

Hethcox, Leslie

From: Pool, Leslie
Sent: Thursday, February 12, 2015 7:43 AM
To: Halloran, Katie; Hethcox, Leslie
Subject: FW: Rebuttal to city staff recommendation on today's Item #73
Attachments: CrumpGordonStaffRecommendationRebuttal.pdf; Resolution 8528-8600 Burnet Rd 021115c.pdf

Leslie, please make copies for me of this email and its attachments that I can provide on the dais and to the City Clerk to become part of the official record. Thanks.

From: kevinw [REDACTED]
Sent: Thursday, February 12, 2015 12:30 AM
To: Pool, Leslie
Cc: Halloran, Katie
Subject: Rebuttal to city staff recommendation on today's Item #73

Honorable Council Member Pool,

Attached is North Shoal Creek Neighborhood Association's official rebuttal to the city staff recommendation for MF-6 zoning regarding item #73 on the city council agenda today.

Also, attached is the resolution that has been passed/voted in support of by North Shoal Creek, Allandale, Crestview and Brentwood Neighborhood Associations, as well as Wooten neighborhood executive committee, Austin Neighborhoods Council (ANC) Executive Committee (unanimous vote of support) and Sustainable Neighborhoods of North Central Austin.

Please vote NO on this request to change zoning.

Best regards,
Kevin

North Shoal Creek Neighborhood Association
Development Committee Chair

Resolution Against Rezoning of Crump/Gordon Property
Zoning Case: C14-2014-0157 (8528 Burnet Rd.)
(2/11/15)

Whereas, North Shoal Creek, Allandale, Crestview, and Brentwood Neighborhood Associations, and Wooten neighborhood executive committee, together with Sustainable Neighborhoods of North Austin have worked for years to preserve the quality of life in our neighborhoods, including preserving and promoting trees, green space, walkability, safety, and child/family/elderly-friendly environments; and

Whereas, Burnet Road is the central connecting corridor or "spine" that runs through the center of our collective neighborhoods; and

Whereas, the Burnet Road corridor is undergoing rapid redevelopment including increased density, mixed use development; high density apartment developments; and

Whereas, this redevelopment of Burnet Road is causing traffic congestion to the point of near failure at several major Burnet Road intersections, including Highway 183, Anderson Lane, and Koenig Lane; and

Whereas, this traffic congestion is diverting traffic from Burnet Road to neighborhood residential streets; and

Whereas, the above stated neighborhood groups have met with the city about being proactively involved in a Burnet Road Corridor Plan to help decide what is the best uses and zoning along Burnet Road; yet, the city has not involved the neighborhood groups in any Burnet Road Corridor planning; and

Whereas, North Shoal Creek Neighborhood Association (NSCNA) first requested permission to develop a neighborhood plan 9 years ago in 2006, was approved for a planning process 4 times, and was approved by city council in 2014 to start the planning process for a North Shoal Creek Neighborhood plan; yet the city has not begun that process; and

Whereas, the above stated neighborhoods have asked the city that their neighborhood plans be respected, and not be violated by the Burnet Road Corridor plan; and

Whereas, 8528 Burnet Road property is within the North Shoal Creek Neighborhood's boundaries and therefore any rezoning should be governed by not only the North Shoal Creek Neighborhood plan, but also the Burnet Road Corridor plan as well as the Imagine Austin plan; and

Whereas, the Imagine Austin plan guides development along major transportation corridors to have dense development compacted together at major transportation nodes; and

Whereas, 8528 Burnet Road is not designated in Imagine Austin as a major transportation node; and

Whereas, 8528 Burnet Road is at the corner of Rockwood Lane; and the proposed development will divert traffic down Rockwood Lane, thereby cutting through the heart of North Shoal Creek neighborhood, and past Pillow Elementary school; and

Whereas, North Shoal Creek neighborhood already has a large traffic cut-through problem on Rockwood Lane as evidenced by the fact that North Shoal Creek Neighborhood Association has worked for years to get traffic calming/mitigation measures undertaken on Rockwood Lane with some measures having been undertaken but not yet completed; and

Whereas, the North Shoal Creek neighborhood is already in line with Imagine Austin in that it is densely developed and possesses a variety of housing types including duplexes, triplexes, apartments and condominiums; has 56% of its residents renting vs. owning their housing; and has nearly twice the population density (4,302 vs. 2,610.4) and twice the household density (2,247 vs. 1,100.7) compared to the Austin average (Source: Wikipedia.org citing the 2,000 U.S. Census); a MF-3 or MF-4 owner occupied development would be preferable at this site; and

Whereas, MF-6 zoning is unprecedented and unnecessary in our area and will increase existing traffic congestion; and

Whereas, ad hoc zoning variances without comprehensive planning is detrimental to the quality of life for citizens in an area as well as a violation of City of Austin zoning principles; and

Whereas, ad hoc zoning variances have been recognized as a major problem that both Imagine Austin and CodeNext are intended to solve; and

Whereas, upzoning requests for the North Shoal Creek area could have a substantial negative impact on the quality of life of its residents and its property value as well as similarly impacting all the neighborhoods along the Burnet Road corridor;

Therefore be it resolved that the Austin City Council:

- 1) Will not approve high density MF-5 or MF-6 zoning for 8528 Burnet Road.

Therefore be it further resolved that the Austin City Council:

- 2) Will direct City of Austin staff to immediately begin the process of developing a neighborhood plan for the North Shoal Creek neighborhood area in conjunction with the North Shoal Creek Neighborhood Association; and
- 3) Will direct City of Austin staff to immediately begin involving Burnet Road Corridor neighborhood associations in the planning process for the Burnet Road Corridor plan; and, will direct City of Austin staff to provide written assurance (a written promise) to the North Shoal Creek neighborhood that its future plan will be fully respected, and take precedence over any conflicting direction that may arise from the Burnet Road Corridor plan; and
- 4) Will direct City of Austin staff to provide written assurance (a written promise) to all Burnet Road Corridor neighborhood associations that their neighborhood plans will be fully respected and will take precedence over any conflicting direction that may arise from the CodeNext process; and
- 5) Will direct City of Austin staff to take into consideration when considering future high density zoning requests along the Burnet Road Corridor that MF-3 and MF-4 housing can also increase density while 1) being more affordable; 2) preserving a more balanced demographic by age; and 3) halving the traffic impact; and will also direct staff to follow CodeNext's recommendation that MF-5/-6 and VMU developments be located near designated transit nodes and not applied scatter-shot along the Burnet Road Corridor.

North Shoal Creek Neighborhood Association (NSCNA)
PO Box 66443
Austin, Texas 78766

February 11, 2015

Re: Case # **C14-2014-0157** (8528-8600 Burnet Road/8647 Rockwood lane, Crump-Gordon properties)
Contact: Sherri Sirwaitis, 512-974-3057

Dear Ms. Sirwaitis:

This letter is to reiterate the North Shoal Creek Neighborhood Association's objection to this proposed rezoning. Our previous letter, dated December 5, 2014, was written prior to the issuance of the Zoning Change Review Sheet on December 9, 2014. This letter addresses several points made in the review sheet that we believe to be incorrect, overly general, or misleading. **We disagree with staff's recommendation to approve this zoning change request, and we urge City Council members not to approve it.**

Points of disagreement:

On page 1, the "Department Comments" section recommends approval because "this tract of land fronts onto Burnet Road, an arterial roadway and a designated Core Transit Corridor." Attachment A (a map of Austin's Core Transit Corridors, updated 5/13/2013) shows that Burnet's Core Transit Corridor status ends at Anderson Lane. **This section of Burnet is not designated a Core Transit Corridor.**

This same section states "MF-6 zoning is consistent with the adjacent uses" and references the Rockwood Apartments to the west. The Rockwood Apartments is zoned MF-4. There are 13 multifamily complexes in North Shoal Creek, none of which are zoned MF-5 or MF-6. **In our view, MF-3 or MF-4 zoning would be consistent with our neighborhood's character; MF-5 and MF-6 is not.** (Attachment B illustrates the disparity between densities in North Shoal Creek and the 107.5 units/acre density of this proposed project.)

Furthermore, we know of no evidence in either *Imagine Austin* or the Wooten/Crestview neighborhood plan that supports staff's conclusion that MF-6 is consistent with existing multifamily zoning in North Shoal Creek. To the contrary, *Imagine Austin* describes regional centers as "places where the greatest density of people and jobs and the tallest buildings in the region will be located." Under *Imagine Austin*, the preferred location for MF-6 zoning would be in or near the Transit Oriented Development in the North Burnet/Gateway regional center, not in a medium/moderate density neighborhood like North Shoal Creek.

The "Basis for Recommendation" section on page 4 draws several conclusions that are not supported by specifics. In addition, the reasons given as substantiating MF-6 zoning at the Burnet/Rockwood site are so general as to qualify almost any Central Austin site near a roadway with bus service as potential MF-6 sites.

Here, for example, are some specifics relating to transportation infrastructure at this location which paint a realistic but less than rosy picture. As the applicant says, there is a bus stop very near the site. It's for Route 3, the "old" bus service. Since the addition of MetroRapid Route 803, Route 3 runs every 30-40 minutes. The stop for the MetroRapid bus, which runs every 12-15 minutes, is about a fourth mile away. Which site would be better for high density zoning: next to the 30-40 minute bus stop or the 12-15 minute one?

Also, according to the *Austin Mobility North Lamar/Burnet Corridor Program* report, this section of Burnet lacks adequate sidewalks and pedestrian crossings and has too many entrance/exit driveways for pedestrian safety.

This section also calls being "adjacent to the central business district or a major institutional or employment center" as a qualifier for MF-6 zoning. This site isn't adjacent to the CBD nor is it near a major institutional or employment center.

It also refers to "an area for which the high density multifamily use is desired" as a qualifier for MF-6 zoning. Does this mean that if a developer says he/she desires MF-6 zoning, it's a done deal—he/she gets it? This is a Catch 22 phrase that makes everywhere a potential candidate for MF-6 zoning, neighborhood planning and Imagine Austin be damned. In this case, we fear that MF-6 zoning is desired for this site by the applicant and City staff, while most people living near the site do not, and we don't understand why the desires of neighborhood residents aren't considered along with the desires of the other stakeholders.

This section also invokes promoting "consistency and orderly planning." As explained on page 1 of this letter, a density level of 107.5 units/acre is not consistent with our neighborhood's medium/moderate level of density. If "orderly planning" is desired, it can be obtained by delaying a decision on this rezoning request until after the long-delayed but still pending Burnet Corridor Plan is completed.

Finally, this section concludes MF-6 zoning will provide a "mixture of housing opportunities in this area of the city" and "is consistent with the goals of the Imagine Austin Comprehensive Plan as it is located on Burnet Road, a designated Activity Corridor." Planning doesn't consist of putting a building anywhere it can be built. Planning means placing buildings in preferred locations, based on the principles of the overall plan. Based on the Imagine Austin Comprehensive Plan, this building should be in the North Burnet/Gateway Regional Center north of Highway 183, not at the intersection of Burnet and Rockwood Lane.

We urge you to reject the recommendation of this flawed zoning review and vote no to this rezoning request. We thank you for your consideration of our position.

Best regards,



Core Transit Corridors CITY OF AUSTIN FULL PURPOSE JURISDICTION

- Core Transit Corridor
- Future Core Transit Corridor

updated: 3/13/2013
Filename: core_transit_corridors



PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

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This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Attachment B: Densities

A: Austin's density 2013: 4.42 persons/acre*

B: North Shoal Creek's density: 5.3 persons/acre**

C: Austin's highest density neighborhood: West University
at 35 persons/acre**

*Source: worldpopulationstatistics.com

**Source: Population and Housing, Table I, Neighborhood Reporting
Area, Census 2010 Data

1: MF-3 density limit: 36 units/acre

2: MF-4 density limit: 54 units/acre

3: Density of proposed MF-6 zoning at 8528-8600 Burnet:
107.5 units/acre (MF-6 zoning allows unlimited density)

