

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: University Hills/Windsor Park Combined Neighborhood Plan

CASE#: NPA-2011-0023.01

PC DATE: November 8, 2011

ADDRESS/ES: 6500 and 6502 Manor Road

SITE AREA: Approx. 0.40 acres

APPLICANT/OWNER: Kennie and Mildred Sneed

AGENT: Kennie Sneed

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Office

To: Commercial

Base District Zoning Change

Related Zoning Case: C14-2011-0087 (WR)

From: LO-NP

To: CS-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 9, 2007

PLANNING COMMISSION RECOMMENDATION: Pending

STAFF RECOMMENDATION: Commercial land use is not recommended. Staff recommends Neighborhood Mixed Use land use

BASIS FOR STAFF'S RECOMMENDATION:

LAND USE RECOMMENDATIONS

- Promote and maintain the single-family residential character of the neighborhood.
- Attract needed vendors and service providers into the planning area through support for local businesses and revitalization/redevelopment of neighborhood shopping areas.
- Encourage a diversity of housing options at various levels of affordability

dispersed throughout the neighborhood.

Objective: Transform Manor Road into a pedestrian-friendly street with a mix of commercial and residential land uses.

Recommendations:

- Maintain existing base zoning for commercial properties along Manor Road to continue to allow for a wide range of uses.
- Restrict some automobile-oriented uses, such as car repair shops and car washes, on sites not currently occupied with those uses.
- Support the designation of Manor Road as an Urban Roadway in the Design Standards and Mixed Use Subchapter to encourage the redevelopment of commercial properties with more pedestrian-friendly streetscape designs.

ECONOMIC DEVELOPMENT

This section includes objectives and recommendations that support the following UHWP Neighborhood Plan goal:

- Attract needed vendors and service providers into the planning area through support for local businesses, and encourage revitalization/redevelopment of neighborhood shopping areas.

Objective: Attract desired businesses and service providers into the planning area.

Recommendations:

- Create an inventory and directory of all existing area businesses located in the area.
- Define desirable uses for specific areas within UHWP: quality retail, coffee shops, cafes, more restaurants, a movie theater and businesses that cater to daily needs
- Support the land use changes proposed in this plan, and any future land use changes and rezonings that may facilitate the location of desirable service providers and retail at targeted locations (e.g., shopping centers) and along designated corridors. (see Land Use section of this chapter for information about mixed use).

Staff Analysis: At the plan amendment meeting, members of the University Hills Planning Contact Team said that during the planning process the stakeholders were clear that they did not want Manor Road to transition to an intense commercial corridor, but desired low-intensity, neighborhood-serving commercial uses that would complement the surrounding neighborhoods.

BACKGROUND: The application was filed on July 28, 2011, during the open period for neighborhood plan amendment applications located in City-Council approved planning areas located on the east side of I.H. 35.

The applicants propose the change the future land use map from Office to Commercial. The zoning request is from LO-NP to CS-NP. The owners would like to sell the property stating that the CS-Commercial Service zoning district would allow the most uses.

The University Hills/Windsor Park Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 9, 2007. University Hills and Windsor Park are contiguous northeast Austin neighborhoods bordered by (from the west, clockwise) IH-35, Hwy 290, Hwy 183, Manor Road, and E. 51st Street.

PUBLIC MEETINGS: The plan amendment meeting was held on September 26, 2011. Approximately 159 meeting notices were mailed to surrounding property owners and businesses within 500 feet of the property. Eleven people attended the meeting, including one city staff member.

Kennie and Mildred Sneed told the attendees that they are retired real estate agents who are now planning to sell the two properties. They are requesting CS – Commercial Service zoning because they believe it is the highest and best use of the property and could provide more options to potential buyers. Some potential buyers have been a music studio and a clothes store.

At the meeting, the following questions were asked:

Q. Are there public or private deed restrictions on the property?

A. No. the only deed restriction is for the sign

Note: Wendy Rhoades, the zoning planner, should address this question in more detail in her zoning case report.

Q. What is the size of the building?

A. It is 2,230 sq. ft.

Q. Will you demolish the building?

A. One potential buyer said he wanted a 2-story building. We will need someone to move into the building soon because it is being vandalized.

Q. What potential buyers have you had?

A. Music studio, funeral home, and retail store.

Q. Are you interested in having an apartment building there?

A. No.

Q. Do you know if the retail store did a market study for this area?

A. We just want the zoning for the allowable uses.

Q. This area would like neighborhood uses, like coffee shops, restaurants, etc.

A. Manor Road is a changing area. It is used as a short-cut to UT and will get busier when the toll road happens on Hwy 183.

Some general comments at the meeting were:

- They don't want bars or pawn shops.
- They are concerned about safety and security. They don't want businesses that will attract the wrong people.
- They don't want a noisy business or one that will have parking problems.
- They want businesses that will improve the community.

The University Hills Planning Contact Team does not support the plan amendment and zoning change request. See pages five through seven.

On page
eight

is a letter in opposition from a property owner.

CITY COUNCIL DATE: December 8, 2011

ACTION: Pending

CASE MANAGER: Maureen Meredith

PHONE: 974-2695

EMAIL: Maureen.meredith@austintexas.gov

TO: City of Austin Planning Commission
and City Council Members

RE: Planning Commission Agenda – November 8, 2011 (Agenda
Items #6 & #7)
City Council Agenda – December 8, 2011

Application for rezoning – 6500 & 6402 Manor Road (C14-
2011-0087) (Kennie & Mildred Sneed, Applicants)

University Hills/Windsor Park Neighborhood Plan Amendment
Request (NPA-2011-0023.01)

DATE: November 8, 2011

Dear Planning Commission and City Council Members:

On September 6, 2011, October 4, 2011 and November 1, 2011, the University Hills Contact Team held meetings in accordance with its bylaws to discuss the applicants' proposed future land use amendment and zoning change from Limited Office ("LO") to General Commercial Services ("CS") for the properties located at 6500 Manor Road and 6402 Manor Road. Along with several contact team members, residents of the community were present during at least two of those public meetings. In September and October, contact team members received additional feedback from other surrounding neighbors which was taken into consideration by the contact team. On September 26, 2011, a public meeting was held with regard to the proposed plan amendment, which was noticed by and facilitated by Maureen McCreath of the City's Planning and Development Review Department. Several members of the community were present for that meeting. Ms. Meredith provided background and education with regard to the zoning and plan amendment process and answered questions from those present.

Although Mrs. & Mrs. Sneed's (the applicants) application for zoning filed in July 2011 listed a proposed use for the properties as "music studio," they have since stated this is no longer the case. According to the Sneeds, investors who have shown interest in purchasing the property at some point in the past included a funeral home and a clothing store; however, they have no serious potential buyers currently. Mr. & Mrs. Sneed were very clear

during our meetings that they simply want the highest zoning for the property for speculative purposes in order to sell at the highest price possible since they are retiring and closing their business.

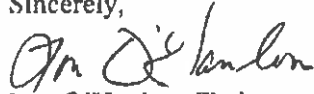
On November 1, 2011, the University Hills Contact Team of the University Hills/Windsor Park Neighborhood Plan voted to oppose the applicants' application to rezone these properties from LO to CS. Some discussion occurred regarding a compromise to LR (staff's recommendation); however, it was felt by the majority that no change in circumstance has taken place that would be significant enough to go against the wishes of the community developed during the neighborhood plan process by agreeing to change the zoning from LO to any higher level of zoning. To address staff's historical statement in the backup material, it is our position that the fact a piece of property west of the subject property was rezoned in 2007 to LR should not be a determining factor in this instance since that property lies within the Windsor Park planning area of the neighborhood plan. Consequently, that decision was made solely by the Windsor Park Contact Team.

As background, it is our understanding that in the early 1970s Mr. and Mrs. Sneed requested that these properties be rezoned from Single Family Residential to LO for the express purpose of putting their real estate office at that location. Despite the considerable protest by the residents of University Hills at the time, the zoning was changed to LO. These properties adjoin several homes. From 2005 to 2007, the neighborhood planning process took place with regard to the University Hills and Windsor Park planning area. When the University Hills/Windsor Park Neighborhood Plan was submitted to the Planning Commission in 2007 for approval, City planners agreed with the University Hills planning team to keep the zoning on these properties to LO. Accordingly, the current zoning of LO was kept in place at that time and the corresponding FLUM was adopted. Based on the comments received by the contact team during its recent public meetings, the basis for the community's desire to maintain this property as LO during the 2005-2007 neighborhood planning process has not changed.

For the reasons stated above, the University Hills Contact Team opposes any change in zoning on the subject properties from LO-NP.

Thank you for your time and for your service to our City.

Sincerely,

A handwritten signature in black ink, appearing to read "Lou O'Hanlon".

Lou O'Hanlon, Chair

University Hills Contact Team

University Hills/Windsor Park Neighborhood Plan

Cc: Wendy Rhoades, Planning & Development Review Department
Maureen Meredith, Planning & Development Review Department

Letter in Opposition

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

From: Andres Forero

Sent: Monday, September 26, 2011 7:47 PM

To: Meredith, Maureen

Subject: Re: Opposition to 6500 Manor Rd. Application

Dear Meredith,

Unfortunately I am out of town today I was unable to attend the meeting regarding this property.

Let me reiterate our strong opposition to the change in zoning to this property. We own the building at 6600 Manor Road -over 24,000 sq ft of professional offices- one house away from the property in question and two additional commercial lots on Lakeside. We are also just about to sign a contract to purchase an additional property within 500 ft of 6500 Manor Road.

The proposed change in zoning would greatly affect the value of our properties and we are determined to challenge it with all our resources.

Personally, I have lived in three different places in the University Hills neighborhood in the past and I have witness the struggle of the neighborhood to keep the residential character of this stretch of Manor Road though the years (I first lived in the neighborhood in 1986).

The proposed zoning would allow uses clearly not compatible with the residential character of this neighborhood and the gentrification process taking place around this property.

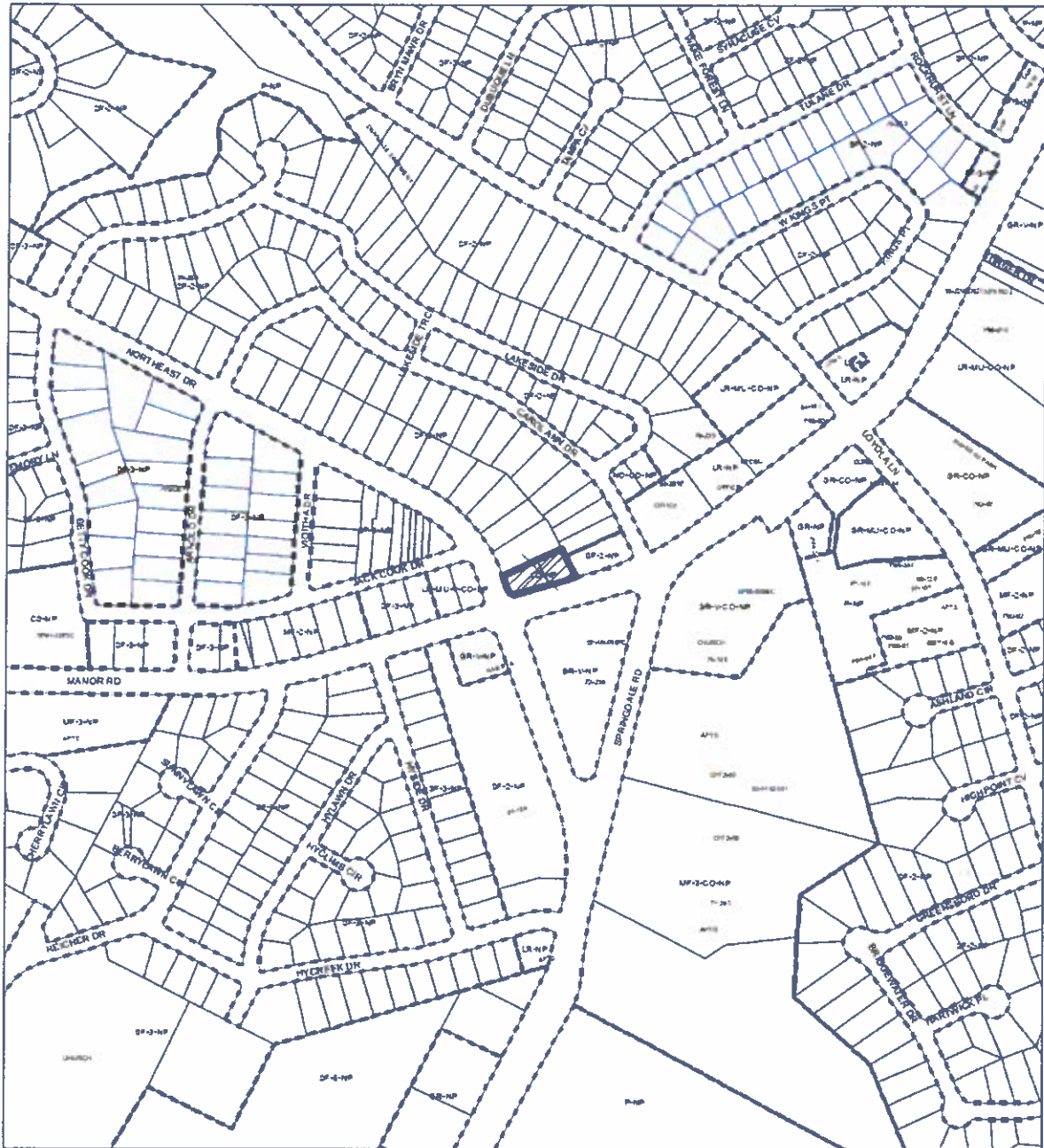
Please note this process has been highly irregular as the sign posted in front of 6500 Manor Road was only up for two days. We have documented such irregularity.

Please let me know how to proceed on how to file a formal opposition to this change in zoning.

Sincerely,

Andres Forero, Ph.D

Managing Member 6600 Manor Road Investments LLC.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NEIGHBORHOOD PLAN AMENDMENT
 NPA CASE# NPA-2011-0023.01
 LOCATION: 6500 MANOR RD
 SUBJECT AREA: 40 ACRES
 GRID: M26-M25
 MANAGER: MAUREEN MEREDITH



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

