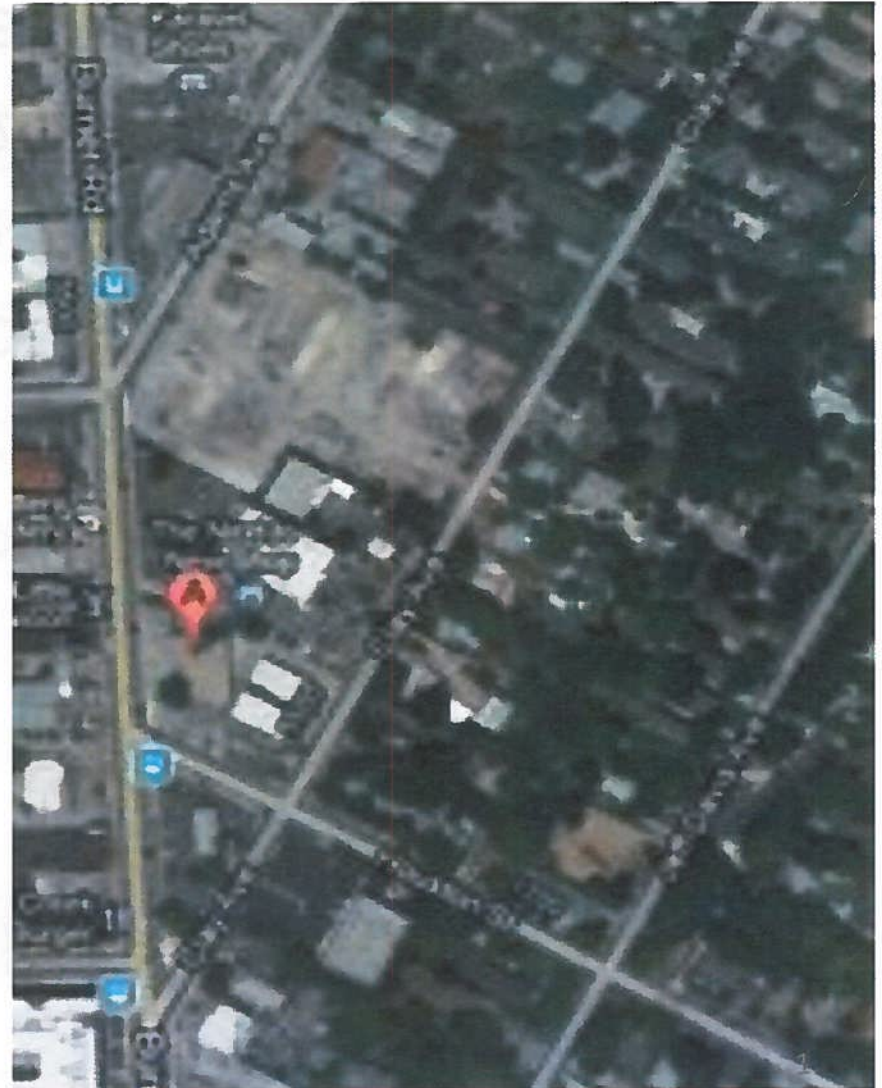


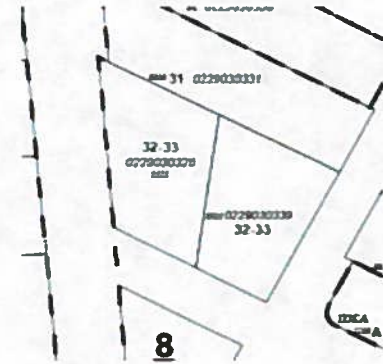
Neighborhood Concerns

Brentwood Neighbors are concerned about the adverse impact of this zoning change on their daily lives.

- Parking
- Proximity to Residences
- Traffic
- Noise
- Lights
- Safety
- Crime
- Density of Alcohol Establishments



Parking



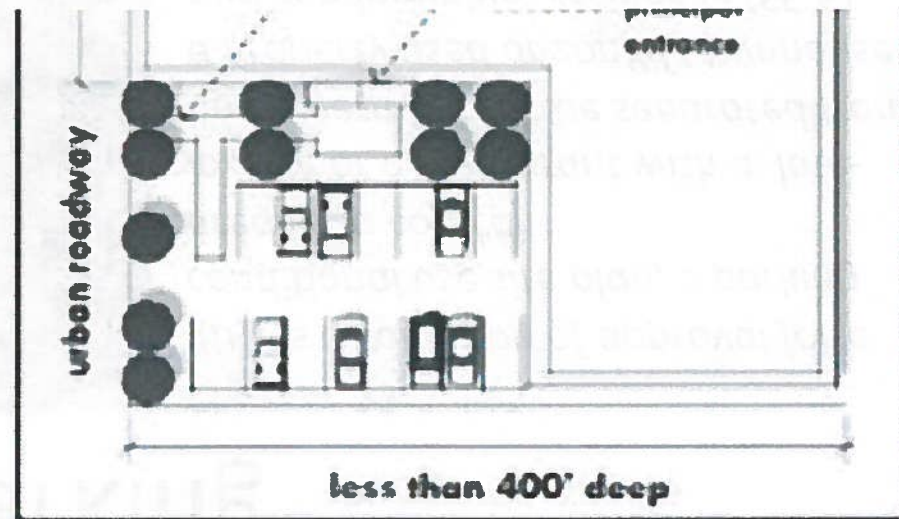
The legal lot the proposed bar is on does not have the 50 + spaces required for a bar of this size (already reduced because Burnet Rd is a Core Transit Corridor).

Parking



14 of these
spaces back
onto Burnet
Road

CTC guidelines (Subchapter E:Design Standards) say that any surface parking along an Urban Roadway shall have landscape buffering between the clear zone and the parking area, as seen in this diagram:



Parking

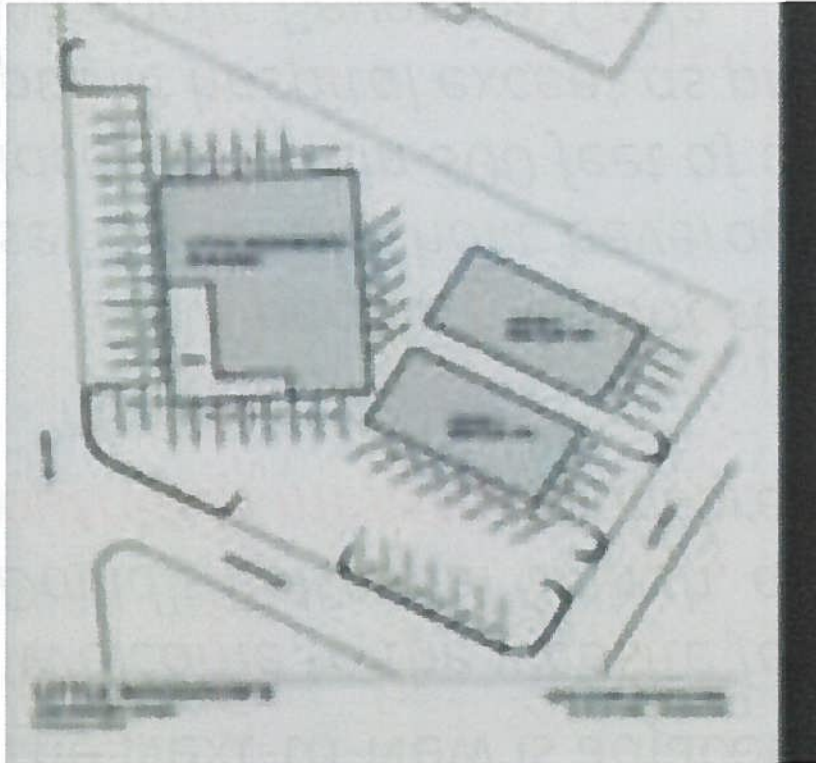


Chapter 25-5-145

(B) As a condition of approval for a conditional use site plan, a parking area for a cocktail lounge or a restaurant with a late-hours permit must be separated from a property used or zoned townhouse and condominium residence (SF-6) district or more restrictive by not less than 200 feet

Red line shows 200 feet from SF-3 zoned homes. Black Crossed Lines indicate parking removed for CTC guidelines. Numbers on buildings indicate number of parking spots required by city ordinance using sqft in TCAD). Parking also must also be screened from the residential district with a screen at least 4 feet high to screen vehicles and lights(Chapter 25-6-563)

Applicant's Parking Plan



This parking plan counts on multiple waivers in the site plan process

- 1) Waiver of Core Transit corridor guidelines(except for the parking reduction)
- 2) Waiver of 200 foot rule for distance from homes for cocktail lounge parking or late night restaurants
- 3) Waiver of the screening ordinance for residential district compatibility

This property does not provide adequate parking for the proposed zoning.

Adjacent to Church owned ministry

The Next-to-New is adjacent to proposed bar

*‘Welcome to the website for **Next-to-New Shop** of St. David's Episcopal Church, a consignment shop and **outreach ministry** sponsored by St. David's Parish. ‘*

Chapter 4.9.4

(A) A person may not sell or engage in the business of selling an alcoholic beverage at a place of business located within 300 feet of a church , public school , or public hospital except as provided by the Texas Alcoholic Beverage Code.

Next-to-New Tax Records

Section 501 of the IRS Code includes "ancillary" business, not related to the mission of the church, and they are taxed. Next-to-New is not taxed.

[illegible]

Alcohol Establishments in Neighborhoods

“Research support for the link between alcohol and violence comes from subsequent work by Scribner et al., who found that, *independent of measured confounders such as unemployment, racial/ethnic makeup, income, and age, alcohol outlet density was correlated with violent assault*

Similarly, Speer et al. found, in analyzing various census tracts ..., that alcohol outlet density was a significant predictor of rates of violent crime.

Alaniz et al., looking at violence among young people in 3 cities, again found a statistically significant relationship with outlet density.”

For practitioners, the research suggests the importance of zoning decisions regarding individual outlets within a particular neighborhood setting.

-Land Use Planning and the Control of Alcohol, Tobacco, Firearms, and Fast Food Restaurants

Marice Ashe, JD, MPH, David Jernigan, PhD, Randolph Kline, JD, and Rhonda Galaz, JD Am J Public Health. 2003 September; 93(9): 1404–1408.

Alcohol Establishments in Neighborhoods

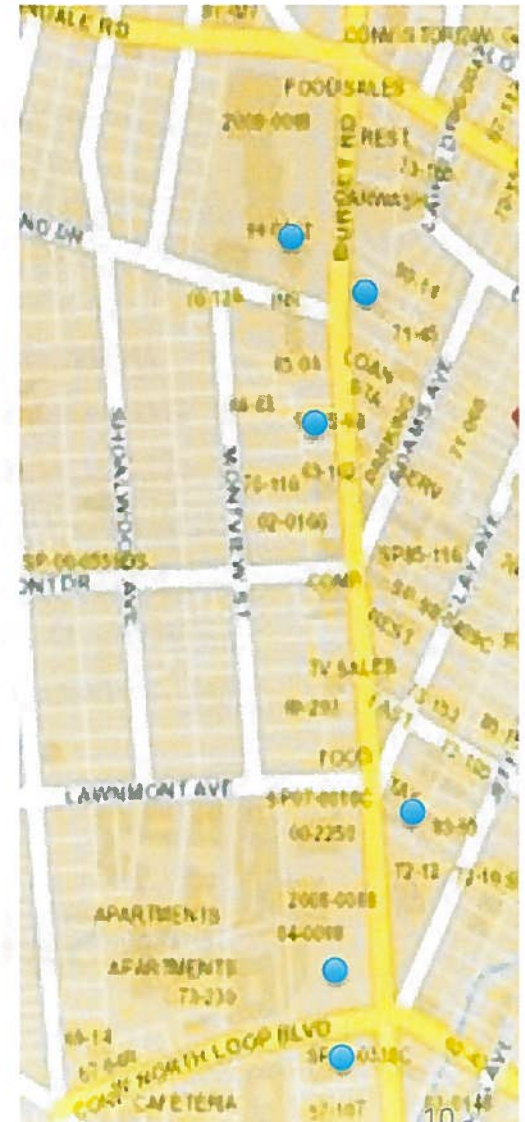
*“There are numerous studies that show an area with more alcohol establishments is likely to have a higher rate of violent crime,” Toomey said. According to Toomey, results of this study, combined with earlier findings, provide more evidence **that community leaders should be cautious about increasing the density of alcohol establishments within their neighborhoods.***

“The Association Between Density of Alcohol Establishments and Violent Crime Within Urban Neighborhoods,” will be published in the August 2012 issue of Alcoholism: Clinical & Experimental Research (Toomey)

http://www.youtube.com/watch?v=UHC_WFU7ObY&feature=youtu.be

Density of Alcohol Zoning

We have six properties already zoned for alcohol on Burnet Road from the area of North Loop to Koenig. About one per block. We don't need an even higher density of CS-1 zoning.



Little Woodrow's Bar or Restaurant?

Top Austin DWI Bars 2012

Top DWI bars in Austin for 2012



by SHELTON GREEN / KVUE News and photojournalist DATHAN HULL
Bio | Email | Follow @SheltonG_KVUE

Published on December 12, 2012 at 10:18 PM
Updated yesterday at 10:27 PM

1st to 9th

BAT BAR
DIRTY BILLS
JACKALOPE
LA MOVIDA
LITTLE WOODROWS
MOHAWK
MOLOTOV LOUNGE
THE RATTLE INN

Living in close proximity to a top 10 DWI bar that stays open until 2AM every night will have a real, significant impact on our quality of life and affect our safety and welfare.

CS-1 Zoning change

“ studies addressing the impact that alcohol-related land uses have upon the public health, safety, and welfare show property owners adjacent to or near businesses selling alcohol tend to experience a high level of alcohol-related conduct and nuisances which jeopardize the quality of life”

“this council finds the sale of alcohol as a land use can have such potentially harmful impact on, and be so incompatible with, the surrounding area that it requires special land use regulatory and planning attention to promote and ensure a safe and beneficial environment for this city’s residents.”

-From a Boulder, Colorado study of land use and alcohol

Alcohol Zoning –CS-1 – is not just another zoning category and is unique from other commercial uses – this property was a low-traffic real estate office.

There are many STATE (which the TABC enforces) and local ordinances written to protect churches, schools, and hospitals from the known detrimental effects of proximity to a business that sells alcohol.



We are so close



There are many people in Brentwood, Rosedale and Allandale who live in close proximity to Burnet Road south of Koenig (less than 125 feet) and many small businesses that thrive there. We welcome compatible small business.

To maintain our quality of daily life and the safety of our families we need the city's support in making sure that development along Burnet Road, that is in *very* close proximity to our urban homes, should uphold the standards that were set in the city ordinance to provide compatibility and to protect us from the known adverse impacts of CS-1 zoning.



Our Support – Neighbors & Small Business

Please support the Brentwood and Allandale Neighborhood Associations and these local residents and small businesses and deny this rezoning.

Petition Against The Zoning Change on C1-2012-0007 from C3 to C3-1

No. of the neighborhood owners of property affected by the requested zoning change described on the referenced Petition: 0007; are they do hereby protest against any changes of the Land Development Code which would cover the property to any classification other than C:

- This proposed law is in clear proximity to single family homes and the front and side yards would not be competitive with the residents at all.
- This proposed law has inadequate parking and while the applicant suggested negotiated parking with surrounding businesses, there is a high likelihood that Clay and Adams Ave would be used for parking. The late hours of the business would produce a proliferation and traffic issue to the outside of the night.
- This legislation would have significant existing crowding on Lamar and Barnett Street.

Name	Signature	Address	e-mail
Beth M. A. + Paul H.		5101 S. W. 1st St.	
Cristina Morgan + David		501 N. City Center Blvd.	c.morgan@comcast.com
Renee B. + John L. G.		5577 Clay St.	marty@clayst.com
Kenneth K. Carter + Barbara C.		5505A Clay Ave.	k.carter@clayave.com
Megan Chambers		5505A Clay Ave.	m.chambers@clayave.com
Johnny Walker		5507 Clay Ave.	j.walker@clayave.com
Philippe G. + Michelle		5507 Clay Ave.	philippe.g@clayave.com
T. McDonald		5519 Clay Ave.	t.mcdonald@clayave.com
Lisa F. + John T.		5519 Clay Ave.	l.f.+j.t.@clayave.com

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DEC 12 2012
Planning & Development Committee

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