, is seeking a conditional use overlay that will allow onsite automotive "hand washing and detailing".

Push-Up Foundation is a non-profit organization that provides transitional housing and job skill training. The car wash use will provide training in responsibility, financial management and ethic skills while providing a limited monetary compensation to the residents to meet their personal needs as they transition to the regular workforce.

Additional information on the services provided by Push-Up Foundation can be found on their website at "pushupfoundation.org".

Please call me if you have any questions regarding the scope of this requested conditional use.

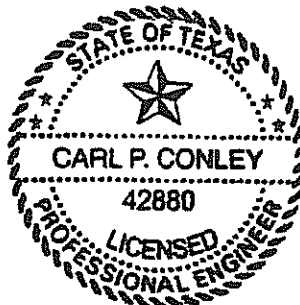
Sincerely,
Conley Engineering Inc.

Carl P. Conley, P.E., R.P.L.S.

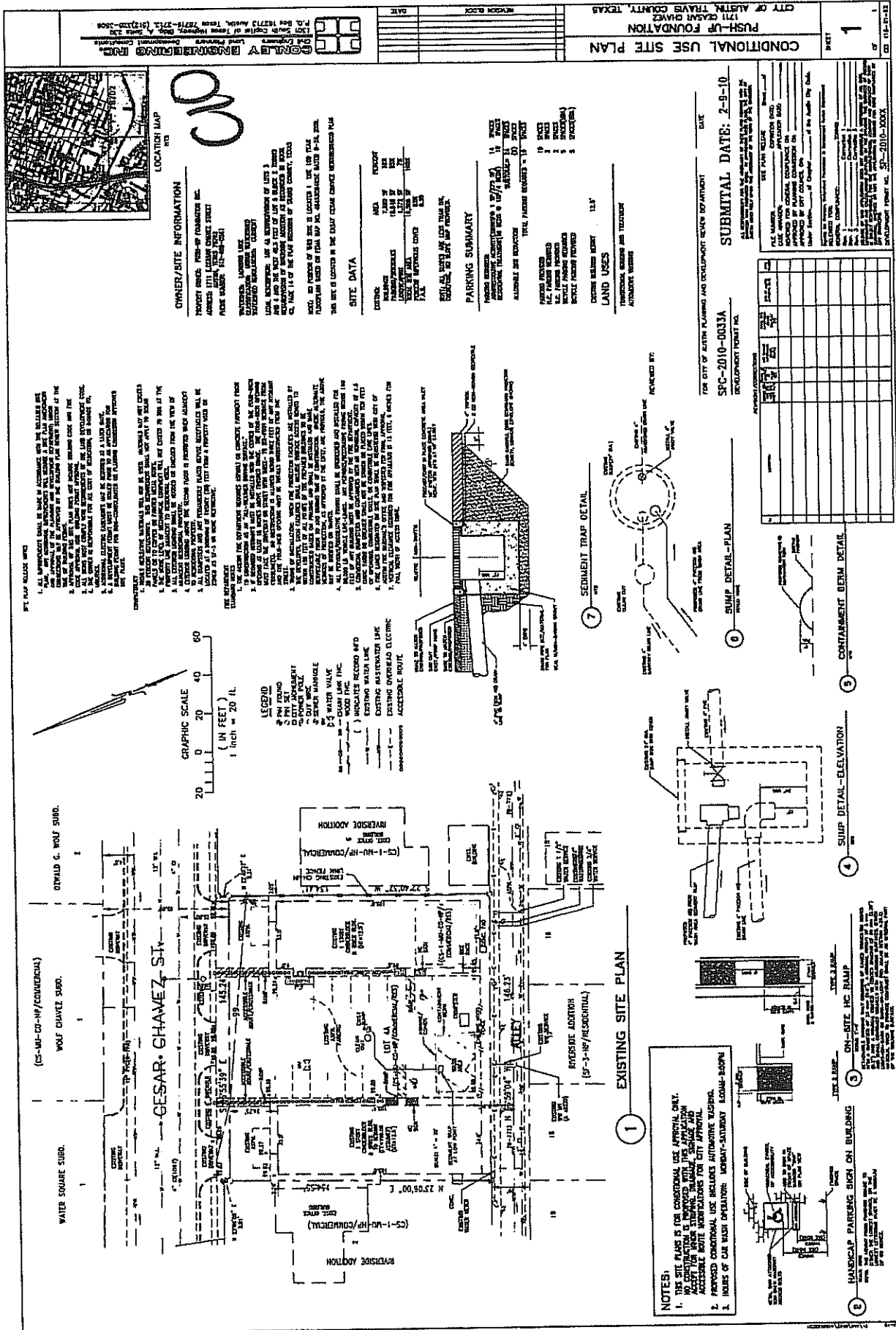
CPC: kk

TBPE Firm Registration Number F-000277

FCM4160102\CU Permit.doc



SCANNED



OWNER/SITE INFORMATION

PROJECT: PUSHP FOUNDATION INC.
ADDRESS: 1211 CECASAR CHAVEZ ST, AUSTIN, TEXAS 78701
PHONE: 512-442-1001

SITE DATA

DATE: 10/15/10
DRAWN BY: J. L. BROWN
CHECKED BY: J. L. BROWN
SCALE: 1" = 20' (GRAPHIC SCALE)

PARKING SUMMARY

MINIMUM REQUIRED: 15 SPACES
PROPOSED: 15 SPACES
TOTAL: 15 SPACES

LAND USES

RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AGRICULTURAL, RECREATION, OPEN SPACE, OTHER

NOTES:

1. THIS PLAN IS FOR CONSTRUCTION ONLY. NO CONSTRUCTION SHALL BE PERMITTED WITHOUT THE APPROVAL OF THE CITY OF AUSTIN PLANNING AND DEVELOPMENT DEPARTMENT.

LEGEND

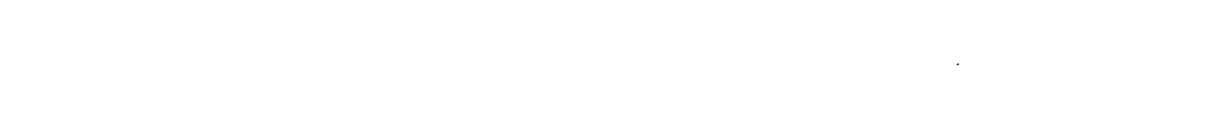
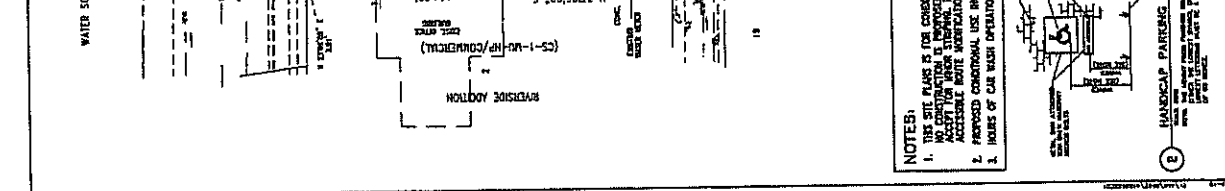
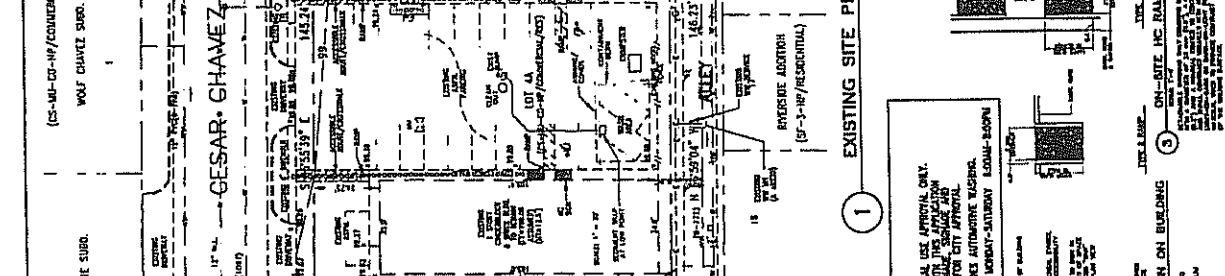
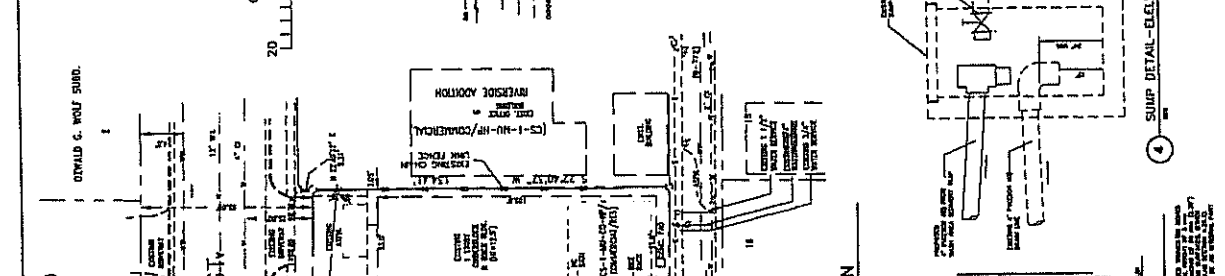
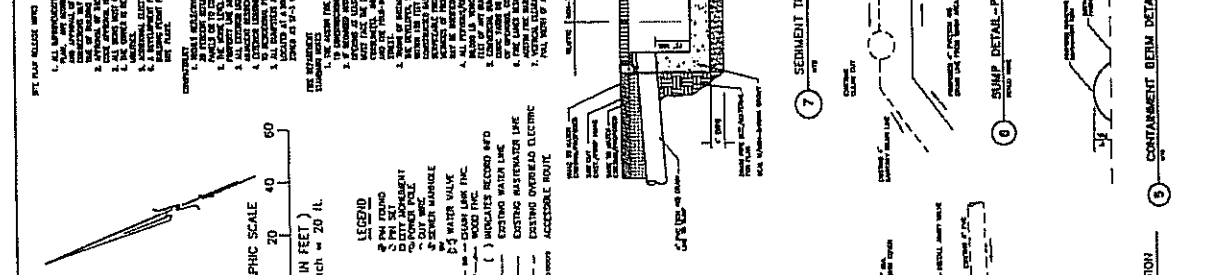
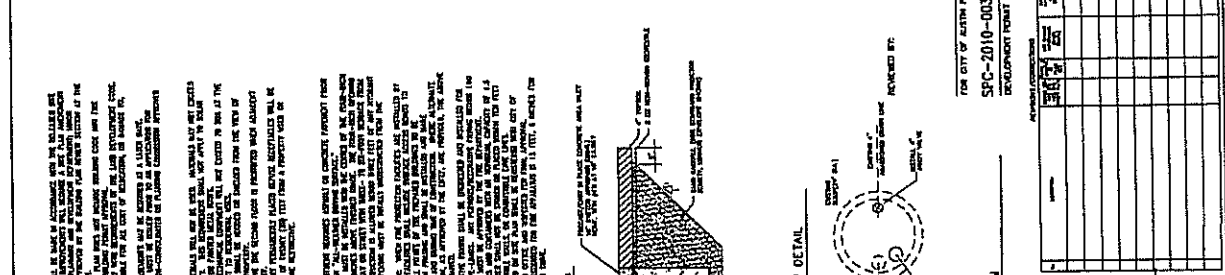
1. 1" = 20' (GRAPHIC SCALE)
2. 1" = 20' (GRAPHIC SCALE)
3. 1" = 20' (GRAPHIC SCALE)

EXISTING SITE PLAN

1. 1" = 20' (GRAPHIC SCALE)
2. 1" = 20' (GRAPHIC SCALE)
3. 1" = 20' (GRAPHIC SCALE)

NOTES:

1. THIS PLAN IS FOR CONSTRUCTION ONLY. NO CONSTRUCTION SHALL BE PERMITTED WITHOUT THE APPROVAL OF THE CITY OF AUSTIN PLANNING AND DEVELOPMENT DEPARTMENT.





**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
May 11, 2010**

The Planning Commission convened in a regular meeting on May 11, 2010 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:09 p.m.

Board Members in Attendance:

Dave Sullivan – Chair
Dave Anderson
Danette Chimenti
Mandy Dealey
Ben DeLeon
Saundra Kirk
Clint Small
Kathryne Tovo

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The commission may not conduct a closed meeting without the approval of the city attorney.

Private Consultation with Attorney – Section 551.071

A. CITIZEN COMMUNICATION: GENERAL

No Speakers.

B. APPROVAL OF MINUTES

1. Approval of minutes for April 27, 2010.

The motion to approve the minutes for April 27, 2010; were approved by Commissioner Clint Small's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0; Commissioner Jay Reddy was absent.

9. **Rezoning:** **C14-2010-0035 - 1800 Nueces Street**
Location: 1800 Nueces Street, Town Lake Watershed, Downtown NPA
Owner/Applicant: Coone & Crenshaw, Inc. (Scott Sayers)
Agent: Coone & Crenshaw, Inc. (Scott Sayers)
Request: GO to DMU
Staff Rec.: **Recommendation of DMU-CO**
Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for DMU-CO district zoning with the conditions to prohibit laundry services and pawnshops; was approved by Commissioner Clint Small's motion, Commissioner Benjamin DeLeon second the motion on a vote of 6-2; Commissioners Mandy Dealey and Sandra Kirk voted against the motion (nay), Commissioner Jay Reddy was absent.

10. **Site Plan-Conditional Use** **SPC-2010-0033A - Push Up Foundation**
Permit:
Location: 1711 E. Cesar Chavez, Town Lake Watershed, East Cesar Chavez NP NPA
Owner/Applicant: Push Up Foundation
Agent: Conley Engineering Inc. (Carl Conley, P.E.)
Request: Request a conditional use permit to allow for an automotive washing use.
Staff Rec.: **Recommended.**
Staff: Nikki Hoelter, 974-2863, nikki.hoelter@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for a conditional use permit; was approved on the Consent agenda by Commissioner Clint Small's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0; Commissioner Jay Reddy was absent.

11. **Site Plan-Conditional Use** **SPC-2009-0199D - Holly Street Power Plant Decommissioning and Demolition Project**
Permit:
Location: 2401 Holly Street, Lady Bird Lake Watershed, Holly NP NPA
Owner/Applicant: Austin Energy (Rose San Miguel)
Agent: Axiom Engineers Inc. (Nicole Findeisen)
Request: Approval of LDC 25-2-625(D)(2) – Conditional Use Permit related to P - Public zoning.
Staff Rec.: **Recommended**
Staff: Sarah Graham, 974-2826, sarah.graham@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for approval of Section 25-2-625 (D)(2) for a conditional use permit; was approved on the Consent agenda by Commissioner Clint Small's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0; Commissioner Jay Reddy was absent.



City of Austin Watershed Protection and Development Review Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

SITE PLAN APPEAL

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Watershed Protection and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission (ZAP or PC), or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. SPC-2010-0033A DATE APPEAL FILED 5-24-10
 PROJECT NAME Push UP Foundation YOUR NAME Sabino & Lori C-Renteria
Conditional Use Permit SIGNATURE Lori C-Renteria
 PROJECT ADDRESS 1711 E. Cesar YOUR ADDRESS 1511 Haskell St
Chavez St 78702 78702
 APPLICANT'S NAME Carl Conley YOUR PHONE NO. () N/A WORK
 CITY CONTACT Nikki Hoelter (512) 478-6770 HOME

INTERESTED PARTY STATUS: Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)
I showed up late on 5-11 & it passed on consent
- ☒ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☐ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☒ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site. United East Austin Coalition
Sabino is President, Lori is secretary

DECISION TO BE APPEALED*: (Check one)

- | | |
|---|----------------------------------|
| <input type="checkbox"/> Administrative Disapproval/Interpretation of a Site Plan | Date of Decision: _____ |
| <input type="checkbox"/> Replacement site plan | Date of Decision: _____ |
| <input checked="" type="checkbox"/> Land Use Commission Approval/Disapproval of a Site Plan | Date of Decision: <u>5-11-10</u> |
| <input type="checkbox"/> Waiver or Extension | Date of Decision: _____ |
| <input type="checkbox"/> Planned Unit Development (PUD) Revision | Date of Decision: _____ |
| <input type="checkbox"/> Other: _____ | Date of Decision: _____ |

*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

STATEMENT: Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

Push Up is not a trust worthy organization & has
numerous code violations pending. The director stated
on KAZI Radio on 5-20-10 at 10:30am they intend to build a
high tech automated car wash. Conditions have not been met
& they continue operations without making
required improvements for disposal of waste water

Lori

From: "Lori Renteria" [REDACTED]
To: <vdickson@statesman.com>
Sent: Thursday, July 20, 2006 3:22 PM
Subject: Fw: Update on PushUp Foundations Complaints

Saw your article. Thought you might want to dig a little deeper so I'm copying a message I sent to our allies. Your article gave me an excuse to bug the folks who are supposed to be helping us with this scam organization. We have about a foot and a half of documentation if you'd like to see for yourself.

Lori C-Renteria, [REDACTED]

East Cesar Chavez Neighborhood Planning Team
 Crime and Safety Chair

— Original Message —

From: Lori Renteria
To: Comm. Margaret Gomez
Cc: david.escamilla@co.travis.tx.us ; Stuart Hersh ; Toby Futrell ; Mayor Will Wynn ; Lee Leffingwell ; Jennifer Kim ; Brewster McCracken ; Betty Dunkerley ; Sheryl Cole ; Mike Martinez ; Judge Sam Biscoe ; Comm. Karen Sonleitner ; Comm. Gerald Daugherty ; Comm. Ron Davis ; joe.woolverton@tdcj.state.tx.us ; sheila.Gaskins@tdcj.state.tx.us ; michael.trimble@co.travis.tx.us ; Vince Cobalis
Sent: Thursday, July 20, 2006 1:24 PM
Subject: Update on PushUp Foundations Complaints

Dear Commissioner Gomez and other allies:

This is an update of our complaints to the TDCJ, Tx Attorney General, Commissioner's Court and City Council starting in 2004 regarding PushUp Foundations housing serious violent felons at their facility located at 1711 E. Cesar Chavez Street under a contract with TDCJ. Our complaints center on faulty public notice, due process, financial assurances statements, and contract fraud. At our East Cesar Chavez Team meeting last night, we found out from Lt. Keith Leach (manager of COA inspectors, 974-1979), Kit Campbell (eastside district manager of inspectors, 974-9024), and Nancy Matehus (city attorney for code enforcement, 974-2343) that PushUp has been taken to court for code violations and despite the PushUp's attorney's advise, they refuse to correct the violations and requested a jury trial which has not been set yet. The violations cited were an illegal car wash operation and possibly excessive trash. And since PushUp backed out of their agreement with the City Housing Dept. (Stuart Hersh, 974-3154) to improve the living conditions inside the shelter, the inspectors will be pursuing authorization to enter the residence area to inspect for unsafe and overcrowded living conditions at the men's shelter where they are housing the felons we are so concerned about. They also told TDCJ that the employment would not include car washes but in an article in the Statesman clearly states the felons are working the car wash (<http://www.statesman.com/news/content/news/stories/local/07/17pushup.html>). It is my recollection that the contract with TDCJ to accept felons was contingent upon PushUp fixing up the residential areas with assistance from the City Housing Dept. Thanks for your continued support.

Lori C-Renteria, [REDACTED], East Cesar Chavez Team Crime and Safety Chair.

Lori C-Renteria

From: Lori C-Renteria [redacted]
Sent: Monday, May 10, 2010 10:28 AM
To: 'Kathie Tovo'
Subject: Please forward it to anyone: Push Up Foundation

Thanks a lot. Please do forward it. Lori 478-6770

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

From: Kathie Tovo [mailto:[redacted]]
Sent: Sunday, May 09, 2010 5:03 PM
To: Lori C-Renteria
Subject: Re: Push Up Foundation

Dear Lori,

Many thanks for such a thorough email. I really appreciate having this background. May I forward it to Danette?

See you Tues --

Best,
Kathie

on 5/9/10 8:30 AM, Lori C-Renteria at [redacted]

> I plan on being at the hearing on PushUp. In 1998, our vision for E.
> Cesar Chavez Street was to make it more of a pedestrian and bike
> transit corridor rather than auto-related. So, in 2000 as part of our
> adopted plan re-zonings, we made all auto/truck/bus related uses
> conditional along with adult entertainment, alcohol sales, and pawn
> shops. We kept all the CS-1 and felt there was just the right amount
> of neighborhood bars in our plan area on this street. You have to
> remember that as a pilot plan area, we could not suggest any base
> down-zoning or the business community would have nuked us before we
> got out of the gate. So, the most we could do was conditional uses on
> the CS and put MU on the homes so both types could co-exist on this
> great street. We have repeatedly told PushUp that there are a 100
> other uses he could pursue to earn money and provide job training for
> his clients like the thrift store he also operates in the parking lot
> without an occupancy permit. We suggested he re-open the commercial
> kitchen (he closed the kitchen and jammed more beds in there instead
> of bringing the kitchen up to code, so his clients rely on Mobile
> Loaves trucks and the soup kitchen to eat) and operate a restaurant or
> coffee shop. He could invest in some very inexpensive equipment and
> go into the landscaping business, janitorial, all kinds of low-skill
> service businesses would be allowed there anything but auto-related, pawn shop or strip
> joint. Car washes don't really provide much job training opportunity in Austin.

>

> He only started this car wash operation once we worked along with
> other social service providers to get his funding cut because of
> corruption, incompetence, and serious overcrowding. I don't know the
> exact year, but I'd say around 2005 or 06.

>

> The Team took no action because we are deeply divided on this case,

> everyone supports the site be used for transitional housing but this
 > is not a good operator and the population he wants to serve are men
 > with serious felony drug abuse. Our neighborhood and me personally
 > have a history of broken promises with this operator. I was his
 > biggest fan, helping him secure his first building, acquire the
 > second, get city housing to repair both properties, got him elected as
 > chair of the Austin Homeless Coalition and a seat on the Downtown
 > Community Court Advisory Committee. Then I started getting calls from
 > my friends in the homeless provider network telling me Ben was
 > incompetent, abusing clients, not honest about the services he was
 > supposed to be offering thru interagency agreements and local funding
 > and they were asking the city-county-can agencies to yank his
 > funding. He turned around and sold off the women's shelter (the asking
 > price was \$2 million) which the city and our team spent over a year
 > planning to rebuild for him (the city lost about \$200k on staff and engineering costs for
 > this shelter) the building sold and he was able to operate the men's shelter for about a
 > year off that money. As that money got used up, that's when he started the
 > illegal car washes. Then when all the city-county contracts dried up,
 > he got a contract with Huntsville to bring in serious drug offenders
 > who would not be released from prison without a community-based SAF-P
 > program to enter and we fought that for 3 years. We pulled 2 feet high
 > stack of FOIA records and his own auditors said "the corporation is
 > not a going concern" which means bankrupt. He owed \$250,000 in back
 > payroll taxes and all kinds of other debt. He lied on his application
 > to the Tx Criminal Justice for the SAF-P program and they finally did
 > not renew his contract. I asked the county attorney to file fraud on
 > him but got no traction. He has sued the city for liens and harassment
 > by code enforcement and claims everyone is picking on him because of his ethnicity and the
 > fact he serves Black men. He has
 > become payee for mentally ill homeless people that don't live there. He is
 > desperate and the car wash is the only way his group is staying open.
 > We want to keep the transitional housing but get a different operator
 > with a less scary population like local homeless people with a
 > provider we can trust instead of referrals from the state prison
 > system which is his primary base now.

> Thanks for asking! See you Tuesday. Lori [REDACTED]

> -----Original Message-----

> From: [REDACTED]mailto:[REDACTED] On Behalf

> Of ktovo

> Sent: Saturday, May 08, 2010 11:34 PM

> To: Lori C-Renteria

> Subject: Push Up Foundation

> Dear Lori,

> Hello! Hope you are well. I look forward to speaking with you sometime
 > about the Comp Plan Citizens Advisory TF. Our PC meetings conflict
 > with yours, so I haven't been able to attend. I'd be interested in
 > your impressions about the Comp Plan process.

> But on a more immediate front, I am reading the Planning Commission
 > packet we received yesterday, and I see that there's an application
 > for a conditional use permit at 1711 E. César Chávez for the Push Up Foundation.
 > Has the ECCNPT taken a position on this application (for a hand car wash)?

> thanks!

Lori C-Renteria

From: Lori C-Renteria [REDACTED]
Sent: Tuesday, May 11, 2010 6:59 PM
To: 'Kathie Tovo'
Cc: carol haywood
Subject: I was too late for the PushUp item

Like a dingbat, it didn't occur to me that item 10 could go on consent so I went to the Comp Plan Task force meeting first. I should have signed up at Planning Commission then run over to the Comp Plan meeting. Oh well, you win some - you lose some. Can you tell me what the vote was and if we have a chance to oppose it at Council? I'm not sure if what they got tonight allows for staff approval or does it still have to go before Council? Please advise. Thanks, Lori [REDACTED]



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Your All Day, Any Day, Info Center

CSR Web Intake

This summary report provides the latest available information regarding this Service Request. If you would like additional information on the status of your request please call 311.

Service Request Number 10-00082832

Current Status OPENED

Originally Submitted MAY 21, 2010 11:57 AM



Austin City Connection - The Official Web site of the City of Austin
Contact Us [Send Email](#) or (512) 974-4357.
[Legal Notices](#) | [Privacy Statement](#)
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P.O. Box 1088, Austin, TX. 78701 (512) 974-2000

NOTE: Code Enforcement Complaint filed for continued car wash operations without implementing drainage & retention of waste water which was part of requirements for conditional use.

Date: Tue, 1 Jun 2010 14:10:49 -0500 [02:10:49 PM CDT]

From: Hoelter, Nikki <nikki.hoelter@ci.austin.tx.us>

To: Gavino Fernandez <[REDACTED]>

Subject: RE: push-up conditinal use permit appeal status

The City Council will have to decide whether the appellant has standing or not. I need to discuss with our director and manager to determine the earliest date the appeal can be scheduled.
As of the public hearing date, May 11, 2010, I did not receive any notice from the Cesar Chavez contact team, neighborhood association or property owner to be listed as an interested party in opposition, nor did anyone show up to the hearing timely or inform me of being in opposition. I appreciate your this information.
Thanks, and I'll let you know when the appeal is scheduled.

Nikki Hoelter, Senior Planner
Land Use Review
Planning and Development Review Department
City of Austin
nikki.hoelter@ci.austin.tx.us
Phone: 974-2863
Supervisor: Lynda Courtney, 974-2810
lynda.courtney@ci.austin.tx.us

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

From: Gavino Fernandez [mailto:[REDACTED]]
Sent: Tuesday, June 01, 2010 1:56 PM
To: Hoelter, Nikki
Subject: push-up conditinal use permit appeal status

Nikki, hope all is well. just writing to learn the status on the Push-up appeal. My question is why is there a delay on the decision of the appellant having standing or not? However, I'm curious as to what status she can use to qualify her as a appellant. The Cesar Chavez Contact team voted no recommendation on the push-up conditional use permit case at there April meeting, short of voting for a motion to support the conditional use permit.

Gracias,
Gavino Fernandez, Jr.

AGENDA



Thursday, November 05, 2009

+ [Back](#) [Print](#)

Public Hearings and Possible Actions RECOMMENDATION FOR COUNCIL ACTION

ITEM No. 69

Subject: Conduct a public hearing and consider an ordinance amending Title 25 of the City Code to clarify that a Neighborhood Planning Contact Team may be an interested party for purposes of administrative appeals.

Additional Backup Material

(click to open)

- ☐ [Ordinance](#)
- ☐ [Staff Report](#)

For More Information: Robert Heil, 974-2330; Sylvia Arzola, 974-6448.

Boards and Commission Action: Recommended by Planning Commission.

Prior Council Action: August 20, 2009 - Council directed the City Manager to process a code amendment to clarify that a Neighborhood Planning Contact Team may be an interested party for purposes of administrative appeals.

In June of 2009, an administrative site plan appeal made by a Neighborhood Planning Contact Team was not heard by City Council after a determination that Neighborhood Planning Contact teams, as defined by current City Code, do not have standing as an interested party.

On August 20, 2009, the City Council directed the City Manager to process a code amendment to clarify that a Neighborhood Planning Contact Team may be an interested party for purposes of administrative appeals.

ORDINANCE NO.

1 AN ORDINANCE AMENDING SECTION 25-1-801 OF THE CITY CODE TO
 2 CLARIFY THAT NEIGHBORHOOD PLAN CONTACT TEAMS MAY QUALIFY
 3 AS INTERESTED PARTIES.

4 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

5
 6 PART 1. City Code Section 25-1-801 (*Definitions*) is amended to read:

7 § 25-1-801 DEFINITIONS.

8 In this article:

- 9
- 10 (1) DIRECTOR means the director of the Neighborhood Planning and Zoning
 11 Department.
- 12 (2) NEIGHBORHOOD PLAN CONTACT TEAM means the individuals
 13 designated by the person involved in the development of a neighborhood
 14 plan to implement the plan. The term includes a "neighborhood planning
 15 team". The neighborhood plan contact team is a neighborhood
 16 organization that qualifies as an interested party for purposes of notice,
 17 appeal, and other processes if all other qualifications for interested party
 18 status are satisfied.

19 PART 2. This ordinance takes effect on _____, 2009.

20 PASSED AND APPROVED

21 _____, 2009 § _____
 22
 23
 24
 25 Lee Leffingwell
 26 Mayor

27
 28
 29 APPROVED: _____
 30 David Allan Smith
 31 City Attorney

32 ATTEST: _____
 Shirley A. Gentry
 City Clerk

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C2O-2009-015 – Neighborhood Planning Contact Team Standing

Description:

Amend chapter 25-1 of the City of Austin Land Development clarifying that a Neighborhood Planning Contact team is eligible to be an “interested party” under all provisions of City Code, including, but not limited to chapters 9-2, 25-1, and 30-1.

Background:

In June of 2009, an administrative site plan appeal made by a Neighborhood Planning Contact Team was not heard by City Council after a determination that Neighborhood Planning Contact teams, as defined by current City Code, do not have standing as an interested party.

Departmental Comments:

Allowing neighborhood planning contact teams to act as an interested party is consistent with their described role as a standing neighborhood planning citizen committee.

Staff Recommendation:

Staff recommends approval of the proposed code amendment.

Sub-Committee Action:

September 15, 2009: The Codes and Ordinances subcommittee of the Planning Commission recommended approval and forwarded the item on the full Planning Commission for discussion and action. (Vote: 5-0).

Planning Commission Action:

September 22, 2009: The Planning Commission recommended approval on consent (9-0)

City Council Date and Action:

August 20, 2009: City Council passed resolution 20090820-043 directing staff to initiate this code amendment.

October 1, 2009: City Council set a public hearing for November 5, 2009

November 5, 2009: The amendment is scheduled for public hearing and action by City Council.

Ordinance Readings:

1st

2nd

3rd

Ordinance Number:

City Staff: Robert Heil

Phone: 974-2330

Email: robert.heil@ci.austin.tx.us

updated: 10/05/09

RESOLUTION NO. 20090820-043

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to process code amendments to Chapter 25-1 clarifying that a Neighborhood Plan Contact Team is eligible to be an "interested party" under all provisions of City Code, including but not limited to Chapters 9-2, 25-1, and 30-1, in accordance with the requirements applicable to other neighborhood associations.

BE IT FURTHER RESOLVED:


Until the foregoing amendments are adopted, standing will be presumed for officers of a Neighborhood Planning Contact Team in instances of appeals and other formal processes, provided that the applicable requirements for interested party status are satisfied.

BE IT FURTHER RESOLVED:

The City Manager is directed to process the code amendments as expeditiously as possible for council consideration.

ADOPTED: August 20, 2009

ATTEST:


Shirley A. Gentry
City Clerk

ORDINANCE AMENDMENT REVIEW SHEET

CASE NUMBER: C2O-2008-018

PC PUBLIC HEARING DATE: August 25, 2009

CODES AND ORDINANCES SUBCOMMITTEE: October 21, 2008—requested the proposed amendments be prepared in a draft ordinance & June 17, 2009—recommended staff to present proposed amendments to the Neighborhood Planning Subcommittee

NEIGHBORHOOD PLANNING SUBCOMMITTEE: July 15, 2009—Recommended the proposed amendments be forwarded to the full Planning Commission.

PROPOSED AMENDMENT: Amend Chapter 25-1 of the City of Austin Land Development code to change the requirements for neighborhood plan amendment procedures and incorporate additional requirements for neighborhood plan contact teams.

The suggested changes are as follows:

25-1-801: Definitions

25-1-801 (2): Definition of a Neighborhood Plan Contact Team

- Change definition to state that contact teams are individuals designated to implement an adopted neighborhood plan, and a contact team is a separate body apart from any existing or future neighborhood association.
- Remove reference to Neighborhood Planning Teams (the City still recognizes established Neighborhood Planning Teams that qualify and have been functioning as Neighborhood Plan Contact Teams)

25-1-804: Application to Amend a Neighborhood Plan

25-1-804 (B): Establishes when an application to amend a neighborhood plan may be accepted for an individual property

- Clarify that this section refers to individual plan amendments, not subdistrict or area-wide amendments
- Reorganize to require contact teams to wait one year after plan adoption to apply for an individual plan amendment (still have the ability to file at any time during the year after this waiting period).
- Add new language to allow neighborhood plan contact teams to give written approval to an applicant to file out of cycle.

25-1-804 (C): Lists the exemption criteria when an application may be accepted outside of the normal requirements (February or July)

- Delete “the application is submitted by a neighborhood plan contact team” and move to Section 25-1-804 (B). This reorganization requires that contact teams wait one year after plan adoption to apply for an individual plan amendment.

- Delete duplicate language regarding S.M.A.R.T Housing
- Add language to clarify that City Council can initiate a plan amendment at any time

25-1-804 (E): Addresses when an application may be accepted for a subdistrict or area-wide amendment

- Reformat—no proposed changes to content

25-1-805: Neighborhood Plan Contact Team

- Renumber to 25-1-806

25-1-805 (A): creation of a neighborhood plan contact team

- Delete language that stated the contact team shall be formed prior to the submission of the plan to city council and revise to state that the director shall initiate the formation of a neighborhood plan contact team.

25-1-805 (B): contact team representatives

- For clarity, change the terminology from non-property residents to residential renters
- Change the terminology from neighborhood associations to neighborhood organization members owning or renting property within the neighborhood plan area.

25-1-805 (C): neighborhood plan contact team bylaws

- Reformat section into (C) and (D). Both of these sections have additional requirements regarding submission of membership lists and bylaws. It also requires contact teams to use the standardized bylaws template provided by the Director.

25-1-805 (D): letter of recommendation

- Renumber section to (E)
- Revise language that a contact team *shall* submit a letter of recommendation prior to the Planning Commission hearing to *may* submit a letter
- Add language that the letter shall also identify any conflict of interest as defined in their bylaws

25-1-805 (E): conflict of interest

- Remove this section. Conflict of interest is a mandatory requirement in the standardized bylaws template and should also be addressed in the letter of recommendation submitted by the neighborhood plan contact team.

25-1-806: Notice and Public Hearing

- Renumber to 25-1-807

- Add new section (B) to state the director shall conduct a community meeting on the proposed amendment prior to the Planning Commission hearing date. The director shall give notice under Section 25-1-132(A), Notice of Public Hearing.

25-1-806(D) notice requirements for subdistrict and area-wide amendment

- Renumber to (E)
- Change notice requirements from the entire planning area to the proposed amendment boundaries (this only affects subdistrict amendments)
- Change notice requirements from 300 feet to 500 feet for registered neighborhood organizations. This is consistent with other public notice requirements.

25-1-807 Recommendation Criteria

- Renumber to 25-1-808

25-1-807 (C) applicant must demonstrate that outreach was conducted

- Delete language that states the applicant must conduct outreach. This is replaced with a new section under *Notice and Public Hearing* that requires the City conduct a community meeting.

New Section—Expiration of Application

- Number new Section 25-1-805
- This section will mirror the expiration requirements for a zoning application. In addition it states that any neighborhood plan application submitted before the effective date of this ordinance expires 180 days after the effective date of this section (unless the applicant files and is granted an extension from the Director or Council).

BACKGROUND: The ordinance to establish a procedure for neighborhood plan amendments was adopted in March 2003. Since then, there have been two revisions to the ordinance, including the addition of Article 16, Neighborhood Plan Amendments to Chapter 25-1 of the City Code. Staff is recommending additional changes to Article 16 to reorganize, clarify and improve the neighborhood plan amendment procedures, as well as incorporating additional requirements for neighborhood plan contact teams to submit current membership information and bylaws based on the standardized template.

Purpose for Proposed Changes

25-1-801 Definitions

The definition currently states that a neighborhood plan contact team also includes the term “Neighborhood Planning Team”. Neighborhood Planning Teams were originally the group of people that worked on some of the earlier neighborhood plans. Planning

Teams were tasked with developing the plan as well as working to implement the plan after adoption. The planning process has evolved and staff no longer uses the term Neighborhood Planning Teams, instead staff refers to those individuals who participate in the neighborhood planning process as a group of community stakeholders.

In 2003, the term "Neighborhood Plan Contact Team" was established with the adoption of the Neighborhood Plan Amendment ordinance. Contact Teams are now formed from a group of interested community stakeholders at the end of the planning process to work on plan implementation as their main priority.

Staff recommends deleting the terminology "Neighborhood Planning Team" from the ordinance, although the City still recognizes established Neighborhood Planning Teams that qualify and have been functioning as Neighborhood Plan Contact Teams.

25-1-804 Application to Amend a Neighborhood Plan

The original Neighborhood Plan Amendment Ordinance #030320-23 included a provision for the neighborhood plan contact team for where the project is located to approve the submission of an application to be filed out-of-cycle. The following Ordinance #030605-53 repealed this provision. Because of this change, applicants who wanted to file an application out-of-cycle were requesting that contact teams be the applicant on their behalf. Because contact teams do not pay an application fee, this resulted in a loss of fee to the City and showed the applicant as the contact team, not the "true" party requesting the change. Staff recommends adding back the original provision that allowed contact teams to give an applicant written approval to file out-of-cycle.

Staff also recommends reorganizing this section to require contact teams to wait a year after the plan is adopted before initiating a plan amendment. Contact teams would still have the ability to initiate a plan amendment at any time during the year after the one-year waiting period. Amendments to newly adopted plans should not be necessary in the first year unless there was an error, or the proposal meets one of the exemption criteria.

25-1-805 Neighborhood Plan Contact Team

Contact Team Representatives

This section refers to the four groups that should be included on a neighborhood plan contact team. It currently states that one of the representatives is a neighborhood association. Staff is proposing to change "association" to "organization" because the Land Development Code has a definition for neighborhood organization, but not for neighborhood association. In addition, there have been neighborhood associations adjacent to planning areas that have changed their boundaries to extend into the bordering neighborhood planning areas in an effort to be on the contact team. The additional language proposed will ensure that the member of the neighborhood organization live or own property within the planning area boundaries to be eligible for contact team membership.

Neighborhood Plan Contact Team Bylaws

Currently, the ordinance states that contact teams shall prepare bylaws to address operating procedures, membership, meetings, notice procedures, and decision-making. It does not require that the contact team shall submit their bylaws to the City. The proposed changes will require that contact teams use the standardized bylaws template provided by the Director. This will ensure that every contact team is addressing an expanded list of mandatory items including roles and responsibilities, boundaries, membership, decision-making, meetings and meeting notification, officers and duties, amendments to the bylaws, finances, and conflict of interest. Contact teams will also be required to submit their bylaws when changes occur and membership lists on an annual basis to the Director.

Conflict of Interest

This section currently states that a neighborhood plan contact team shall comply with the conflict of interest provision. One concern is that the City has no ability to enforce these provisions on non-City officials. The City only enforces such provisions for City officers such as council members, employees, and boards and commission members. Contact teams are not appointed by the City and only provide input to the City. In addition, it is not a reasonable expectation for staff to attend and monitor every contact team meeting when decisions are made. Even if staff could attend all of these meetings, there is no procedure in the ordinance for enforcement, and no indication of what enforcement might entail.

Due to the above reasons staff recommends deleting the conflict of interest provision. Conflict of interest is a mandatory requirement in the standardized bylaws template and should also be addressed in the letter of recommendation submitted by the neighborhood plan contact team.

25-1-806: Notice and Public Hearing

Currently, the ordinance states the applicant must demonstrate outreach has been conducted to certain groups. Over the years, the City has been organizing community meetings to discuss all proposed plan amendments and mailing notices to property owners, renters, and neighborhood organizations within 500 feet (previously 300 feet). Because this has been the City's method for several years, staff is proposing to include this process in the ordinance. This ensures that outreach has been conducted with the same procedures as a Notice of Public Hearing.

Staff is also proposing to revise the public notice requirements for subdistrict and area-wide amendments. Currently, notice is required to property owners, utility account addresses, neighborhood plan contact teams, and registered neighborhood associations within the boundaries and 300 feet beyond. Staff is proposing that "associations" be deleted and replaced with "organizations" to be consistent with other parts of the Code. For a subdistrict amendment, staff is proposing to notice within the plan amendment boundary, not the entire planning area. In addition, staff is proposing to change the

requirement for notice to 500 feet instead of 300 feet in order to be consistent with other public notice requirements.

25-1-807 Recommendation Criteria

Staff is proposing to delete this section that requires applicants to demonstrate outreach to specific individuals and replace this outreach with a staff organized community meeting. Staff does provide the applicant with contact information for the contact team and encourages the applicant to discuss the proposal with the neighborhood plan contact team prior to conducting the community meeting.

New Section—Expiration of Application

Currently, there is no expiration of application for neighborhood plan amendments and staff has numerous old case files that we are unable to close. Staff is proposing to add a new section to the code that is similar to the requirements for the expiration of zoning applications.

STAFF RECOMMENDATION: Staff recommends approval of the proposed code amendment.

PLANNING COMMISSION ACTION:

August 25, 2009: The motion to approve staff's recommendation to amend Chapter 25-1, Article 16 of the City Code with a Commission amendment to change the requirement of submittal of bylaws to the Director from annually to submittal of newly adopted bylaws or amended bylaws. Approved by Commissioner Clint Small's motion, Commissioner Sandra Kirk seconded the motion on a vote of 8-0; Commissioner Gerardo Castillo was absent.

CITY COUNCIL DATE AND ACTION:

October 15, 2009: Set a public hearing for November 5, 2009

November 5, 2009:

ORDINANCE READINGS:

1st

2nd

3rd

ORDINANCE NUMBER:

CITY STAFF: Melissa Laursen, Planning and Development Review Department

PHONE: 974-7226

EMAIL: melissa.laursen@ci.austin.tx.us

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CITY COUNCIL DATE AND ACTION:

October 15, 2009: Set a public hearing for November 5, 2009

November 5, 2009:

ORDINANCE READINGS:

1st

2nd

3rd

ORDINANCE NUMBER:

CITY STAFF: Melissa Laursen, Planning and Development Review Department

PHONE: 974-7226

EMAIL: melissa.laursen@ci.austin.tx.us

Laursen, Melissa

From: Javier Bonafont,
Sent: Thursday, October 22, 2009 8:52 AM
To: Laursen, Melissa
Subject: c20-2008-018 Contact Team Requirements

Follow Up Flag: Follow up
Flag Status: Orange

Dear Melissa, Planning Staff, and Council:

I would like to voice a concern regarding the Neighborhood Contact Team requirements in this amendment, specifically section 25-1-806 regarding the membership of the NCT.

In certain cases, as was made clear in the recent debacle over forming a NCT for the Burnett/Gateway area, there exist NO residents or Neighborhood Associations at the inception of the plan. That being the case, the ONLY people at the table of the NCT for Burnett/Gateway are business interests, and no representatives actually concerned with liveability standards, public services, etc., despite the fact that it will be a high density mixed use area.

Moreover, in cases of the scale and magnitude of the Burnett/Gateway, the impact is felt in all the surrounding neighborhoods as it will become a major focal point for the north austin area.

Cognizant of this, several neighborhood associations that ring the Burnett/Gateway area attended the initial meetings for forming the Contact Team and were active in establishing a dialog of inclusion. However, the business/landowner representatives soon discovered that they could by fiat exclude us from being voting members of the team and immediately did so.

The proposed changes to 25-1-806 make the exclusion even EASIER by reducing the "minimum" requirements for NCTs.

So this makes an utter farce of the concept. Regular human residents have no voice in a "neighborhood plan" until AFTER the neighborhood is built by business interests. What is the value of that? Forming a roundtable of developers is not the same thing as neighborhood plan. Property and business owners who live miles away do not share the same concerns as residents who will live across the street or within the new development.

It is my opinion that this be amended to provide for the following:

IF THE NEIGHBORHOOD PLAN AREA DOES NOT CURRENTLY CONTAIN A SIGNIFICANT NUMBER OF RESIDENTS OR AN EXISTING NEIGHBORHOOD ASSOCIATION, THEN BEST EFFORTS MUST BE EXERCISED TO INCLUDE REPRESENTATIVES FROM NEIGHBORHOOD ASSOCIATIONS ADJACENT TO THE PLANNING AREA AS VOTING MEMBERS.

This to me is only common sense if the NCT are to have any residential perspective. Otherwise you should rename these teams "Business Group Contact Teams" and at least be upfront about what they are for.

Thank you for your time. I would appreciate this being circulated to council and others involved.

Sincerely,

Javier Bonafont
President, Walnut Crossing NA
Neighborhoods of North Austin

ORDINANCE NO. 20091105-069

AN ORDINANCE AMENDING SECTION 25-1-801 OF THE CITY CODE TO CLARIFY THAT NEIGHBORHOOD PLAN CONTACT TEAMS MAY QUALIFY AS INTERESTED PARTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 25-1-801 (*Definitions*) is amended to read:

§ 25-1-801 DEFINITIONS.

In this article:

- (1) DIRECTOR means the director of the Planning and Development Review Department [~~Neighborhood Planning and Zoning Department~~].
- (2) NEIGHBORHOOD PLAN CONTACT TEAM means the individuals designated by the person involved in the development of a neighborhood plan to implement the plan. The term includes a "neighborhood planning team". The neighborhood plan contact team is a neighborhood organization that qualifies as an interested party for purposes of notice, appeal, and other processes if all other qualifications for interested party status are satisfied.

PART 2. This ordinance takes effect on November 16, 2009.

PASSED AND APPROVED

November 5, 2009

§
§
§



Lee Leffingwell
Mayor

APPROVED: 

David Allan Smith
City Attorney

ATTEST: 

Shirley A. Gentry
City Clerk

ORDINANCE NO. 20091105-069

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PART 2. This ordinance takes effect on November 16, 2009.

PASSED AND APPROVED

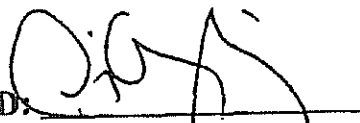
November 5, 2009

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§
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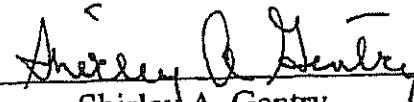
Lee Leffingwell
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

1. Push-up conditional use permit. Has received comments from the city for the site, is 95% of the way through the process with the city. The water goes into the sanitary system, not the sewer system? Will use a trap, then a separator, then into the wastewater system. Follow up regarding grandfathering showed that car wash is not grandfathered, because if it was it would not need a permit. There is no distinction between machine and hand car washes. The conditional use permit would therefore be for automotive washing and a subsequent owner would have to submit a new site plan and a new conditional use. There is question as to how easy it would be to resist other auto-related businesses in the neighborhood if we support this, and the neighborhood plan specifically discourages auto-related businesses and encourages pedestrian-friendly businesses. Motion to take no action passes 6-3.

Minutes approved.

2. Payment of ANC dues approved. Lori to find Rep. and pay.

3. 1203 Garden: needs variance for existing studio structure. Would like to write a letter for a variance that specifies that we support this variance, but that we are concerned for that it would overturn the rules for any future construction and do not support that and let the city decide. Motion for Jeff to write the letter passed.

4. 1010 Cesar Chavez coffee shop. Keeping apartments to rent. No new construction. New roof and paint. Don't need parking—found room for 9 spots, 2 more than required. Will offer specials for bikers and walkers and owners will bike to work themselves. Here for conditional use for restaurant. No outdoor music. Maybe beer and wine later. Could do a conditional use permit with the understanding that we will never support outdoor music. Motion to approve passed.

Adjourn.

ECCNPT Minutes 4/21/10

6. Alvin Cantu—Texas Rowing Center, health and wellness on the river. Have non-profit programs that work with specific populations, though a for profit business. Have ideas to bring in more East Austin residents- scholarships for camps. Want to offer 6 free scholarships—would like to advertise in the Grapevine, river cleanups as community events, summer jobs for 16 and up.

RBJ Board Announcement: Austin's geriatric center, 501C3, opened in 1972. Assessment of building revealed asbestos, no sprinklers, HVAC needs replacement. Mortgage will be paid in 2013, own land. Building is solid, but needs rehab that may not be worth building. With seniors as priority, it would be good if more units could be provided with additional services. Looking toward forming a master plan. Recommending AHMA. First meeting was today to negotiate a contract to work with the board and community toward a redevelopment plan. Will include community meetings. Will keep us in the loop.

Michael Casias, CarShare: Costs about \$60/mo. AustinCarShare.org. There's a location on 11th St. The more people who sign up, the more cars our neighborhood would get. Will write an article for the next Grapevine.

Committee Reports:

Crime and Safety, Green Council, and Local Historic District: Last year we could apply for one grant. This year Sustainable Foods is going to be the fiscal agent, so the grant will be from them. Need a letter of support from the team for Sustainable Foods. Motion passed.

Tejano Walking Trail Update: Hired designer, it's going to be great! We have one more review of the draft, will get to the printer by 5/1. Going to print 5,000 brochures. May 15th at noon is ribbon cutting. Team members asked to be there and then lead small groups. Eric Travis, from the library, will make a virtual tour for online. Would like to use the newsletter account to buy up to \$200 in refreshments for the ceremony. Motion passed.

Community Garden: grant will enable us to hire a paid intern for Outreach. Looking for help spreading the word.

Action Items

7. Motion to submit application for Austin Ciclovía on E. 6th passed.

03-17-10 Meeting Minutes

Minutes approved.

Cap Metro Update:

- Metrorail service starts 3/22. First week is free, fare starts on 3/29. It's a commuter rail, doesn't run on 15 minute intervals—it's for work and school during peak commuting times. This is the first phase, mostly single tracks. Will have to double track for next phase—pursuing money vigorously to make that happen.
- Service Plan 2020—plan to optimize bus service. Will be implementing some of changes in plan next month—primarily trying to serve more people. August: the 17, service will stop around the high school far east. The 320: proposing to go further north. This is probably the largest service change that has ever been proposed.
- Saltillo redevelopment: Feasibility study to look at all of the plans on that piece of land. Those on the team who are interested in looking at the scope of work should let him know so that we can look at the questions that are being asked and the scenarios that are being considered. No big deadline for this. 30 day leases: Freeman is gone, TOPS is in the process of leaving / has reduced number of trailers, Pigallo properties got parking amnesties -- is putting down crushed granite, scrap yard companies got amnesty from city so they'll continue. Do we have an opportunity as a Team to write to the city about these scrap yards? They're supposed to only be staging. It is within CapMetro's power to say that they won't lease the land any more unless the staging stops. CapMetro board could be briefed about the amount of garbage being dumped on that land.

Tejano Walking Trail:

- May 15th is the trail dedication. At 2nd and Comal. Brochures and signs are in the works. We're under budget and need to spend the rest of the money but can't spend it on food or drink—will talk to local businesses about helping with that.

Imagine Austin Campaign:

- There has been a real dearth of eastside and low income residents participating in the survey. Low-income issues are trending toward the bottom. They've given us another month to get more input on the survey to try to get a more well-rounded response. Meetings in a box must be turned in by March 31st, surveys can be kept longer.

Festival Beach Community Garden:

- Because of connection with Parks, things are taking longer than we'd hoped. The irrigation system we hope will be in in the next 2 weeks.

- There's a list of about 80 people who want plots, so the orientation will begin when it's ready. There will be a party then, too.
- Final Days at El Jardin have past.

Affordable Housing:

- GNDC want to build a couple of affordable units. Alley flat project. Can we empower the chair of the affordable housing committee to write a letter in support? Motion approved.
- RBJ project manager interviews are in a few weeks—any questions, email to Ken and/or Jo.

Crime and Safety:

- Can we empower the committee to write a grant application to fund the Halloween Party, as we do every year, to the Holly Power Plant Reparations Fund. Also move to empower committees for Garden and Historic District. Motion approved.

Traffic & Transportation

- Need chair for this committee
- Complaints about pedicab companies are rogue companies without occupancy permits.
 - After-parties are a problem as well, neighbors are upset.
 - This is not the guy who was on Cesar Chavez and got legal. These folks are competing against him.
 - Code violations have been filed with no response from the city.
 - Lori will file a formal complaint.

Action Items:

1. Emma Barrientos as name of MACC. Sabino to write letter in support on behalf of Team. Motion approved.
2. Push-up needs conditional use permit to continue to run car wash. They've been in that location for 15 years, but never got correct permissions to run a car wash there—they got permission to run a halfway house. The city wants them to be legal, so they need a conditional use permit and therefore need ECCNPT support. Car washes are not in our neighborhood plan, but Push-Up claims that because it is a hand wash as opposed to mechanical, and because it is a service to the people who work there and to the community and there have never been problems, that they should be able to get the permit. Engineer says that drainage and environmental impacts are ok as is for permit, per city- Michael Clay. Drainage goes into wastewater system? There are not facilities for proper drainage at that location—so that water goes right into Town Lake. This facility does not currently meet environmental regulations of the City. Because Push-Up

is a fundraiser, not a business, they qualify as is. Using biodegradable products. They currently have a 6 month temporary permit, but are looking for a permanent permit. Open Mon-Sat. 20-40 on a Fri or Sat, fewer cars on other days. Open 10-6. Team is in support of the mission of Push-Up, the issue is that the lot is not zoned for a car wash. The car wash at Cesar Chavez and Pedernales is running a legitimate car wash, and this conditional use is on a business that does not have a permit or a contract to run this type of business. According to the Neighborhood Plan, we have a provision that prohibits auto related businesses. If that is the case, then the Planning Commission cannot approve this conditional use. No action. Need more info about the drainage and to talk to the city about the neighborhood plan, etc.

3. Representative of business couldn't attend—may come next month.
4. Greg Gurnsey never saw our letter, re: music permits. He now has letter and we can continue conversation.
5. Covered in committee reports.
6. Dues to be paid via Team. Email to find new rep.
7. Bed & Breakfast update: site plan is submitted. Conditional use has been opposed by some other neighborhood groups. Appeal is scheduled for next week. Would like to have ECCNPT members come to speak on their behalf. March 25 at 6pm.
8. Ciclovia sounds like a great program—a big fitness focus. Recent meeting is about looking for a location. E. 6th seems like a good suggestion. Has been financed by vendors in other places—costs El Paso about \$100,000.

Motion to ajourn.



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City of Austin Community Registry

Please update files and click the "Submit Form" button below. * Required

* Name of person filling out the form:

* E-mail of person filling out the form:

* Phone number of person filling out the form:

* Association Name:

United East Austin Coalition

Last Modified Date:

06/30/2009

Main Association Contact

Title: Mr.

*Address: 1511 Haskell Street

*First Name: Sabino

Address:

Middle Name: Pio

*City: Austin

*Primary Phone: 512-478-6770

*Last Name: Renteria

*State: TX

Secondary Phone:

Office Held: president

*ZIP: 78702

Fax Number:

E-mail posted online? Yes

Number of households: 60

E-mail Address:

Web site:

Alternate Association Contact Information

Title: Ms.

Address: 2210 Canterbury Street

First Name: Darlene

Address:

Middle Name:

City: Austin

Primary Phone: 512-476-9669

Last Name: Camacho-Rosales

State: TX

Secondary Phone:

Office Held: Treasurer

ZIP: 78702

Fax Number:

E-mail Address:

E-mail posted online? No

Boundary Information

Please include written boundaries in the spaces below. *Note: Boundaries must form an enclosed area. A map may need to be submitted to complete your request.

*North Boundary:

US 290

*South Boundary:

Ben White Blvd

*East Boundary:

ANC

Austin Neighborhoods Council

Established in 1973 -- Strength through Unity

Next Meeting July 28, 2010

Austin Energy Building, 721 Barton Springs Rd.
Meeting Begins @ 7 pm

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LATEST ADDITIONS TO SITE:

07/06/10--Added [ANC Resolutions](#) for 2008-2010, posted draft TNT Draft Legislative Agenda for 2010

06/04--Posted Q&A from April 2010 meeting

02/19--Posted Minutes from January 2010 meetings

12/21/09--Added ANC Resolutions

11/29--Added 2010 ANC Meeting Schedule

11/23--Posted Minutes for September/October meetings

[Texas Neighborhoods Together Draft Legislative Agenda](#)

[Deborah Thomas Q&A - June 2, 2010](#)

[The Dying Elephant](#)

[Meria Carstarphen Q&A - March 24, 2010](#)

[Why and How to Start a Neighborhood Non-Profit - May 27, 2009](#)

[Bo McCarver's presentation](#)

[Selected Resources Related to Neighborhood Nonprofits](#)

[Bouldin Creek CDC Articles of Incorporation](#)

[Kathie Tovo's presentation](#)

SECTOR MEETINGS

[ANC Northwest Sector](#)

<u>153</u>	<u>Rob Roy Home Owners' Association Inc.</u>
<u>382</u>	<u>Shepherd Mountain Homeowners Assn.</u>
<u>664</u>	<u>Stoneridge Neighborhood Association</u>
<u>920</u>	<u>The Island on Westlake Owners Assn.</u>
<u>218</u>	<u>Vista Grande Homeowners Assn.</u>
<u>908</u>	<u>Waterford Place Homeowners Assn.</u>
<u>88</u>	<u>West Austin Neighborhood Group</u> ★
<u>942</u>	<u>Westview on Lake Austin, Phase A</u>

Sector 5--Central

COA Planning ID	Association Name
<u>47</u>	<u>Beau Site Neighborhood</u>
<u>120</u>	<u>Brentwood Neighborhood Assn.</u> ★
<u>156</u>	<u>Bryker Woods Neighborhood Assn.</u> ★
<u>754</u>	<u>CANPAC</u>
<u>294</u>	<u>Caswell Heights Neighborhood Association</u>
<u>402</u>	<u>Downtown Austin Neighborhood Assn. (DANA)</u>
<u>25</u>	<u>Eastwoods Neighborhood Association</u> ★
<u>31</u>	<u>Hancock Neighborhood Assn.</u> ★
<u>33</u>	<u>Heritage Neighborhood Assn.</u> ★
<u>34</u>	<u>Hyde Park Neighborhood Assn.</u> ★
<u>58</u>	<u>Judges' Hill Neighborhood Association</u> ★
<u>960</u>	<u>Lower Waller Creek</u>
<u>48</u>	<u>North University Neighborhood Assn.</u> ★
<u>185</u>	<u>Oakmont Heights Neighborhood Assn.</u>
<u>57</u>	<u>Original Austin Neighborhood Association</u> ★
<u>173</u>	<u>Old Enfield Homeowners Assn.</u> ★
<u>23</u>	<u>Old Pecan Street Assn.</u>
<u>18</u>	<u>Old West Austin Neighborhood Assn.</u> ★
<u>1020</u>	<u>Original West University Neighborhood Assn.</u> ★
<u>644</u>	<u>Pemberton Heights Neighborhood Association</u>
<u>63</u>	<u>Ridgelea Neighborhood Assn.</u> ★
<u>957</u>	<u>Ridgetop Morningside Neighborhood Assn.</u> ★
<u>66</u>	<u>Rosedale Neighborhood Assn.</u> ★
<u>259</u>	<u>Shoal Crest Neighborhood Assn.</u>
<u>69</u>	<u>University Area Partners</u> ★

Sector 6--East

COA Planning ID	Association Name
<u>759</u>	<u>Austin Heights Neighborhood Association</u>
<u>6</u>	<u>Barrio Unido Neighborhood Assn.</u>
<u>143</u>	<u>Blackland Neighborhood Assn.</u> ★
<u>925</u>	<u>Blackshear Prospects Hills Neighborhood Assn.</u>
<u>141</u>	<u>Cherrywood Neighborhood Assn.</u> ★
<u>256</u>	<u>Chestnut Addition Neighborhood Assn. (C.A.N.A.)</u> ★
<u>22</u>	<u>Delwood II Neighborhood Organization</u>
<u>975</u>	<u>East Cesar Chavez Neighborhood Planning Team</u> ★

Date: Sun, 4 Jul 2010 16:30:15 -0400 [03:30:15 PM CDT]

From: Mary Arnett - CLASP

To:

Reply-To:

Subject: Citizen Led Austin Safety Partnership Newsletter

Warning: This message may not be from whom it claims to be. Beware of following any links in it or of providing the sender with any personal information. The links that caused this warning have the same background color as this message.

Citizen Led Austin Safety Partnership

CLASP

June 2010 - Vol 1, Issue 3

In This Issue

Civic Action Building Blocks
Downtown 5th St Justice
Public Safety Commission
North Austin Thinking Forward
Crime Lookup Tutorial
Soundscapes
The War Next Door

Quick Links

krimelabb

APD Neighborhood Watch
Manual

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Chief Acevedos Monthly Report

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February 2010
April 2010

Public Safety Commission
Webpage

Crimes and Punishments
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If this newsletter would be helpful to others in your neighborhood or organization, please help us spread the word!

Dear Gavino,



C L A S P

C.L.A.S.P. stands for Citizen Led Austin Safety Partnership. This organization brings together volunteers who want to address crime prevention and safety at the neighborhood level.

Thanks to all of you who have lent your voices to the City budget process. Several came to the Public Safety Commission meeting in June and many of you participated in the City Manager's Online Budget Forum. Still a number of you came to the June 15th Forum at the Austin Convention Center.

Your voices are still urgently needed to show support for all the public safety budget items. Please take time to read the Public Safety Commission resolution for the 2010-2011 budget year referenced below.

A follow up Action Alert and survey is in the works asking for your voice yet one more time. It's important!

For those of us who work on neighborhood safety issues, we've realized just how critical it is that our voices are heard by the Council and the City Managers office. It's up to us to make certain that no one takes for granted all the services that Austinites have at their disposal when they dial 911.

Thanks to all of you who came to our best meeting yet on June 5th which was hosted at the CTECC Center. We hope to see you at Rod's Civic Action Building Blocks Seminar OR maybe we'll see you at our next meeting date of Sept 18th for another round of getting to know others that are interested in keeping Austin one of the safest cities in the nation.

Best Regards,

At the bottom of this newsletter is a link that you can place on your listserv or website to inform your neighborhood about CLASP.

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Mary Arnett Laura DiCarlo Jack Darby Lori C-Renteria
Mary Rudig
CLASP Steering Committee
Neighborhood in Attendance at CLASP Meetings
Allandale NA

Mueller NA
North

Angus Valley NA
Austin Civic Association
Balcones Civic Assn
North Park Estates
Barton Hills NA
North Shoal Creek NA
Bouldin Creek NA
Pioneer Crossing West
Old West Austin NA
Quail Creek NA
Brentwood NA
Ridgetop NA
Castlewood - Oak Valley

River City NA

Cherrywood NA
Rosedale NA
Dawson NA
Southwood NA
Del Valle Community Coalition
River City Citizens NA
Delwood II

South

Montopolis NA
Downtown Alliance NA
Sunridge NA
East Cesar Chavez Planning Team
Travis Heights NA
Fifth Street Community
University Hills NA
Govalle NA
Windsor Hills NA
Gracywoods NA
Windsor Park NA
Highland NA
Wooten NA
Highland Park West Balcones Area NA
Zilker NA
Hyde Park NA

Sgt Rod Reyna - Civic Action Building Blocks

For those who came to our last meeting on June 5th at CTECC, you were introduced to Sgt. Rod Reyna, Precinct 2 Constable's Office Outreach Coordinator. Rod gave us the abbreviated introduction to establishing a

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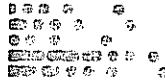
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January 2009

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Jury sides with city in Push-Up zoning trial

By Suzannah Gonzales | Thursday, January 29, 2009, 05:45 PM

Ben Ogbodiegwu, the executive director of Push-Up Foundations Inc., was found guilty of operating a car wash without a site plan and certificate of occupancy at 1711 E. Cesar Chavez St., where his organization provides transitional housing and substance abuse treatment for people who have been released from prison.

A jury determined that Ogbodiegwu should pay \$100 for each zoning violation, both Class C misdemeanors.

During the trial in Austin Municipal Court today, Ogbodiegwu's lawyer, Willie Schmerler, argued that a car wash had been operating regularly on the site since before Push-Up began operating there in 1999.

But Assistant City Attorney Marshall Coover said that the site plan and certificate of occupancy requirements are rules that every business in Austin has to follow.

The car wash is a source of income for Push-Up as well as being part of its clients' rehabilitation program.

Ogbodiegwu has said that the citations by the city are part of a broader effort by the city and neighborhood advocates to shut down the program.

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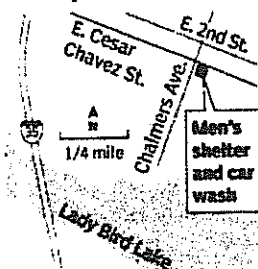


Ricardo B. Brazzell
AMERICAN-STATESMAN

(enlarge photo)

Push-Up Foundations Executive Director Ben Ogbodiegwu, leaving Municipal Court on Thursday, said he plans to appeal a jury's guilty verdicts.

Push-Up Foundations Inc.



AMERICAN-STATESMAN

(enlarge photo)

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MOST E-MAILED STORIES

Nonprofit's carwash illegal, jury finds

Push-Up Foundations Inc. director says he'll appeal fines.

By Suzannah Gonzales
AMERICAN-STATESMAN STAFF

Friday, January 30, 2009

The executive director of Push-Up Foundations Inc., which provides transitional housing and substance abuse treatment for men released from prison, was found guilty Thursday of illegally operating a carwash at the nonprofit's East Austin site.

A jury decided that Ben Ogbodiegwu should pay \$100 fines for each of the two Class C misdemeanor zoning violations: operating a carwash without a site plan on or about Aug. 6, 2007, and without a certificate of occupancy on or about Sept. 7, 2007, at 1711 E. Cesar Chavez St. Using the site for transitional housing is permitted, but the carwash is not, city officials said.

Ogbodiegwu pleaded not guilty to both charges.

After the all-day trial in Austin Municipal Court, Ogbodiegwu said the verdicts did not surprise him. He said he intended to appeal the case in District Court. He said he planned to consult with his lawyer before deciding whether he would shut down the carwash.

Jill Mayfield, spokeswoman for the city's Solid Waste Services Department, which oversees code enforcement, said that she didn't know whether the city would cite Push-Up again if it continued to operate the carwash and that city officials would evaluate their next steps.

"He may comply," she said.

The trial followed code enforcement officers' investigation of neighbor complaints about Push-Up. The carwash is a source of income and part of a client rehabilitation program for Push-Up.

Ogbodiegwu has said that the citations are part of a broader effort by the city and neighborhood advocates to shut down the program. In 2007, after Push-Up racked up nearly 50 city code violations, it lost its contract with the City of Austin. The City Council awarded the shelter services contract to Caritas of Austin.

Ogbodiegwu's lawyer, Willie Schmerler, argued during the trial that a carwash had been operating regularly on the site since before Push-Up began operating there in 1999. Before Push-Up, another rehabilitation facility was at the site.

But Assistant City Attorney Marshall Coover said that no matter when the carwash started, it would need a site plan and certificate of occupancy.

"These are rules every business has to follow. Push-Up and Mr. Ogbodiegwu are no exception," he told the jurors in his closing arguments.

Code enforcement investigator Moses Rodriguez testified that he saw carwash signs on the property in 2006 and in 2007, when he also saw a carwash operation with sponges, buckets and vacuuming. At that point, there was no site plan or certificate of occupancy, he said.

Gavino Fernández Jr., who lives near Push-Up, testified that he was among those who opposed Push-Up when it moved in. He said he was concerned that Push-Up clients, with criminal records, would be in his neighborhood.

But since Push-Up has been there, Fernández said he has not seen clients in the neighborhood. Push-Up has been compatible and a good neighbor, he said.

sgonzales@statesman.com; 445-3616

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Your Comments

Austinites love to be heard, and we're giving you a bullhorn. We just ask that you keep things civil. Leave out the personal attacks. Do not use profanity, ethnic or racial slurs, or take shots at anyone's sexual orientation or religion. If you can't be nice, we reserve the right to remove your material and ban users who violate our visitor's agreement

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What's up, Austin?



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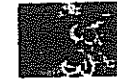
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- Longhorns - and their coach - are at a critical turning point

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eastsidechicana wrote:

Must be the new neighbor Eastside now has. When it was primary Hispanic area, no one complained.

Posted on 1/30/2009 10:13:07 PM

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Sir Tasty Cakes wrote:

Typing in all capitals sure helps out your point! THAT IS A FACT!

Posted on 1/30/2009 5:20:09 PM

[Report Abuse](#)

larry355 wrote:

Borrming!, maybe it is because the cheerleaders/school clubs/etc. are usually a one time operation at a walmart, or similar store and this operation was an ongoing business. There is a big difference.

Posted on 1/30/2009 3:00:55 PM

[Report Abuse](#)

GovWache wrote:

A non-profit is still a business, and an ongoing carwash is an operation arm of this business - not a fundraising "activity". If the "cheerleaders" set up an ongoing operation in my neighborhood I would be opposed. An occasional fund raiser doesn't bothe me one bit.

Posted on 1/30/2009 12:31:05 PM

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JustJudy wrote:

Inspectors pick and choose their "causes"! THAT IS A FACT! Much worse goes on all over town, but gets ignored, even when complaints get filed. They also ignore violations unless they are "reported". THAT IS A FACT!

Posted on 1/30/2009 12:31:01 PM

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Borrming! wrote:

Austin Dweller, please explain why the residents in east austin wouldn't want an illegal car wash in their neighborhood, but it's OK for the high school cheerleaders in west austin? Oh wait, nevermind. It's the cheerleaders.

Posted on 1/30/2009 11:23:38 AM

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Borrming! wrote:

The worst thing about the city of Austin is the City of Austin. I would love to have a new mayor come in that "gets it", but the candidates so far look like a bunch of McSame's. Whodathinkit, this isn't a carwash business, it's a charity fundraiser. Big difference!!! I see high school kids doing carwashes all the time and i haven't heard of any overzealous COA people shutting them down. I guess the student's parents have more clout than a bunch of ex-cons or their halfway houses. Nice. COA folks are jerks!!

Posted on 1/30/2009 11:21:26 AM

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 td wrote:

What a waste both on the city & the statesman - a full day trial for a 200\$ fine, sounds out of whack - & this is the best the statesman could find to print
Posted on 1/30/2009 9:49:04 AM [Report Abuse](#)

 spam wrote:

hmmmm they should move this carwash to your neighborhood since you seem to be so accepting of it
Posted on 1/30/2009 9:40:05 AM [Report Abuse](#)

 AustinDweller wrote:

I can understand why East Austin residents would not want an illegal car wash in their neighborhood. On the other hand, can't the city do more to help this organization that is clearly trying to help ex-convicts? How about helping them work things out and come into compliance possibly at another site?
Posted on 1/30/2009 9:36:38 AM [Report Abuse](#)

Show 11 - 20 of 22 comments

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substance abuse treatment
Premier treatment center for addictions and dual diagnosis.
www.milestonesranch.com

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Foundation contractors offering residential & commercial work.
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Substance Abuse Treatment
A Private and Compassionate Drug & Alcohol Treatment in Miami, FL.
www.SummerHouseDetoxCenter.com

Westcoast Counseling
Substance abuse addict? Get help. Effective & affordable - Call today.
www.Westcoast-Treatment.net

Ads by Yahoo!



Fw: ECC's position on VMU for PushUp

From: Ben Ogbodiegwu <ben76664@yahoo.com> View Contact
 To: Razagajima1@gmail.com

Fri, July 3, 2009 7:54:01 PM

Ben Ogbodiegwu

--- On Wed, 7/1/09, Lori C-Renteria <[REDACTED]> wrote:

> From: Lori C-Renteria <[REDACTED]>
 > Subject: ECC's position on VMU for PushUp
 > To: "Ben Ogbodiegwu" <[REDACTED]>
 > Date: Wednesday, July 1, 2009, 4:03 PM
 > To formally request an agenda item at
 > our Team meetings to consider your
 > request for VMU on your lots, contact Leah Bojo
 > 512-665-1570 or Sabino
 > Renteria 478-6770 before 5 pm on Friday July 10th which is
 > the posting
 > deadline. There may be a full agenda already scheduled and
 > it could be
 > August before there is time to adequately see your
 > presentation.

>
 > I will share with you what I think the Team was trying to
 > do when they
 > supported a few lots on E. Cesar Chavez to go VMU.
 > The only lots we agreed
 > to give those VMU incentives to were businesses and uses
 > that are negative,
 > more high traffic uses like car lots, car washes, and the
 > pawn shop.
 > Because the low-income residents who live behind E. Cesar
 > Chavez Street on
 > Willow and E. 2nd in single family homes will be most
 > impacted and have
 > little benefit in getting increased density VMU behind or
 > even near them.
 > We only did continuous VMU in our preferred commercial
 > corridors which are
 > north of 4th Street.

>
 > If I remember right, we did talk about your lots as not
 > being the most
 > desirable use but because we know we need to keep proper
 > zoning for
 > affordable units in our area for very low-income residents
 > the use you were
 > granted as a conditional, transitional use permit, we don't
 > want to give you
 > any incentive to go commercial VMU because of the pitiful
 > number of
 > low-income rental units required in VMU is not worth it to
 > the low-income
 > residents near you who are getting pushed out by new
 > projects and higher
 > taxes. That's what I remember in my conversations
 > with others about
 > including your lots in our VMU ap. I could be wrong.
 > You're welcome to
 > present to the Team and make your case, but unless it
 > includes a lot of
 > low-income rental units, I don't think you'll find much
 > support. Lori

> —Original Message—

> From: Ben Ogbodiegwu (mailto:[REDACTED])

> Sent: Wednesday, July 01, 2009 4:50 PM

> To: [REDACTED]

> Cc: [REDACTED]

> Subject: Vertical Mixed-Use

> Dear Ms.Renteria:

> I, Ben Ogbodiegwu, Executive Director of Push-Up
 > Foundations, Inc. residing
 > at 1711 & 1709 East Cesar Chavez, Austin, Texas 76702
 > hereby request that
 > you include 1711 & 1709 East Cesar in your proposal as
 > a vertical mixed use.
 > Your favorable consideration of this request will be highly
 > appreciated,
 > thanks!
 > Ben Ogbodiegwu

Fw: East Cesar Chavez Land Use meeting?

From: Ben Ogbodiegwu <ben78664@yahoo.com> View Contact
To: cunnley@unltyengineering.com

Tue, March 2, 2010 10:37:39 AM

Ben Ogbodiegwu

----- Forwarded Message -----

From: Molly O'Halloran <molly@progresscoffee.com>
To: Ben Ogbodiegwu <ben78664@yahoo.com>
Sent: Mon, March 1, 2010 4:18:57 PM
Subject: Re: East Cesar Chavez Land Use meeting?

Hi, Ben.

Let's meet at Progress Coffee, at the corner of E. 5th & San Marcos Streets. <http://progresscoffee.com/contact.html>

Looking forward to seeing you at 10:30.
Molly

Dear O'Halloran:

Thanks very much for responding to my request; yes, I prefer Thursday at 10:30 pm. Where are we going to meet at?

Ben Ogbodiegwu

From: Molly O'Halloran <molly@progresscoffee.com>
To: ben78664@yahoo.com
Sent: Mon, March 1, 2010 2:22:55 PM
Subject: East Cesar Chavez Land Use meeting?

Hello Mr. Ogbodiegwu,

I'm a co-chair of the ECC Neighborhood Planning Team's Land Use committee. I'd enjoy meeting with you about Push-Up Foundation's Conditional Use Site Plan.

Are you available to meet at 10 or 10:30 this Thursday or Friday, 3/4 or 3/5? Another committee member may be joining us.

Best wishes,
Molly

--
Molly O'Halloran
molly@progresscoffee.com

Push-Up Foundations, Inc.

From: Ben Ogbodiegwu [\[redacted\]](#) [View Contact](#)
To: Molly O'Halloran [\[redacted\]](#)

Fri, March 23, 2010 12:40:10 PM

Dear Ms. O'Halloran:

We request to be included in your agenda for the month of April to present the information you asked from us about our conditional use permit.
thanks!
Ben Ogbodiegwu

Re: Just testing email

From: Ben Ogbodiegwu [mailto:ben78664@yahoo.com] View Contact
To: Jeff Thompson [mailto:jeff.thompson@yahoo.com]

Tue, April 20, 2010 1:10:47 PM

Dear Mr. Thompson:
I received it; Mr. Conley will be sending you something in writing, thanks!

Ben Ogbodiegwu

From: Jeff Thompson [mailto:jeff.thompson@yahoo.com]
To: ben78664@yahoo.com
Sent: Tue, April 20, 2010 11:18:28 AM
Subject: Just testing email

Hi Ben,
I found your email address and just wanted to send this to test that it was working.

Jeff Thompson

Meeting Tomorrow at 6:pm

From: Ben Ogbodiegwu [mailto:ben.ogbodiegwu@conleyenghennac.com]
To: conley@conleyenghennac.com

[View Contact](#)

Tue, April 26, 2010 11:29:27 AM

Dear Mr. Conley:

Please, we need to be there before 6:pm; Mr. Thompson shared that they would only vote on the matter if they get the information from you concerning the drainage.

Thanks! Ben Ogbodiegwu

Push- Up Foundations, Inc.

From: Ben Ogbodiegwu [mailto:ben.ogbodiegwu@gmail.com] View Contact

Tue, April 20, 2010 11:23:28 AM

To: [mailto:jeffrey.thompson@cityofchicago.gov]

Cc: [mailto:molly.ohalloran@cityofchicago.gov], Molly O'Halloran [mailto:molly.ohalloran@cityofchicago.gov]

Dear Mr. Conley:

Here are the emails to the Contact Team members: Mr. Jeffrey Thompson and Ms. Molly. Please explain to them about our meeting with the City at the facility, what has been agreed upon, and our response in addressing the issue. Thanks!
Ben Ogbodiegwu

Re: East Cesar Chavez Land Use meeting?

From: Ben Ogbodiegwu [mailto:ben78664@yahoo.com] View Contact
To: "Carl P. Conley, P.E." [mailto:cconley@conleyengineering.com]

Mon, April 19, 2010 5:23:15 PM

Dear Mr. Conley;

Please, could you call Mr. Jeff Thompson of the Contact Team at 314-1830? He needs to talk to you about the drainage concerning the meeting Wednesday at 6:pm at the library. You can reach me at 786-7966. I will call you tomorrow to follow up, thanks!

Ben Ogbodiegwu

From: "Carl P. Conley, P.E." [mailto:cconley@conleyengineering.com]
To: Ben Ogbodiegwu <ben78664@yahoo.com>
Sent: Tue, March 2, 2010 11:09:13 AM
Subject: RE: East Cesar Chavez Land Use meeting?

I will be there.

Carl P. Conley, P.E., R.P.L.S.
Conley Engineering, Inc.
TBPE Firm Reg. # F-000277
512.328.3506 office
512.328.3509 fax
cconley@conleyengineering.com

From: Ben Ogbodiegwu [mailto:ben78664@yahoo.com]
Sent: Tuesday, March 02, 2010 10:38 AM
To: cconley@conleyengineering.com
Subject: Fw: East Cesar Chavez Land Use meeting?

Ben Ogbodiegwu

----- Forwarded Message -----

From: Molly O'Halloran [mailto:molly.ohalloran@progresscoffee.com]
To: Ben Ogbodiegwu [mailto:ben78664@yahoo.com]
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Molly

Dear O'Halloran:

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Ben Ogbodiegwu

From: Molly O'Halloran [mailto:molly.ohalloran@progresscoffee.com]
To: ben78664@yahoo.com
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Best wishes,
Molly

--
Molly O'Halloran
molly.ohalloran@progresscoffee.com


Date: Fri, 9 Jul 2010 09:29:56 -0500 [09:29:56 AM CDT]

From: Guernsey, Greg <greg.guernsey@ci.austin.tx.us>

To: ben78664@yahoo.com

Cc: Hoelter, Nikki <nikki.hoelter@ci.austin.tx.us>, Gavino Fernandez <[REDACTED]>

Subject: RE: interested party qualification Re: spc-2010-0033a

Part(s):  2.0 unnamed 4.45 KB

 1 unnamed 0.33 KB

FYI

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

From: Gavino Fernandez [mailto:[REDACTED]]
Sent: Friday, July 09, 2010 9:26 AM
To: Guernsey, Greg; [REDACTED]
Subject: interested party qualification Re: spc-2010-0033a

Greg, can you forward a copy of the e-mail I sent you yesterday to Ben.

I lost mine.

Thanks
Gavino Fernandez, Jr.

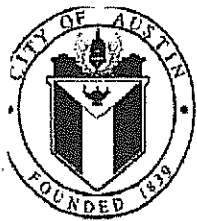
Date: Thu, 8 Jul 2010 12:47:18 -0500
From: Gavino Fernandez [mailto:[REDACTED]]
To: "Guernsey, Greg" <greg.guernsey@ci.austin.tx.us>, "Hoelter, Nikki" <nikki.hoelter@ci.austin.tx.us>, "Martinez, Mike [Council Member]" <Mike.Martinez@ci.austin.tx.us>
Subject: interested party qualification RE: spc-2010-0033a

 2.1 unnamed 1.95 KB

After care full review of interested party qualifications by your department, I still I'm confused as to which lori Renteria And Sabino met that test.

- 1). The East Cesar Planning team voted 6-3 to take no action regarding said case, thus nullifying said interested party status.
- 2). At the May 11, 2010 planning commission meeting no one showed up to testify regarding said case. Thus, the case passed on consent.
- 3). e-mail of Tuesday June 1, 2010 from Nikki Holter, case manager clearly states: "As of the public hearing date, May 11, 2010, I did not receive any notice from the Cesar Chavez contact team, neighborhood Association or property owner to be listed as an interested party in opposition, nor did anyone show up to the hearing timely or in form me of being in opposition".
- 4). According to your spelled criteria an interested Party Must of met one of these requirement inorder to reach appeal status.
- 5). Lori and Sabino, use, United East Austin as the neighborhood inorder to establish interested party. Yet, the Austin Neighborhood Council listing list East Cesar Chavez Planning team as the registered neighborhood, Not United east Austin. There is another organization listing, Citizens Led Austin Safety Partnership, where East Cesar Chavez Planning team, as the neighborhood Association, not UNITED EAST AUSTIN. The City of Austin neighborhood registration list does, list United East Austin, but lori, is not listed as a Officer.
6. Is this double jeopardy?
7. And why are we not questioning the interested party status?
8. And who is the appellant Sabino Renteria or Lori Renteria? from my previous experience of being denied an interested party status, I was told that they would only recognize one person as an interested party

Please clarify



City of Austin

CERTIFICATE OF OCCUPANCY

BUILDING PERMIT NO. 2009-109708 BP

ISSUE DATE: 10/12/2009

BUILDING ADDRESS: 1711 E CESAR CHAVEZ ST

LEGAL DESCRIPTION: Lot: 4-A Block: Subdivision: TOBIN'S RESUB OF RIVERSIDE ADDITION, RESUB OF LOTS 3 & 4 & WEST 46.3' OF LOT 5 B

PROPOSED OCCUPANCY:

C-1000 Commercial Remodel

Remodel - Interior Remodel to existing transitional housing to add partition wall to two rooms to bring them into compliance w/ IBC lighting & ventilation req'ts.

BUILDING GROUP / DIVISION: R-1 Hotel/Motel/Boarding Hse (transient)

REMODEL BUILDING SQUARE FOOTAGE: 1000 SQ. FT.

SPRINKLER SYSTEM: NA

CODE YEAR: 2003

CODE TYPE: IBC

FIXED OCCUPANCY: 0

NON FIXED OCCUPANCY: 4

TYPE OF CONSTRUCTION:

CONTRACTOR: Langley Remodeling

***** **CERTIFICATE OF OCCUPANCY** *****

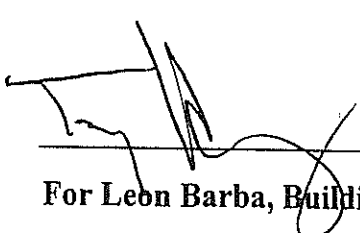
THIS IS TO CERTIFY THAT THE BUILDING OR STRUCTURE AT THE ADDRESS LISTED ABOVE HAS BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE AUSTIN CITY CODE FOR THE GROUP AND DIVISION OF OCCUPANCY LISTED ABOVE.

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BUILDING CODE REVIEWER: Ron Menard


For Leon Barba, Building Official