

Patterson, Clark

From: pturner@austinisd.org
Sent: Monday, October 29, 2012 5:07 PM
To: Patterson, Clark
Subject: Addendum to the Educational Impact Statement for the Requested Zoning Change for Sunshine and Houston (Apartment s near McCallum High school)

Clark,

We received additional information from the McCallum school community that has caused us to re-evaluate our position of "no safety concerns at this time," on the Educational Impact Statement for this item. The paragraph below summarizes our replacement information regarding our position on the safety of the development.

The Traffic Impact Analysis (TIA), provided by the City, indicate that the proposed development will generate an additional 2,432 adjusted daily weekday trips (414 trips during weekday peak-hours), onto Lamar Boulevard and Houston Street. This increase in traffic near McCallum High School is of great concern to the district.

Although, the TIA, as well as City staff, recommend that the developer pay a pro rata share of the cost to install a traffic signal at the intersection of Lamar Boulevard and Houston Street, the proposed doubling of the number of apartments in the complex sought in the zoning change increases the likelihood of significant additional traffic in the immediate vicinity of the school. While the addition of the traffic light may encourage residents of the proposed apartment complex to leave the neighborhood via Lamar Boulevard, should this route back up during the morning peak time, the likelihood of significant additional traffic congestion in the immediate vicinity of the school is very likely when apartment complex dwellers seek an alternate route in order to speed their departure from the area. For these reasons, the Austin ISD states its concern about the increased traffic congestion and potential safety issues that may result from the increased number of apartment units and the resulting traffic issues that have been explained above.

Sincerely,

Paul Turner
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Austin Independent School District
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Brentwood Neighborhood Planning Contact Team

Serving Our Neighborhood from 45th St. to Justin Lane and North Lamar to Burnet Road

To: Mayor Leffingwell & Austin City Council Members
From: Brentwood Neighborhood Planning Contact Team
Subject: Proposed Plan Amendment (NPA-2012-0018.02) & Associated Zoning Changes
City Council 11/08/2012 Agenda Items: 74, 75, & 76
Date: October 31, 2012

Your backup materials for the above-referenced cases should contain the original recommendation letter from the Brentwood Neighborhood Planning Contact Team, dated May 10, 2012. In that document, we provided our rationale for opposing two proposed Plan Amendments and associated rezonings in Brentwood near McCallum High School. Because the applicant's original requests have undergone several reincarnations over the intervening months, we have updated our Team's position below for your review.

After careful consideration of all that has transpired since our first public meeting with the applicant's agents, the Brentwood Neighborhood Planning Contact Team respectfully asks the Mayor and City Council members to deny the proposed Neighborhood Plan Amendment and associated zoning changes near McCallum High School for the following reasons:

1. Proposed project conflicts with city-sponsored Brentwood Neighborhood Plan and Future Land Use Map (FLUM). The Brentwood Neighborhood Plan encourages and supports high-density multifamily development on the Burnet and Lamar corridors. However, the bulk of this proposed project would sit two blocks into the neighborhood, directly adjacent to single-family homes and our public high school, connected to Lamar only by a narrow "flagpole" lot. The proposed project fails to balance and protect existing single-family uses as specifically provided by the Neighborhood Plan and FLUM and would significantly diminish quality of life and property values for area residents by permitting inappropriately scaled and intense uses in this location. Paradoxically, it would also undercut the long-range vision for increased density and VMU on the Lamar corridor (see Item 10 below).

2. Comprehensive Plan directs city decision makers to respect the Future Land Use Maps (FLUM) of existing Neighborhood Plans when considering zoning requests. The recently adopted Imagine Austin Comprehensive Plan states: "Zoning decisions will be guided by all of Imagine Austin's □ elements..." and specifically references small area plans such as ours as a guiding element. The Comprehensive Plan further states: "Where a small area □ plan exists, recommendations should be consistent with the text of the □ plan and its Future Land Use Map..." A Neighborhood Plan should be amended only if the proposed changes clearly serve the stakeholders' vision, goals, and objectives better than the current FLUM. These proposals do not, and there has been no evidence presented to suggest that they do.

3. Planning Commission voted unanimously to deny the proposal and a valid petition is in place against the project. Over 24% of property owners within 200' of the Shia lots have signed a valid petition against the project, which will require a supermajority vote of Council to override. The project is further opposed by the Brentwood Neighborhood Association, the Brentwood Neighborhood Planning Contact Team and over 300 area stakeholders who have signed a supplemental petition in opposition.

4. Neighborhood Planning Team has already significantly upzoned properties in question. Brentwood has a proven record of welcoming and supporting appropriate infill and density, which our Neighborhood Plan is carefully crafted to encourage. In fact, our Planning Team had already upzoned the Shia properties on Houston Street from SF-3 to SF-6 and added a mixed-use designation during our Neighborhood Plan process, specifically to allow for greater value and flexibility when the property was redeveloped. Appropriately scaled multifamily residential use is already allowed on most of the tracts in question, as it is on nearly half of all properties south of Koenig Lane, once Civic Uses are removed from the equation. Rezoning these properties is not only unnecessary, but would amount to spot zoning at the behest of one particular applicant.

5. Applicant's request to up zone from 185 units to nearly 400 is extreme even by downtown standards. The applicant has publicly stated that current zoning would allow at least 185 units on the combined tracts, without any rezonings or Plan amendments. Rather than work within these generous parameters, the applicant seeks an extreme upzoning to allow nearly 400 units on these tracts. For purposes of comparison, the Austonian located in the Central Business District has 188 units and Spring Condos, also located downtown, has 248 units. The applicant's requested upzoning is an enormous leap even by downtown standards.

6. The proposed project would add more than 2,400 additional vehicle trips per day to an area already saturated with traffic, raising safety concerns for McCallum High School students according to the Education Impact Statement. The proposed project would wrap across the back of the school's designated senior parking lot and would be sited directly across Sunshine Drive, a two-lane residential street, from the school's south and main entrances. One of only two full-use driveways for the project would exit across the sidewalk onto Houston Street, a key daily access route for nearly 1,800 high school students and several hundred school staff. Houston Street is already more than triple its desired operating threshold, with 3,610 vehicle trips per day, according to the Traffic Impact Analysis for the project. Student drivers are young and inexperienced and all students – whether walking, biking, skateboarding, texting – are subject to the distracted, impulsive behaviors of teens. The prospect of an additional 2,400+ vehicles in this area raises significant safety concerns for students, as referenced in the Education Impact Statement for this case.

7. The proposed rezoning would eliminate both mixed-use and light office development options on the Shia tracts. Both options were key factors in the Planning Team's original decision to upzone these tracts as part of our Neighborhood Plan. The proposed rezoning would remove the possibility of office use at a time media reports indicate a critical need for office space.

8. Recent “affordability” offer is virtually indistinguishable from market rates and provides no significant benefit. Brentwood’s VMU ordinance requires that ten percent of units be made available for those earning 60% Median Family Income (MFI). The applicant recently proposed to make ten percent of Shia tract units available at 80% MFI, a figure so close to current market rates as to be virtually meaningless. In fact, units at 80% MFI (currently \$45,426/year) would be beyond the reach of over 1,000 city employees and any AISD teachers making below a Step 9 pay grade. This offer falls far short of addressing meaningful affordability goals and cannot reasonably be called a significant community benefit in exchange for such an extreme upzoning.

9. Proposed project is “concept” only without any guarantees as to what may ultimately be built. At Planning Commission, the applicant’s agent stated that there was no developer yet in the picture and that the proposed project was only a rough “concept.” Even if the concept were a desirable one – which it clearly is not - we question the wisdom of granting such extreme upzoning absent any enforceable guarantees regarding the final project.

10. The proposed project will hurt future efforts to realize high-density VMU on Lamar. The Brentwood Neighborhood Plan and FLUM are specifically designed to encourage substantial VMU on the Lamar corridor. The State Trooper’s lot, which is 82’ wide, could easily accommodate a very tall mixed-use structure without any change to current zoning, or it could be combined with one or more of the adjoining lots to the south for an even larger mixed-use development. However, if the majority of the Trooper’s lot becomes a wide designated driveway for the proposed project, it will create a permanent dead zone on this block, posing a potential hazard for pedestrians and removing the possibility of substantial residential use for this site. Once it is locked in as a permanent driveway, the Trooper’s lot cannot feasibly revert to VMU as long as the proposed project stands. As designed, this project works against desired density on the Lamar corridor.

Brentwood has always done its part to provide diverse housing choices as Austin grows, and we will continue to do so. Our Team has worked productively with other developers on very large projects that our Plan was designed to encourage, including a massive VMU development currently under construction at North Loop and Lamar. We fully believe there is a right project for the sites now in question, but the current proposal is not it.

Having worked with the city to provide for appropriate density, we cannot afford to have this careful work undone by what amounts to spot zoning for a single applicant. We urge the City Council to support Planning Commission’s unanimous recommendation and deny the current request.

Sincerely,

Richard Brock

Brentwood Neighborhood Planning Contact Team Chair