Neighborhood Plan - Conduct and Consider
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-1
AGENDA DATE: Thu 09/02/2004
PAGE: 1 of 2

SUBJECT: Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-30, which adopted the North Loop Neighborhood Plan as an element of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map from single-family residential to commercial-mixed use for property located at 0 (south 75 feet of lots 9, 10, & 11 and the north 75 feet of lots 12, 13 & 14, Block 1, Smith and Abrahamson Subdivision, Travis County, Texas). 100, 102 and 104 E. 51st Street.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING DEPARTMENT: Neighborhood Planning and Zoning

DIRECTOR'S AUTHORIZATION: Alice Glasco

FOR MORE INFORMATION CONTACT: Kathleen Welder, 974-2856

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Planning Commission made no recommendation.

DEPARTMENT COMMENTS:

Council adopted the North Loop Neighborhood Plan and rezonings on May 23, 2002. The boundaries of the North Neighborhood Planning Area are Koenig Lane on the north, IH 35 on the east, Lamar Boulevard on the west, and 45th Street, Red River Street, and 51st Street on the south. The Neighborhood Plan was adopted on May 23, 2002.

The subject tract is located midblock on the north side of E. 51st St., between a State-owned cemetery on the west side and single-family homes facing Avenue F on the east side. It is comprised of four unequal lots measuring approximately .95 acres total. The front portion is occupied by two duplexes and a single-family home, while the rear portion is undeveloped. The tract's total dimensions are 150 feet x 200 feet (150 ft. dimension fronts on E. 51st St.). The Hyde Park Neighborhood Planning Area lies directly across the street, on the south side of E. 51st St.

The property owner proposes to develop the front portion with a a neighborhood restaurant and office space and the rear portion with eight-to-ten apartment units.

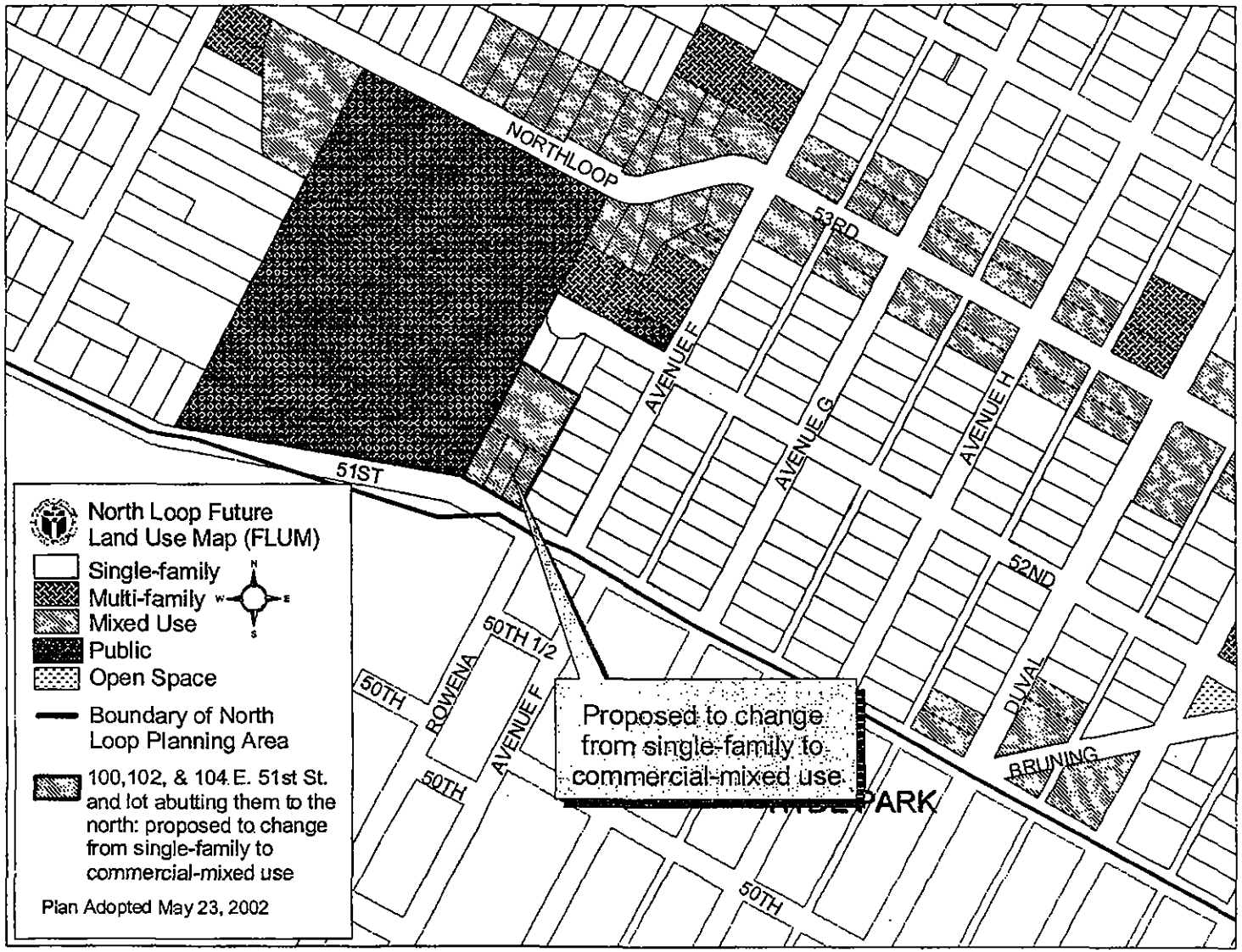
The North Loop Neighborhood Planning Contact Team submitted a plan amendment application "out-of cycle" for the E. 51st St. property on January 23, 2004. NPZD organized

an official meeting on March 23, 2004 to bring identified stakeholders together to discuss the plan amendment application.

Staff recommends denial of the applicant's request; staff's alternate recommendation is a change in the land use designation to higher-density single-family residential. The purpose of the higher density single-family land use category is to encourage a mixture of moderate intensity residential uses, including townhomes and condominiums, on residential corridors. Higher density single-family is applied where it can appropriately manage development on major corridors that are primarily residential in nature. It is also applied where it provides a buffer at the edge of low-density residential areas. Because the subject tract is on E. 51st St., a two-lane arterial that is residential in nature, and because the tract sits between a single-family neighborhood on one side and a cemetery, a Texas Parks and Wildlife Property, and the University of Texas intramural fields on the other, higher density single-family is an appropriate land use.

The North Loop Neighborhood Contact Team conditionally supports the plan amendment. They believe it supports the growth pattern envisioned and established in their Neighborhood Plan: *"The North Loop Neighborhood Planning Area of the future is a vibrant mixed use neighborhood, where commercial and residential uses are combined, and designed in a way that creates an interesting streetscape and built environment. Compatibility is important, but so is uniqueness and a[n] eclectic character.*

Planning Commission voted on two motions and agreed by consensus to submit no recommendation to City Council. The first was a motion to recommend an amendment from single-family to higher density single-family and resulted in a 4-3 vote. The second motion recommended a change to commercial mixed-use and resulted in a 3-4 vote.



Plan Amendment:	NPA-04-0011.01
Location:	100-104 E. 51st St.
	North Loop Planning Area
Proposal:	Change FLUM designation from single-family to commercial mixed-use
PC Hearing Date:	May 11, 2004

EXHIBIT A

EXHIBIT B

MEETING SUMMARY

Approved by PC May 25, 2004

CITY PLANNING COMMISSION

May 11, 2004
One Texas Center
505 Barton Springs Road
Conference Room 325

CALL TO ORDER – 6:00 P.M. ***COMMENCE 6:06PM; ADJOURN 10:28PM***

_____Maggie Armstrong, Secretary
_____John-Michael Cortez
_____Cid Galindo
ABSENT_Cynthia Medlin, Asst. Secretary
_____Matthew Moore
ABSENT __Jerome Newton
_____Chris Riley, Chair
_____Niyanta Spelman, Vice Chair
_____Dave Sullivan, Parliamentarian

A. REGULAR AGENDA

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 Planning Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071
NO EXECUTIVE SESSION

CITIZEN COMMUNICATION:

1. The first four (4) speakers signed up to speak will each be allowed a three-minute allotment to address their concerns regarding items *not* posted on the agenda.

NO SPEAKERS

APPROVAL OF MINUTES

2. Approval of minutes from April 27, 2004.

MOTION: APPROVE BY CONSENT
VOTE: 7-0 (NS-1st, DS-2nd; CM, JN- ABSENT)

DISCUSSION AND ACTION

Facilitator: Katie Larsen, 974-6413

katie.larsen@ci.austin.tx.us

3.	**Neighborhood Plan Amendment:**	**NPA-04-0011.01 - E. 51st Street-North Loop Plan Amendment**
	Location:	100-104 & 0 E. 51st Street, Waller Creek Watershed, North Loop Planning Area NPA
	Owner/Applicant:	Applicant: North Loop Neighborhood Planning Contact Team; Owner: Eileen Merritt, Inc.
	Agent:	Mike Rhodes, Eileen Merritt, Inc. and Don Smith, Northfield Design Associates, PLLC
	Request:	Change the North Loop Future Land Use Map designation from single-family residential to commercial-mixed use.
	Staff Rec.:	**NOT RECOMMENDED (Alternate Staff Recommendation: Higher density single-family)**
	Staff:	Kathleen Welder, 974-2856, kathleen.welder@ci.austin.tx.us Neighborhood Planning and Zoning Department

SEE ITEM 3 FOR DISCUSSION, MOTION AND VOTE

4.	**Zoning:**	**C14-04-0015 - 51st Street Mixed Use**
	Location:	100-104 and 0 E. 51st Street, Waller Creek Watershed, North Loop Planning Area NPA
	Owner/Applicant:	Eileen Merrit, Inc.
	Agent:	Mike Rhodes, Eileen Merritt, Inc. and Don Smith, Northfield Design Associates, PLLC
	Request:	SF-3 to LR-MU-CO-NP
	Staff Rec.:	**Staff's alternate recommendation is SF-5-NP**
	Staff:	Glenn Rhoades, 974-2775, glenn.rhoades@ci.austin.tx.us Neighborhood Planning and Zoning Department

Kathleen Welder presented the staff recommendation.

Ms. Welder thought lots probably illegally subdivided. Commissioner Sullivan asked if the property would have to be legally subdivided before submitting a site plan. Ms. Welder said yes. Ms. Welder said the owner has already submitted a subdivision for the property.

Glenn Rhoades presented the zoning staff recommendation.

PUBLIC HEARING

FOR

Don Smith, principal of Northfield Associates, said he could wear several hats as a neighborhood resident, neighborhood plan team member, and proponent of curbing sprawl . The property is located next to a cemetery, and across the cemetery is a Parks and Wildlife center. The project will be designed according to Neighborhood Mixed Use Building requirements. The mixed-use project would be the highest and best use. The property benefits from superior street visibility, and the project is a textbook example of what the neighborhood plan asked for. It also will provide a transition from the housing to the cemetery, intramural fields and office buildings. The proposed zoning would trigger stormwater controls that SF-3 would not require. In addition, the

zoning would bring in additional property tax revenue. He pointed out that the Smart Growth matrix granted many points for "trailblazer" developments, such as the one proposed for this site. So, there is a developer willing and able to do this type of project, despite the risk, and the success of this development would encourage others to build similar projects. His client is willing to agree to conditions, such as prohibiting certain uses. The client will install a sidewalk as requested in the neighborhood plan. He is willing to work with the neighborhood. The property was not rezoned during the neighborhood planning process because staff said that spot zoning would not be done.

Commissioner Sullivan asked Mr. Smith about the underutilized small office buildings along North Loop Blvd. Mr. Smith said that there is not that much vacant land, and most of the buildings are owned outright so there is no incentive to demolish the buildings and take on the debt to create a new building.

Commissioner Sullivan asked Mr. Smith what restaurant is planned for the site. Mr. Smith said something like New World Deli is envisioned for the site.

Commissioner Galindo asked why he thinks it is the case that access would improve if the site is redeveloped. Mr. Smith said that currently there is a broad curb cut that stretches along most of the property. Cars park along that curb cut. Redevelopment of the site would reduce the curb cut to a driveway that will organize exiting traffic.

Commissioner Galindo expressed his concern about all the traffic along East 51St. Mr. Smith acknowledged that 51st is a busy street, Mr. Smith said that if the property is developed as SF-3, the exit would be in the middle of the lot which would be less desirable than having the exit at the end of the lot near the cemetery.

Matt Hollon, vice president of Morningside Ridgetop Neighborhood Association and member of North Loop Neighborhood Planning Team. The traffic on East 51st separates the single-family. The traffic will continue to increase along the road because of the Triangle and Mueller redevelopment. Some have expressed concern about the additional "cut-through" traffic, but not sure it makes sense to call traffic on an arterial as "cut-through." There was not a 51St Street corridor plan in the neighborhood plan, but this should not prevent us from taking this opportunity. The applicant will provide housing, retail and construct a sidewalk.

Mr. Hollon responded to Commissioner Riley's concern about the process the neighborhood plan team followed to make decisions about the proposed project. He said that the team meets quarterly, and first met in August of 2003. They had a meeting in December, and later had meetings after sending out correct notification. At the March 23, 2003 meeting, the Team did vote, and re-affirmed the vote with a vote of 13 to 1 to support the project. Mr. Hollon said that as a result of that experience, by-laws changed to allow the neighborhood team to either 1) tell the applicant the neighborhood association would not submit the application or 2) submit the application on applicant's behalf, but decide on whether or not to support it at a later meeting.

Commissioner Riley asked how someone can join the North Loop Neighborhood Plan Team. Mr. Hollon said that those who attend the meetings 3 out of the four during the year can become voting members. Commissioner Spelman asked how many members are on the Team.

Commissioner Cortez said if the property is rezoned, it would be spot zoning. Mr. Hollon said that he researched spot zoning, and said that it does not apply in this case. The proposed rezoning fits within the neighborhood per the plan. Mr. Hollon said that he is confused as to why staff says LR is incompatible with single-family because the purpose statement of LR, Neighborhood Retail, says it is intended to provide services adjacent to and compatible with neighborhood.

Bill Yoder, former Chair of the North Loop neighborhood planning team, explained that the team met several times to vote. At the end of the March 2004 meeting, after two hours of focused discussion, still decided to support the zoning. The bylaws of the North Loop Team are on record at the City.

Kirsten Bartel, lives on Evans Avenue, and is a member of Neighborhood Planning Team and Northfield Neighborhood Association. They have been carless for several months. They bicycle to grocery store and other stores. The mixed-use zoning will make the neighborhood pedestrian and accessible. She has heard about traffic, and the concern about speeding. She says people speed because they can, because we provide wide pavement.

Patrick Goetz, said that one of the reasons they supported the project was to slow down traffic by creating a pedestrian generator. He does have concerns about process, but concerns about pressuring people to sign petition against zoning. The Team did listen to the arguments against, but they did not make sense. One person would say that it's a corporation trying to make money, and another would conflict with that and say there is already vacant commercial space in the area.

Commissioner Moore asked why zoning cannot be for a project. Marty Terry, Assistant City Attorney, said that zoning is for land uses, not for a specific project. The way you get there, she said, to get specific requirements, is to prohibit certain uses or impose conditions through conditional overlay or private restrictive covenant.

Jay Reddy, president of the Northfield Neighborhood Association, said that the neighborhood association voted 30-4 in favor of the rezoning request. The association sends about 1400 newsletters out informing owners of association meetings.

FOR- NOT SPEAKING
Ashley Montague- donated time to Bill Yoder
Jan Seward- donated time to Matt Hollon
Henry Stone- donated time to Matt Hollon
Laura Stone- donated time to Don Smith
Laura Smith
Richard Smith
Kris Schludermann
David Papas

AGAINST
Maya Gamble, owns house and lives on Avenue F (immediately adjacent to subject site), said she has five main arguments against the proposed zoning change. First, the overwhelming majority are opposed to the proposed rezoning. She did not browbeat or mention McDonalds to

gather signatures as a previous speaker suggested. Through her efforts and those of other neighbors, 24 of the 28 adjacent property owners signed against the zoning change. Three of the four that are missing are out-of-state that have not been contacted. The 43% is deceiving because 24 of the 28 owners have signed against it. Second, the existing zoning is appropriate. There is plenty of vacant commercial property within the area. And there are plans for more commercial development in the area, including the Triangle. Thirdly, the site is off to the side, and not that accessible. Building large residences would not be compatible with the smaller adjacent homes. Fourthly, the zoning would be spot zoning. The Team vote should be discounted due to lack of involvement or notification of affected property owners. She did attend the December meeting, but there was a sense she was not being listened to. The future land use map says the appropriate use is single-family. Lastly, it would be extremely unfair to the adjacent property owners to change the zoning. The owners would not have paid what they did or selected the home if knew commercial development would go on to that property. The owner knowingly bought property with SF-3 zoning. There is no hardship in this case. The property does fall at the base of the hill and on a curve, so a residential use would generate less traffic. Also, pedestrians would not be able to safely cross.

Commissioner Sullivan asked about her opposition to SF-5. Ms. Gamble explained that SF-5 would permit nicer projects like condominiums, but also have to look at what the zoning would allow, and that includes large duplexes.

Commissioner Armstrong asked about the revised duplex ordinance.

Ms. Gamble, responding to Commissioner Moore's question, said that her main concern is that there would be a restaurant literally in her backyard. She does not want spillover parking, trespassing from pedestrians, people smoking or drinking behind or in front of her house. She has a young child that she does not want to have him exposed to second hand smoke. The parking and the traffic would directly affect her.

Kathleen Welder clarified that liquor sales would not be permitted in the limited restaurant use. In addition, a patio with a table would be considered usable space, and so not permitted within the 25 foot setback.

Tina Dacus, owns house at 5101 Avenue F, said she had serious reservations about buying a house on the corner of a busy arterial, but she decided to purchase the property because of the surrounding single-family uses. Traffic on the weekends is not as busy. She was assured with the approval of the neighborhood plan that the property would remain SF-3. The owner knew the constraints of the property, and should have made plans if the zoning is not approved. She is not making improvements because of her concern about the proposed commercial development. Her property has been falling in value, and a mixed-use project might affect the value more. She is concerned about overflow parking, traffic and the value of her property.

Bruce Nadig said that there is vacant commercial and office space, and the Triangle development is struggling to find retail tenants. The Hyde Park commercial area has been present since 1927. In contrast, this property has not been commercial. Duval and 43rd St are straight and clear with good line of sight, but that is not the case for 51st Street. Pedestrians can easily move around at Hyde Park, but not that easily on subject site. Pedestrians should not be used as traffic calming

devices. He does not understand why staff is recommending SF-5 since no one has requested it. The question tonight is whether it should be SF-3 or commercial. The owner is showing what they can do, not what they will do.

David Hoffman, showed photos of traffic on Sunday versus traffic at rush hour during the week. The area in front of the property is an accident prone area. When the traffic flow is interrupted, some people use the alleys. He rarely drives, and that is why they chose the neighborhood. The Triangle is walkable from their neighborhood. There does not seem to be a compelling reason to spot zone because of the proximity of the commercial development.

Lisa Hoffman, member of North Loop NPT, member of Hyde Park neighborhood association, and resident of 5102 Avenue G. They oppose the request for the following reasons: 1) They support the future land use map designation of SF-3, 2) the plan amendment process was one-sided- the opposition was not allowed to present a case against, so the North Loop Team vote should be discounted. The owner hired the Vice Chair of the North Loop team. The vice chair presented the plan to the Team, and though he recused himself, his influence is undeniable. 3) They have a personal stake in this rezoning request because of the impact on their residence. They have everything they need within walking distance or on a bus route.

Ryan Clinton, resident at 504 Martin Avenue, said he has three concerns. First, there is an unfairness of allowing a developer to purchase a SF-3 property in an SF-3 neighborhood and request commercial zoning. It is also unfair to place the burden of commercial development in a neighborhood. Secondly, the location of the commercial development is inappropriate. Despite its high traffic it is a small residential road. It is unsafe in the area because of the traffic. Thirdly, the scale is inappropriate. Mike is known for building in one size, supersize. He regrets speaking against the project because the applicant is his neighbor.

Commissioner Sullivan pointed out that Mr. Clinton lives 5 blocks away from the property, and asked why it is salient to him. Mr. Clinton said that his reasons were stated earlier. Commissioner Moore asked about his concerns about decreased property value. Mr. Clinton said that when people are buying a house in Hyde Park they are looking for character and feel. When that feel is gone, the houses are not attractive. They buy it for character and feel, not because it makes economic sense.

Chris Gamble, adjacent to subject property, is opposed to the rezoning request. There is no additional commercial property needed in this neighborhood. Second, the project would exacerbate existing parking and traffic problems, and raise concerns about those passing through. Thirdly, he said that he does have anecdotal evidence that the properties next to the commercial development are in disrepair and have lower values.

Jason Burch, owns the Flightpath Coffeehouse and also lives at 52nd and Duval. He is concerned about traffic because people take East 51st Street. He knows that people do not like to live next to commercial development. No one wanted to purchase the house next to his coffeehouse, so it became a rental property. Students live there. He added that he knows everyone on the right side of the room on a first name basis. He knows they want to create a neighborhood with mixed-use. The owner is blinded by his own vision- the project is not right for this site. His property is on the corner, unlike the subject property. The stop sign helps slow down traffic in front of his store,

but there is not a similar traffic calming device for the subject property. Residential properties close to commercial are rental.

Julian Henry said that character and traffic are his main concerns. The residences near existing commercial know it exists. In this case, those that have SF-3 zoning behind them now have

Andrew Homer said he is concerned about traffic. He participated in the Hyde Park NPT. Mr. Rhodes, the developer, proposed several superduplexes in his subdivision. There is no reservoir of goodwill for Mike Rhodes, and that explains why those who live several blocks away are speaking against the rezoning request. Lastly, he bought the property on a speculative basis, that takes adjacent homeowners by surprise.

Commissioner Galindo asked if Mr. Rhodes has built commercial buildings. Mr. Homer said that he cannot speak to commercial, but for the residential development he has done, it is out of scale.

Commissioner Galindo pointed out that the current SF-3 zoning would permit large duplex units, so how would that be better than the commercial development.

Justin Duval said he bought his residential property to be near Hyde Park. His main concerns are that the appeal of the neighborhood would go away with the commercial development and that the development on the site could be something other than what is currently proposed.

Stanley Kozinsky, Chairman of the Hyde Park Neighborhood Association Development Committee, said that association voted to approve the SF-5 zoning. He is concerned about the potential of the zoning to recreate Koenig Lane, where a precedent was set to begin rezoning the area along the roadway to commercial. Mr. Kazinsky said that there is a benefit to having regular users of the driveway, like residents of a townhouse development because they know where to turn, whereas customers may not be familiar with vehicle entrance.

Alex Kopiwoda, 5101 Martin Avenue, lives across the street from Mr. Rhaodes large house. There was a vacant lot. He said that they cannot believe what Mr. Rhoades says, because of his experience with the house that he built across from his house. There is no reason to transition between dead people and people living in homes.

AGAINST- DID NOT SPEAK
Randal Bansford- donated time to Maya Gamble
Shirley Mount
Geoff Mount
Lori Jagisch
Monica Scott
Katy Trosper
David Campbell

REBUTTAL
Don Smith, representative of Northfield Design Associates, said that he was not asked to trade-up his goodwill to assist Mr. Rhodes. He actually marketed his mixed-use project idea to Mr. Rhodes. He wanted to make sure it was clear which direction that went. Mr. Smith reiterated that

the existing buildings in the area are not going to be redeveloped because they are cash cows. And just because there is space available that does not mean it is appropriate space. He stressed that the proposed project is what is desired in the neighborhood plan. He read an email from Kathleen Welder, City staff, which states that the proposed project traffic impact would be 1,000 trips, an overestimate.

Commissioner Riley asked Mr. Smith to respond to neighborhood concerns about proposing commercial development in a neighborhood. Mr. Smith said that he sees it as a property that is not located within a neighborhood, but rather on the edge, adjacent to large tracts of essentially vacant land owned by governmental entities.

MOTION: CLOSE PUBLIC HEARING
VOTE: 7-0 (DS-1st, NS-2nd ; CM, JN- ABSENT)

COMMISSION DISCUSSION

Commissioner Sullivan suggested restrictions on driveway access, and right-in and right-out requirements. Mr. Glenn Rhoades, city staff, said that would probably have to go into a restrictive covenant. Commissioner Sullivan asked if 30 feet was the magic number to prevent stilt parking. Staff responded they did not know.

Commissioner Spelman asked about the back vacant lot. Mr. Rhoades said that selling the front lots would leave the back lot without frontage or dedicated access which would not be permitted under the subdivision requirements.

Commissioner Riley asked whether the Flightpath Coffeehouse complies with current compatibility standards. Mr. Rhoades said probably not. Commissioner Riley read the compatibility standards that would apply to the site, and then asked Mr. Hollon about proposed conditional overlays for the property addressing compatibility. Mr. Hollon explained the current overlay conditions the applicant would agree with.

Commissioner Riley asked what assurances are in place that the development would not negatively impact neighborhood. Mr. Hollon said that a restaurant would have an impact on overflow parking, but so would five duplexes located on the site. He said it comes down to a philosophical difference of either wanting an urban mixed-use environment, or a residential environment.

Commissioner Galindo said 5 duplexes with 2 units each with 3 bedrooms each could be built on the site with the existing SF-3 zoning. Mr. Rhoades, NPZ staff, said it is possible.

Commissioner Sullivan suggested a vegetative buffer, and Mr. Rhoades said that could be done.

Commissioner Cortz made a motion: Approve staff recommendation, with additional conditions: 1) additional 10 foot setback on the east side and the north side, 2) height restriction of 30 feet and 3) 3 bedrooms per unit if built as duplex. He said that economic conditions should not influence zoning decisions because market conditions can change, but the land use is around for much longer. It does disappoint him that the property is inconvenient, and the plan did not call

out for commercial at this site. No matter what happens traffic will get worse. East 51st Street is between the largest highway and the largest employer in the City.

Commissioner Sullivan seconded the motion. He said that though he supports the vision of mixed-use, this is not the right location to do it. He said that there has to be buy-in from the neighbors. The people adjacent to commercial chose to live next to commercial, but in this case commercial would be added after people have chosen their place of residence.

Commissioner Spelman said that the petition is at 43%, and that is significant. She recognizes that some people want SF-3, but she cannot support that because SF-5 could provide the better development. As Commissioner Galindo pointed out, under SF-3, 5 duplexes with 30 bedrooms could be built on the site currently. A townhome development would be the best for the site. The site needs to be developed.

Commissioner Armstrong said she would support the motion. She likes the project, but thinks it is the wrong location. Need to respect property owners immediately adjacent to the property.

Commissioner Galindo said he would oppose the motion. His perception is that the property is on the edge of a wonderful neighborhood. He does not think the project would affect the feel of the neighborhood. He is a person that prefers an urban neighborhood where he can walk to commercial. And even with SF-5 zoning, there will be 30 bedrooms permitted on the site, and he thinks that would have negative impact more than the proposed commercial development.

Commissioner Moore said he cannot support the motion. He pointed out the problems with sprawl and how that problem needs to be addressed, and this project is a good start to changing development.

Commissioner Spelman said that the planning principles are not clear cut in this case. Commissioner Moore said that he is concerned that the Commission would be sending a message that mixed-use projects would not be approved. Commissioner Sullivan countered and said that this is already a mixed-use neighborhood, so this should not be considered a referendum on who supports mixed-use and does not support mixed-use.

Commissioner Riley said it is a struggle, because he enjoys living in a mixed-use neighborhood. He thinks there is a possibility that the value could be enhanced by a good mixed-use development. He pointed out that the North Loop Neighborhood Plan stands out as the neighborhood plan that is notable in its emphasis on creating a mixed-use neighborhood. The overall gist of the plan is that the neighborhood wanted to see one's daily needs met by foot. He thinks about the all the work of the neighborhood plan team, so out of respect for those involved, he will not support the motion.

MOTION: APPROVE STAFF RECOMMENDATION WITH THREE ADDITIONAL CONDITIONS: 1) additional 10 foot setback on the east side and the north side, 2) height restriction of 30 feet and 3) 3 bedrooms per unit if built as duplex.
VOTE: 4-3 (JC-1st, DS-2nd; NS, MA, JC, DS- FOR; CR, MM, CG- AGAINST; CM, JN- ABSENT)
MOTION FAILED.

Commissioner Armstrong pointed out that the applicant proposes 10 units, that could have 30 bedrooms, in addition to commercial, so she cannot see the argument against SF zoning that would allow duplexes with 30 bedrooms.

Commissioner Cortez said that there needs to be respect for the deliberative neighborhood planning process. He thinks it's a great project, wrong location.

Commissioner Spelman said that perhaps something went wrong with the process as evidenced with the valid petition. Commissioner Sullivan said that he has lived in dense urban environment and likes it, but his concern is that this is bringing commercial into an area that did not expect it. His decision on this request is shaded by the applicant's previous development projects. Commissioner Riley said that the applicant's 25 foot vegetative setback could be a better setback than what would be permitted under the SF zoning. There is an opportunity to discuss the case in terms of how the commercial development could be better than the existing zoning.

MOTION: APPROVE APPLICANT'S REQUEST
VOTE: 3-4 (CG-1st, MM-2nd)
MOTION FAILED.

FORWARDED TO COUNCIL WITH NO RECOMMENDATION

5.	**Final without Preliminary:**	**C8-03-0145 - Motloch Corner Subdivision**
	Location:	Grove Avenue @ E. Northloop Blvd., Williamson Creek Watershed, Brentwood NPA
	Owner/Applicant:	Anita K. Motloch
	Agent:	Jim Bennett
	Request:	The applicant requests approval of a resubdivision which seeks to combine a portion of one lot into two lots.
	Staff Rec.:	**RECOMMENDED**
	Staff:	Don Perryman, 974-2786, don.perryman@ci.austin.tx.us Watershed Protection & Development Review Dept.

MOTION: POSTPONE TO MAY 25, 2004 BY CONSENT
VOTE: 7-0 (NS-1st, DS-2nd; CM, JN- ABSENT)

6.	**Final without Preliminary:**	**C8-04-0056.0A - Teddy Place**
	Location:	Maxwell Ln, Carson Creek Watershed, Montopolis NPA
	Owner/Applicant:	Marbella Corporation (Mitchell & Jan Davis)
	Agent:	McDill Engineering (Tom McDill)
	Request:	Approval of the Teddy Place Final without Preliminary composed of 3 lots on .417 acres.
	Staff Rec.:	**Disapproval**
	Staff:	David Wahlgren, 974-6455, david.wahlgren@ci.austin.tx.us Watershed Protection & Development Review Dept.

MOTION: DISAPPROVE BY CONSENT
VOTE: 7-0 (NS-1st, DS-2nd; CM, JN- ABSENT)

7.	**Final without Preliminary:**	**C8-04-0057.0A - Bell-Thomas Subdivision: Resubdivision of Lot 7, G.L. Robertson's Subdivision of Outlot 55, Division B**
	Location:	1004-1006 Juniper St., Waller Creek Watershed, Central East Austin NPA
	Owner/Applicant:	C.O.A. - Neighborhood Housing Department (Sandra Harkins)
	Agent:	Martinez, Wright & Mendez (Owen Harrod)
	Request:	Approval of the Bell-Thomas Subdivision: Resubdivision of Lot 7, G.L. Robertson's Subdivision of Outlot 55, Division B composed of 2 lots on .28 acres.
	Staff Rec.:	**Disapproval**
	Staff:	Joe Arriaga, 974-3425, joe.arriaga@ci.austin.tx.us Watershed Protection & Development Review Dept.

MOTION: DISAPPROVE BY CONSENT
VOTE: 7-0 (NS-1st, DS-2nd; CM, JN- ABSENT)

8.	**Portion of Street Vacation:**	**8031-0403 - Parking for Metz Recreation Center**
	Location:	600 Block of Pedernales Street, Holly NPA NPA
	Owner/Applicant:	City of Austin
	Agent:	Norman Mattson
	Request:	Vacate a portion of Pedernales Street
	Staff Rec.:	**RECOMMENDED**
	Staff:	Chris Muraida, 974-7191, chris.muraida@ci.austin.tx.us Andy Halm, 974-7185, andy.halm@ci.austin.tx.us Public Works Real Estate Services

MOTION: DISAPPROVE BY CONSENT
VOTE: 7-0 (NS-1st, DS-2nd; CM, JN- ABSENT)

B. OTHER BUSINESS

ITEMS FROM THE COMMISSION

Consider Initiating Zoning for 515 Pedernales Street

Commissioner Riley noted that initiating the case is not an indication that the Commission is in favor of the rezoning at this time. By initiating zoning all affected parties will notified and be given the opportunity to present their case, and the Commission will consider the merits of the request.

MOTION: Initiate zoning case, and have Comprehensive Committee review the case.
VOTE: 7-0 (NS-1st, DS-2nd; CM, JN- ABSENT)

Report from the Committee Chairs
None
Periodic Reports from Zoning and Platting Commission
None

EXHIBIT C

North Loop Neighborhood Planning Team

December 15, 2003

Lydia Ortiz, Chair
Planning Commission
City of Austin
One Texas Center
721 Barton Springs Road
Austin, TX 78704

Dear Ms. Ortiz and Members of the Planning Commission:

At our North Loop Neighborhood Planning Team (NLNPT) meeting on December 9th, 2003, the 12 team members in attendance[1] and 2 members voting by letter **unanimously endorsed** the request from Mr. Mike Rhodes (Construction Development Group) and Mr. Don Smith (Northfield Design Associates, PLLC) to change the zoning from SF-3 to LR-MU-NP for lots at 100, 102, and 104 E. 51st Street plus the square lot in back of these lots to the north. This endorsement also supports a future land use map plan amendment in the North Loop Neighborhood Plan for these affected properties for the same zoning change.

The applicants have declared in writing that they will restrict the following 18 uses within the LR zoning category:

1. Bed & Breakfast
2. Consumer Convenience Services
3. Consumer Repair Services
4. Financial Services
5. Funeral Services
6. Medial Offices
7. Off-Site Accessory Parking
8. Pet services
9. Service Stations
10. Communication Service Facilities
11. Day Care Services (Commercial)
12. Family Home
13. Group Homes
14. Guidance Services
15. Local Utility Services
16. Public and Private, Primary and Secondary Schools
17. Religious Assembly
18. Telecommunication Tower

Mr. Smith told the NLNPT that he expected no variances would be requested as part of this development. This would mean that a 25-foot compatibility setback would be

[1] NLNPT Member Don Smith was in attendance but recused himself as a participant in the proposed project.

required along the north and east boundaries of the subject property with adjacent SF-3 (single family) residential properties.

This decision followed an initial presentation by Mr. Smith and Mr. Rhodes at our August 27th, 2003 NLNPT meeting. The matter was also presented to all NLNPT members (and the larger community) via email prior to the meeting. This system—presentation at one meeting, discussion between and among members, and consideration for approval at the subsequent meeting—helps enable our group to comment on proposed changes to our Neighborhood Plan. The project was also presented before the Northfield Neighborhood Association at two separate meetings with no objections from those present.

The Planning Team supported the proposed zoning change and mixed us project for the following reasons:

- Mixed-use developments are strongly encouraged in our North Loop Neighborhood Plan. Our vision statement states the following:

  > In the year 2020 the North Loop Neighborhood Planning Area will be a vibrant, friendly and livable neighborhood that is characterized by: a variety of housing and people; pedestrian orientation...; shady, tree-lined streets; a mix of land uses that complement the local neighborhood and are at a density which will support local businesses and transit; locally owned businesses that are neighborhood oriented; and parks and plazas which will act as public gathering places.
  >
  > The North Loop Neighborhood Planning Area of the future is a vibrant mixed use neighborhood, where commercial and residential uses are combined, and designed in a way that creates an interesting streetscape and built environment. Compatibility is important, but so [are] uniqueness and a eclectic character (pp.10-11).

- The proposed project provides an appropriate gateway and transition from the institutional uses to the west and the single family uses to the east. Currently, the four tracts are relatively isolated from the neighborhood. They primarily face the cemetery and 51st Street as opposed to being among single-family residences.
- The proposed development will create small commercial and multifamily units appropriately scaled to the neighborhood.
- The developers will impose a restrictive covenant on the properties to ensure that the development is actually mixed use and not entirely commercial or multifamily. The key provision is as follows: maximum square footage of commercial and multifamily building space is not to exceed 65% for either type.
- The potential and most probable SF-3 configuration if the mixed-use zoning is disapproved is that of 6 duplexes. This scenario is as intensive as the LR-MU version but less beneficial to the neighborhood (and with buildings 5-feet from adjacent SF-3 properties rather than 25 feet).
- The existing single-family duplexes located on the properties use are dilapidated and unsightly, a detriment to the neighborhood. Redevelopment of the tract is welcomed under the right circumstances.

EXHIBIT D

Eileen Merritt, Inc.
4611 Bee Caves Road, Suite 200
Austin, TX 78746

April 6, 2004

City of Austin
Neighborhood Planning and Zoning Department
505 Barton Springs Road
Austin, TX 78767-8835

City of Austin Planning Commission
505 Barton Springs Road
Austin, TX 78767-8835

Re: File Number NPA-04-0011.01 (100-104 E. 51st Street)

To Whom It May Concern:

This letter is offered to you as a statement of our position, as the applicant, for the zoning change from SF-3 to LR-MU-CO-NP. Our company purchased the property in May of 2002 with the intention of redeveloping the property. Before purchasing the property we did normal due-diligence to ensure that we could profitably develop it under SF-3 zoning.

Our decision to seek mixed-use zoning resulted from three considerations: conformity with the desires and objectives of the North Loop Neighborhood Plan; site constraints that lend themselves to development under a consolidated site plan; and a belief that the requested zoning will provide for a reasonable use of the property—one that is appropriately scaled, compatible with the surrounding neighborhoods, and that will enhance the neighborhood. Through many meetings with the North Loop Neighborhood Planning Team (NLNPT) it has become apparent that members of the NLNPT agree with us.

The property is located on the north side of 51st Street in the Northfield Neighborhood. 51st Street serves as the boundary between Northfield and Hyde Park. The site is 150 feet by 275 feet, with150 feet of frontage on 51st Street. The South 80 feet of the property contains 3 dilapidated rental structures (2 duplexes and 1 single-family home) and the remaining 195 feet is undeveloped. The State Cemetery borders the West side of the property and the remaining two sides are bordered by single-family homes and duplexes.

Under the current zoning, the property can only be redeveloped through re-platting. While there are probably other options for this type of redevelopment,

[EXHIBIT "E" IN BACKUP]

we have included our best effort in Exhibit "A". Any re-plat under the current zoning will require flag lots in order to access the undeveloped rear portion of the property. This configuration "squeezes" the improvements to the sides of the property, but will allow for up to 29,400 square feet of single-family homes and/ or duplexes. While technically and economically feasible, both the NLNPT and we believe that this option will produce the least desirable result for the neighborhood and adjacent property owners.

Because of the limited amount of frontage, we feel that a zoning district that will allow for a consolidated site plan will yield a much more aesthetically pleasing development with a superior street presentation. Aside from this important benefit, we feel that one consolidated site plan will allow for several other benefits, including better and safer ingress and egress, greater setbacks from all property lines (except 51st Street), tighter controls on density, improved access for emergency vehicles, open space, and accessibility. A rough site plan for our proposal, along with a sketch of the proposed commercial building is included in Exhibit "B". While there is the potential of offsetting these benefits by potential negatives, we are willing to add protective measures that will mitigate the potential negatives. In an effort to present these issues quickly and concisely, we offer the following "bulleted" points:

Commercial Presence: This issue has been hotly debated among all interested parties. The NLNPT and we believe that this location is ideal for a small-scale neighborhood-oriented retail/office/residential mixed-use development. Many nearby residents disagree with our collective opinion that this will be a beneficial use of the property. It is impossible to conclude that one side or the other is correct, as this is largely a matter of opinion, but there are a great number of people who strongly believe that a commercial use at this location will be beneficial to and enhance the long-term livability of the neighborhood. Further, we feel that a careful reading of the neighborhood plan reveals that this proposal is entirely consistent with the objectives outlined therein.

Development Controls: We have worked hard with the NLNPT to put together a list of controls that will restrict the development and use of the property to meet the objectives and address many of the concerns that neighbors have about this zoning. A list of restricted uses and development controls has been included in the packet, and we feel that these are adequate to protect against most of the potential negatives.

Street Presentation: We and the NLNPTbelieve that the requested zoning will allow for the most pleasing street presentation, and that it will have a traffic calming effect on this corridor. A consolidated site plan for this property will allow for one-way ingress and egress on the sides of the property, and for a structure that presents itself to the street appropriately.

Traffic Concerns: Traffic concerns have been debated over and over again. The NLNPT and we believe that this proposal has the potential to improve traffic on 51st Street rather than exacerbate it. As opposed to accessing through the middle of the property, we want to use the eastern side of the property for ingress and the western side for egress. Placing the drives in this manner will provide the safest egress available for the site. We also believe that a commercial street presence will provide a visual stimulation that may cause drivers to slow down as they drive past this property and the avenues to the east of the property.

Setbacks and Compatibility: The requested zoning will trigger compatibility requirements for the adjacent properties and set any building 25 feet off of the nearest single-family home. Our proposed driveway positioning will increase this setback even more, providing 40-45 feet between our building(s) and these homes. An SF-3 development will necessarily result in a much closer proximity to the homes along Avenue F.

Need for Commercial: While not entirely subjective, this relates to how one perceives the neighborhood and what is desirable. Those opposed to our request claim that there is adequate and available commercial properties nearby, and that this development will not serve or benefit the nearby residents. They have presented numerous examples of available properties at one of our meetings in an effort to show that there is no demand. We feel that those examples are simply inaccurate assessments of the type of development this zoning will afford and are not located in areas that can serve pedestrians or nearby residents.

Density: Many residents have expressed concern that this proposal will allow for too much density on the site. We submit that this zoning will limit and control the density in a manner not otherwise available within the current zoning. The LR base district will only affords a Floor Area Ratio of .5, which will limit the density to 20,625 square feet. We feel that this amount of density, which is less than that currently allowed, is very reasonable for a site of this size in this location.

Environmental Controls: Even though this site is relatively small, the environmental controls of detention and water quality pond(s) that will result through the site plan process will be far superior than the lack of controls that are required under the current zoning.

Landscaping: The site plan process will also ensure that a reasonable amount of landscaping is placed on the site, and that this landscaping has the proper irrigation to be long lived. Trees will have to be included in order to meet the landscape requirements that would not otherwise have to be planted.

Parking: Without a doubt, this issue has raised legitimate concerns over how parking will be controlled and managed on the site. Neighbors are very

concerned over the effects of spill over parking, and so are we. While our plan is conceptual, we feel that with a retail space of less than 5,000 square feet, we can easily meet the 1:275 square foot parking ratio requirement, without taking the allowable 20% reduction for the urban core. While it is impossible to say with certainty that there will never be spillover effects, our goal of meeting this requirement should go a long way toward reducing the likelihood of it.

In closing, we respectfully request that due consideration be given to these very important factors. Unfortunately, this case has produced severe divisions between the NLNPT and some nearby residents. I think it is fair to say that all involved are extremely frustrated with the manner in which this case has progressed, and we are very conscious of the position in which that places the Planning Commission. We feel that this case boils down mostly to differences in opinion over whether or not this proposal meets with the objectives of the Austin Tomorrow Plan, as modified for this area by the NLNP, as well as sound planning principles. We understand that reasonable minds may disagree on this position, and look forward to your recommendation on this matter.

Respectfully Submitted,

Michael Rhodes, P.E.

EXHIBIT E

Submitted to be included in Planning Commission backup, April 28, 2004

DRAFT RESTRICTIVE COVENANT:
PROPOSED BY EILEEN MERRITT, INC., PROPERTY OWNER, AS A CONDITION OF UPZONING ON 100-104 & 0 E. 51ST St. to LR-MU-CO-NP.

THE STATE OF TEXAS }

RESTRICTIVE COVENANT AGREEMENT

COUNTY OF TRAVIS }

WHEREAS, Eileen Merritt, Inc., a Texas Corporation, whose mailing address is 4611 Bee Caves Road, Suite 200, Austin, TX 78746, is the owner of the following property, to wit:

> The South 75 feet of Lots 9, 10 and 11, and all of Lots 12, 13 and 14, Block I, Smith and Abrahamson Subdivision, an Addition to the City of Austin in Travis County, Texas, according to the Map or Plat thereof, recorded in Book 4, Page 252, of the Plat Records of Travis County; and

WHEREAS, the North Loop Neighborhood Association and Eileen Merritt, Inc. have agreed that the above described property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, Eileen Merritt, Inc. and the North Loop Neighborhood Association, for good and valuable consideration, including the recitals set forth herein, the receipt and sufficiency of which consideration is hereby acknowledged, do hereby agree with the respect to said property described above, such agreement to be deemed and considered a covenant running with the land, and which shall be binding on it, its successors and assigns, as follows, to wit:

1. The property shall be developed as a mixed use development. There shall be a minimum of three thousand (3,000) square feet of commercial retail use located on the ground floor and must be designed in such a manner that the retail use presents itself to East 51st Street. There shall also be a minimum of three thousand (3,000) square feet of residential use on the site. Both the residential and commercial uses must be developed simultaneously.

2. No parking garage openings shall be visible on the East 51st Street side of the building.

3. Egress from the site shall be limited to the Western twenty-five (25) feet. Ingress shall be permitted anywhere on the site.

4. There shall be privacy fencing provided on the Eastern and Northern boundaries of the property to screen the site from the adjacent residential uses. This fencing shall be shown and detailed on the site plan.

5. A fence located on the East 51st Street side (South boundary) shall not exceed four feet in height, and shall have a ratio of open space to solid material not less than one (1) to one and a half (1.5).

6. Eileen Merritt, Inc. has deposited three thousand dollars ($3,000), the "defense fund", in escrow to XXXXXXXXXXXXX to ensure the enforceability of these covenants. This defense fund shall be distributed as needed to the North Loop Neighborhood Association in the event that Eileen Merritt, Inc., its successors or assigns, develops or attempts to develop the site in contradiction to any covenant contained herein. XXXXXXXXXX shall be responsible for determining whether there is reasonable uncertainty associated with the compliance of any covenant contained herein. Once XXXX has determined that there is a reasonable uncertainty he/she/it shall pay all retainers, invoices, or other bills incurred by the North Loop Neighborhood Association in any effort to enforce any covenant contained herein. Eileen Merritt, Inc., its successors or assigns, shall only be entitled to reimbursement of defense fund monies expended to enforce a covenant if it is finally adjudged that the site was not developed or intended to be developed in contradiction to any covenant contained herein. Once the site has been developed in accordance with all covenants contained herein, the defense fund shall be released to Eileen Merritt, Inc., its successors or assigns.

7. If any part or provision of this agreement or covenant herein contained shall be declared invalid by judgment, court order, administrative ruling, or legislative action, the same shall in no wise affect any of the other provisions of this agreement, and such remaining portions of this agreement shall remain in full force and effect.

8. The failure at any time to enforce this agreement by the North Loop Neighborhood Association, its successors or assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

9. This agreement may be modified, amended or terminated only in writing by joint action of both (a) the North Loop Neighborhood Association and (b) by the owners of the above described property at the time of such modification, amendment or termination.

EXHIBIT F

Northfield Design Associates, PLLC Architecture / Urban Design / Planning
5314 Avenue G Austin, TX 78751 512-302-1458 nda@austin.rr.com

April 9, 2004

City of Austin Planning Commission
505 Barton Springs Road, 5th Floor
Austin, Texas 78701

Dear Planning Commission Member:

I'm writing to introduce myself and to give you some information regarding a Zoning Change/Plan Amendment request that you will be considering on Tuesday, April 13.

My name is Don Smith, and I'm an architect in independent practice. I have lived at 5314 Avenue G since May of 1996 and have been very active in both the Northfield Neighborhood Association and the North Loop Planning Team. I represent Mike Rhodes and his partners in this zoning case, and have an agreement with them to be their architect whatever they end up building.

The piece of property under consideration is unique in many ways. It is on the edge of a residential area, adjacent to the cemetery owned by MHMR and within one block of the UT intramural fields. It is 275' deep, but has only 150' of frontage on 51st Street, and is one of very few properties that are oriented toward 51st Street. Most of the properties along 51st Street are oriented to the Avenues.

The North Loop Neighborhood Plan did not rezone this property mixed-use because we were advised not to do "spot zoning". However, the development that my client wishes to do on this property could be used as a textbook example of what is called for in the plan and the Planning Team, after two consecutive presentations and much discussion, voted unanimous support for the zoning change. A second vote, after meeting with neighbors who oppose the change, was 13 to 1 in favor of our request.

Specific goals of the Neighborhood Plan that would be met by the proposed development include the following:

1) Increase Walkability - My client has offered to construct a sidewalk along the northern side of 51st Street from the site to Duval Street. The Planning Team ranked the construction of this sidewalk as their first priority, but the $20,000.00 grant from the city was not sufficient for building it.
2) Diverse Housing Stock – Our neighborhood has relatively little of the type of living units proposed for this development.
3) Increase Density to Support Neighborhood-oriented Businesses – This development will provide approximately twelve two-bedroom living units.
4) Increase in the Number of Neighborhood-oriented Businesses – This development will include retail space--hopefully a café, one of the most- mentioned businesses desired by members of the Planning Team. This would provide a much-needed business within easy walking distance of the neighbors, the UT intramural fields, and the state office buildings at 51st and Lamar.
5) Small-Scale Mixed-Use Development – With around 3,000 square feet of retail, 2,000 square feet of office, and twelve living units, this development will be properly scaled to the neighborhood.

There are a number of nearby residents who oppose this development, and we have met with them on two occasions. All of the objections that they have raised have been discussed at great length—and before the objecting neighbors raised them—by members of the Planning Team. These discussions have taken place at two consecutive meetings of the Planning Team, in a number of small group discussions, and via our neighborhood list serve.

Some of the objections raised are matters of perception. Two people can look at the same thing and see something quite different. Some see this development as a traffic magnet, and an infringement on the neighborhood. My own perception is quite different. In addition to being the owner's representative, the owner's architect, a neighbor, and a member of the Planning Team, I am a professional who has been looking for suitable office space within walking distance of my home for quite a long time. I see this development as a place where I can office in a building of my design within three blocks of my home. I see a place where I can have breakfast or lunch, or sit on a terrace with a client and discuss projects over a cup of coffee. I see this as a place where I can go on a Saturday morning and run into neighbors, visit, and discuss neighborhood issues.

Other objections that have been raised are things that can be effectively dealt with through design. For example, we plan to have the drive into and out of the development be one-way in order to mitigate traffic concerns. The placement of the dumpster will keep it as far as possible from residences. The structure will be sited in a way that ensures that neighbor's yards receive afternoon sun, and that their views are as broad as possible, etc.

My client has offered to have conditional overlays placed on the property that would ensure that certain types of businesses would not be allowed, notably automotive-related and drive-through businesses. They are open to certain other restrictions deemed appropriate by the Planning Team and neighbors.

I hope that you will give your vote of approval to this zoning change request, and I look forward to answering any questions you might have during the hearing on Tuesday night. Thank you for your time and consideration.

Sincerely,

Don Smith, Architect Member
Northfield Design Associates, PLLC

EXHIBIT 6

Welder, Kathleen
From: Greg Madsen [gregmkb@swbell.net]
Sent: Tuesday, May 11, 2004 5:06 PM
To: kathleen.welder@ci.austin.tx.us; Kathy.Haught@ci.austin.tx.us
Cc: matt@glenrose.com; yoder2000@mindspring.com; smith78751@austin.rr.com; Northfield.NA.Officers:@coaspam1.ci.austin.tx.us; 'Mary Patrick'
Subject: RE: Planning Commission meeting agenda - Items 3 and 4 -

Importance: High

Kathleen & Kathy,
I too support this proposal for many reasons. Primarily, this project will create desired infill consistent with the Neighborhood Plan, create an "activity node" at a location that needs pedestrian and urban activity to alert drivers to reduce speed, and finally provide the least intrusive development to adjacent neighbors.

Sincerely,
Greg Madsen
5112 Evans Ave.
NLNPT member and NNA member

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

From: **Mary Patrick [mailto:map@mail.utexas.edu]**
Sent: Tuesday, May 11, 2004 10:57 AM
To: kathleen.welder@ci.austin.tx.us; Kathy.Haught@ci.austin.tx.us
Cc: matt@glenrose.com; yoder2000@mindspring.com; smith78751@austin.rr.com; Northfield NA Officers:
Subject: Planning Commission meeting agenda - Items 3 and 4 -

Dear Ms. Welder and Ms. Haught,

You have already received a letter from Jay Reddy, former President of the Northfield Neighborhood Association informing you of that body's vote on March 1, 2004 to support the commercial-mixed use project proposed for 100-104 and 0 E. 51st. Street. My husband and I are the current co-presidents and, as such, write this letter in support of the project.

This project represents a good step forward in enhancing that particular part of the neighborhood. Replacing the existing buildings with attractive and reasonably-sized residential units along with space for small retail is in keeping with the the goals of the neighborhood.

Personally, we are in favor of small, locally-owned retail establishments like delis and coffee shops, being built within walking distance to most of the area, something, that, in my opinion, we should be doing all over Austin.

Thank you for your efforts and assistance on behalf of our neighborhood.

Sincerely,

Mary and Gerald Patrick

EXHIBIT H

Matt Hollon, Chair, North Loop Neighborhood Planning Team
Remarks for Planning Commission re: 100-104 E. 51st Street LR-MU, May 11, 2004

Good evening. My name is Matt Hollon and I am the Chair of the North Loop Neighborhood Planning Team and Vice President of the Morningside-Ridgetop Neighborhood Association. I want to thank the Commissioners for the opportunity to speak tonight. I look forward to the input that you might offer in this present case.

We are going to talk tonight, in great detail, about a proposed zoning change for a group of properties fronting 51st Street. There is so much to talk about that I can't get to it all in such a short time, but I'd be glad to answer any questions you have and direct you to a table of "pros and cons", that I compiled while we considered this issue.

All of us on the Planning Team are very familiar with 51st Street. All of us in our neighborhood—both North Loop and Hyde Park—are familiar with 51st Street. In fact, most people in the City of Austin are familiar with 51st Street. It is officially classified as an arterial, is a key east-west corridor, has its own exit on I 35, and it serves a great and growing number of motorists as we drive around on our daily commutes and errands. The debate we will hear tonight will revolve around how we can best develop a particular property along this road. But it also speaks to how we interface with the road itself, positively or negatively.

The North Loop Neighborhood Planning Team has, for some three and a half years, focused on issues just like this one. All of us live or work in this area and we know that there are increasing pressures both within and without our neighborhood which have steadily increased traffic and activity in our community. The proposed mixed use development at 100 E. 51st would be one more such activity. If the zoning change is denied, then there would be some other, different activity—most likely that of folks living in and driving to and from either duplexes or townhomes. Either way this works out, folks will be using this piece of land and in doing so, interacting with our neighborhood.

Our Neighborhood Planning Team therefore focused on the type and quality of the activity that would take place under the three most likely scenarios and how it would add or detract from our greater community. Will we have a development which faces inward on flag lots, or will we create residential units AND a small-scale commercial interface with the rest of the community? Our North Loop Neighborhood Plan clearly supports and promotes the latter. When we established our Plan's first goal of encouraging compact and human-scale land use, we called for a mixed use neighborhood that includes mixed use buildings with residential and office space above ground floor retail. We called for the promotion of commercial and residential infill that supports and enhances the character of the neighborhood. Our Planning Team members will define tonight why we think this present proposal for a zoning change to allow this type of mixed use project directly supports *our Plan and why it will benefit our neighborhood.*

I lived directly on 51st Street for four and a half years just west of this project. You can see the little duplex that I rented right next to Waller Creek at the bottom of the hill below the proposed mixed use tract. I know very well how cut off I was on this street from the greater community. The single family residential houses along 51st from the cemetery west to Guadalupe are all similarly isolated due to the traffic of this street and the lack of sidewalks on this north side. In my work, I recall seeing a historic study about this stretch of Waller Creek, and it mentioned the construction of the bridge on 51st Street. *I can't recall the date this happened—I'm thinking 1960s (someone may know* here tonight)—but whenever it was, it changed our neighborhood decisively. As did the addition of about five or more times more people in the greater Austin area.

Whatever happens on this site—mixed use or townhomes or duplexes—51st Street will remain a busy, difficult street to live around. We have decisively moved past the days prior to that Waller

Creek bridge. I empathize with people who live directly on this road. With the Triangle development now going in and the Mueller redevelopment looming, we will only have more traffic to be added to what the large State office buildings help create along 51st and Lamar.

So where do we go from here? How do we help this be a more livable, positive place? Many folks along 51st are, understandably, building walls to insulate them from the traffic and noise. I might consider this, too, if I lived along an arterial. But as a Planning Team and a community, we need to think about how we can best interact with 51st Street and turn it from a negative into a positive. I strongly believe that if we turn inward from this (or any) corridor and conclude that it is "just too dangerous for pedestrians," then we will just leave it to cars and, as some have called it, "cut-through traffic" (I'm still not sure how you define traffic on an arterial as "cut through"). How do we make this OUR space and make it more beautiful, safe, and functional?

We on the Planning Team believe that the proposed mixed use development is a good start. It acknowledges that this is a busy street but builds a street presence right up next to the street. It embraces 51st Street. It will have storefronts and street trees and an orientation toward the road. It will promote street activity and interest. Its construction will include the installation of an much needed sidewalk on the north side of 51st Street. Others tonight will talk about how this very design—significant structure near a road—serves to slow traffic and create an atmosphere more conducive to human-scaled activity, such as walking and bicycling, that we want in our community.

But make no mistake. This project will not solve all of 51st Streets ills nor those of our neighborhood. It is one piece of the puzzle. The proposed plan calls for 3,000 sq. ft. of retail and 2,000 sq. ft. of office space. This is hardly a major complex. The modest scale of the project was a crucial factor in our Planning Team's support for it. And zoning and conditional use prohibitions further limit what can take place there. It cannot be a drive-thru. It cannot be a gas station. It cannot be a convenience store. (Many, we hear, are under the impression that all of these are possibilities.) The traffic it will "generate" will be dwarfed by that of the State offices, the Triangle, Mueller, and, frankly, of the rest of us neighbors commuting back and forth.

The key will be that it will have an appropriate scale for the neighborhood—substantial enough to be an anchor in an otherwise scale-less area west of the residential areas—but small enough and set back from the surrounding homes. There are few tracts along 51st suitable for this type of development. In fact, in my mind, this may be the ONLY such tract between Airport and Lamar given its orientation and size. We did not include a 51st Street corridor in our Plan not because we did not recognize it as different from our interior residential streets, but because there are truly few opportunities to do this type of project which we so strongly supported in our other corridors. But this should not prevent us from seizing this present opportunity. As relatively small as it is, it is actually one of the largest remaining undeveloped properties in our Planning Area. We essentially can have more of the same—more inwardly looking duplex rentals—or we can support a land use that will give back to the community as an asset and a landmark.

In closing, we of the North Loop Neighborhood Planning Team see this project as a unique opportunity. Every plan has to be able to recognize and support opportunity. We have looked at the various aspects of this zoning change for some months in great detail. There are downsides that exist which will require careful design solutions, and we welcome your comments about these, but, on balance, we'll get way more with a mixed use development on 51st Street, on this important arterial dominating our neighborhood, than we will with the single family alternatives.

Thank you very much for your time tonight.

Refutation of Staff Recommendations for 100 to 104 E. 51st Street

City staff recommends against the proposed LR-MU (mixed use neighborhood commercial and residential) zoning and instead proposes SF 5 (townhome) zoning. The North Loop Neighborhood Planning Team disagrees with staff's reasoning and finds that the proposed zoning strongly supports our Plan's goals and vision. While SF-5 would be functionally satisfactory and compatible, we believe this misses and important and increasingly rare opportunity.

1. *"LR-MU…is not recommended because it does not conform to the adopted North Loop Neighborhood Plan."*

The Plan establishes a framework and a set of guidelines. The burden of proof to change the Plan is on the applicant. Due to scheduling limitations, our Plan was not able to propose zoning for every individual property as we might have wished. Our Planning Area is alsmost entirely built-out. This is a unique site with unique characteristics of orientation, placement along an arterial, and size. Our Plan should not be forced to be static: we have to be able to take advantage of opportunities. The proposed mixed use at this site is very much in the spirit and character of our Plan. Yet more duplexes or townhomes would be fine, but not the best use of this special property.

2. *"LR zoning is not consistent or compatible with the surrounding area."*

LR *is* compatible with SF-3. It is defined in the City's "Neighborhood Planning Guide to Zoning" as "Neighborhood Commercial." It's summary description is as follows: "Shopping facilities that provide limited business service and office facilities to the residents of the neighborhood; such as consumer repair services, food sales, pet services." I'm confused by the City staff's assertion that it is not compatible. And this interaction is at the heart of our Plan's fundamental support of mixed use commercial and residential.

3. *The "property is not at an intersection and staff is reluctant to recommend commercial zoning mid-block, where it abuts single-family residences."*

The development would have a *more* intrusive impact on a corner than at its proposed location. And it *is* on the edge of the neighborhood. Staff noted that SF-5 would serve as a "buffer between the cemetery to the west and the Texas Parks and Wildlife facility and University of Texas athletic fields to the southwest." How would this combined small-scale retail and office complex—"neighborhood commercial"—and residential mix be less appropriate as a buffer? The proposed entrance and exit lanes are safer and more logical for this location than would likely occur with the SF-5 or SF-3 options. We believe this location will both allow neighborhood interaction—walking to the site—while being set off by site orientation, generous setbacks not provided in the SF-3 and –5 scenarios, and a physical wall from existing SF-3 properties.

4. *"[W]hile … the applicant will be able to meet the parking requirements there is the potential for overflow parking onto the surrounding residential streets."*

This at once recognizes that sufficient parking can be provided—which ought to be a positive—and ignores the spillover traffic impacts of the SF-3 and SF-5 options.

EXHIBIT I

North Loop Planning Contact Team: Pro and Con List of Proposed Plan Amendment to Change to Commercial-Mixed Use

100-104 E. 51st Street Mixed Use Project

Pros	Cons
1. Small scale of mixed use complex fits in with surrounding SF-3 properties.	1. Change to Existing Neighborhood Plan from SF-3 not anticipated or desired by local residents.
2. Street presence of mixed use buildings (better aesthetics, parking not visible from road, height & activity near road slows down motorists).	2. Poor visibility (sight lines), traffic safety concerns; traffic going up to 50 mph; difficult to reach on foot or bicycle from Hyde Park side.
3. Significant sidewalk added on n. side of 51st, paid for by developer.	3. Sidewalk difficult, expensive to build; would have to make sure built.
4. Mixed use has significant parking (no variance requested); SF options not required to have as much parking, risk more overflow impacts.	4. Increased traffic on 51st due to commercial use.
5. Greater setback from adjacent SF-3 lots than SF options (more space, less sunlight blockage); no variances requested.	5. Overflow Parking to neighboring properties.
6. More choices within walking or bicycling distance for neighbors; increased quality of life, property values; SF options just more of same.	6. Already enough Commercial Development nearby.
7. Orientation of property to 51st would be a negative for duplexes but not for commercial; mixed use building externally oriented, create street life; SF options internally oriented.	7. Property values of adjacent SF-3 homes would go down, create more rental property, say neighbors.
8. Plan has to recognize positive opportunities; unique site and possibilities.	8. Spot zoning.
9. Orientation of property to 51st and use of masonry wall minimizes direct interface with surrounding SF-3 properties.	9. Restrictive covenant (and potential enforcement & associated expense) required.
10. LR zoning compatible with residential neighborhood; Conditional Overlay restrictions additionally limit unwanted uses and address other factors (e.g., hours of operation).	10. Divisive: area residents favor, local residents oppose; want to have Neighborhood Plan unite & bring in folks, not divide.
11. Design accommodations address various concerns (e.g., placement of dumpsters, AC units, etc.).	11. Valid petition makes passage of change difficult at City Council.
12. LR (commercial) requires detention & water quality controls; no controls for SF-3 thus increased negative impacts to Waller Creek.	12. Concerns about Mike Rhodes' track record; will project be built as presented--or differently and/or sold to another entity.

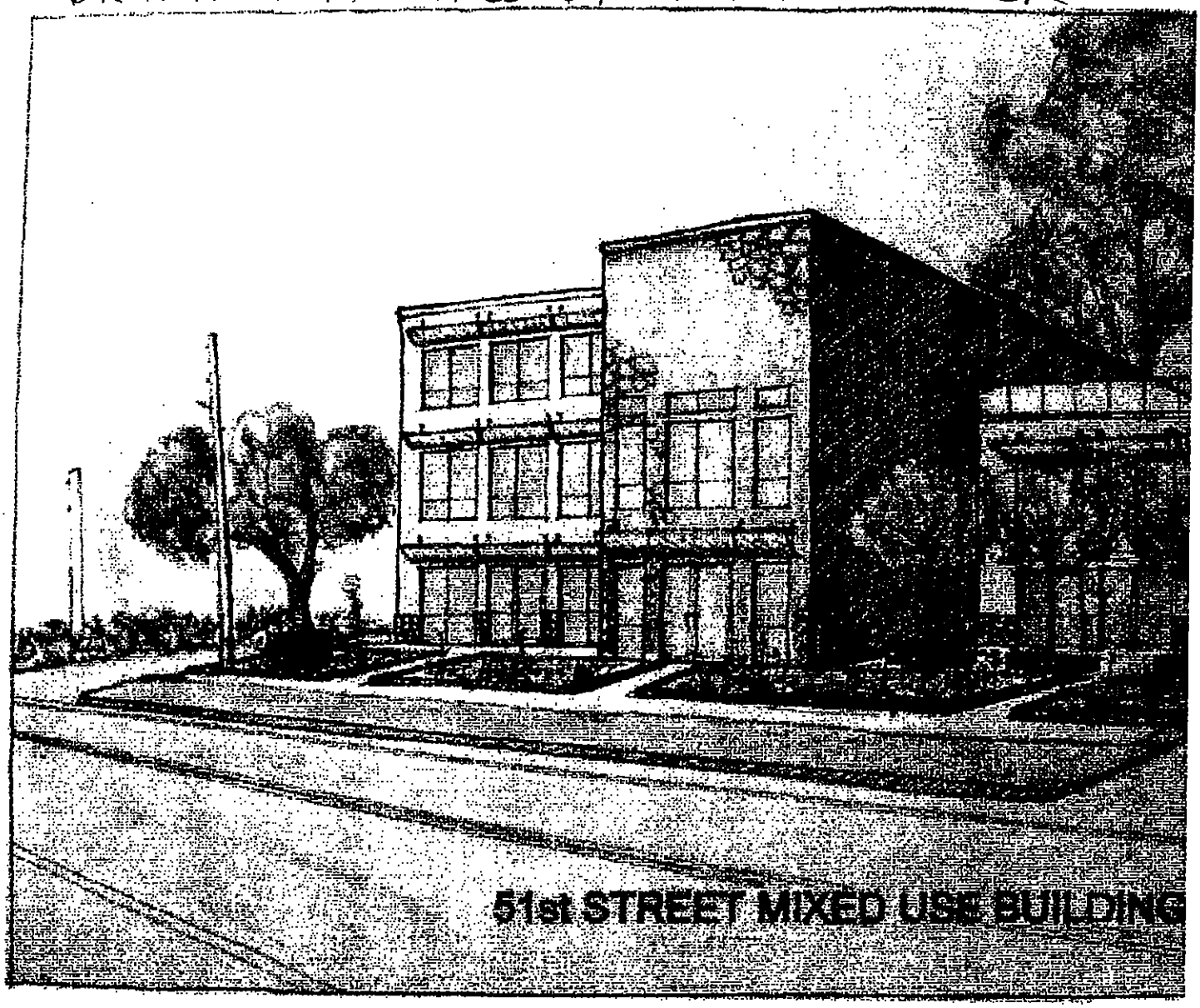
March 23, 2004

EXHIBIT J

North Loop Plan Amendment Meeting; March 23, 2004	
Case NPA-04-0011.01: 100-4 E. 51st St. and 0 E. 51st Street	
Feedback from Meeting Attendants	
Total Number of Attendants: 33 + three staff persons	
	Hyde Park Neighborhood Association respresentatives
1	Reasons they oppose commercial-mixed use but support high-density single-family
2	traffic problems (from proposed office(s) and restaurant)
3	spot zoning
4	townhomes could be superior development to duplexes
5	51st St. will have backed up traffic to future RMMA redevelopment
6	If commercial-mixed use (LR-MU) granted, E. 51st could turn into Koenig Lane
	Neighbors within approximately 300' of subject tract
1	North Loop Neighborhood Plan good but shouldn't be able to change so easily
2	Planning/Contact Team loses credibility when making decisions without input from all parties (and when they oppose neighbors directly)
3	traffic on E. 51st St. travels fast, going west and is backed up going east
4	City at fault in creating the the plan amendment process; City should have envisioned a more fair process
5	E. 51st St. is different than North Loop (developed with businesses, restaurants, & residences); no turn lanes and unsafe pedestrian traffic further exacerbates its un-suitabilty
6	14 homeowners have been ignored , and zoning should not be changed after they have purchased their property
7	Restrictive covenant does not give much comfort; who will enforce? Who has the money to enforce? Will the planning team commit to enforcing it?
8	if commercial-mixed use was desirable here, the recent plan would have already addressed it
9	property value question: neighbors have concern that their property will be devalued while the subject tract's value improves
10	Some of the reasons adjacent homeowners purchased there are because they were surrounded by SF-3 and had ample existing businesses in appropirate areas and in the general vicinity
11	neighbors that did not attend the actual North Loop meetings during the previous process may have participated in other ways by calling and reviewing the mail-outs of the plan; so many, though they were not at meetings, were not uninvolved
12	SF-3 homeowners could be penalized if developer gets the requested land use change
13	need for commercial in North Loop? -plenty of vacant space zoned appropriately for office and commercial
14	the development of the "Triangle" nearby will fill any need for additional apartments and commercial space in the general vicinity
15	developer bought property speculatively (should accept zoning originally purchased); the planning team would not have proposed zoning change if developer had not approached them
16	turning left or right onto E. 51st from Rowena is already dangerous for traffic
17	developer shielded from liability if traffic from proposed development proves dangerous because developer firm organized as a corporation; also, a corporation intends to make money and could jeapordize design in favor of investment potential
18	commercial already within walking distance of neighbors adjacent to subject tract
19	Avenue F is already very busy with cut-through traffic
20	could retail face become a Starbucks? Could it rival the livelihood of Flightpath?!
21	in the case of Flightpath, its existence essentially turned the neighboring owner-occupied home into a rental; will commercial developed on subject tract have the same effect on neighboring homes?
22	many accidents on Avenue at E. 51st witnessed by neighbors
23	the are bounded by Duval, Avenue F, 53rd, and 51st is already 30% rental
24	7 restaurants are within walking distance of the the residences near the subjet tract

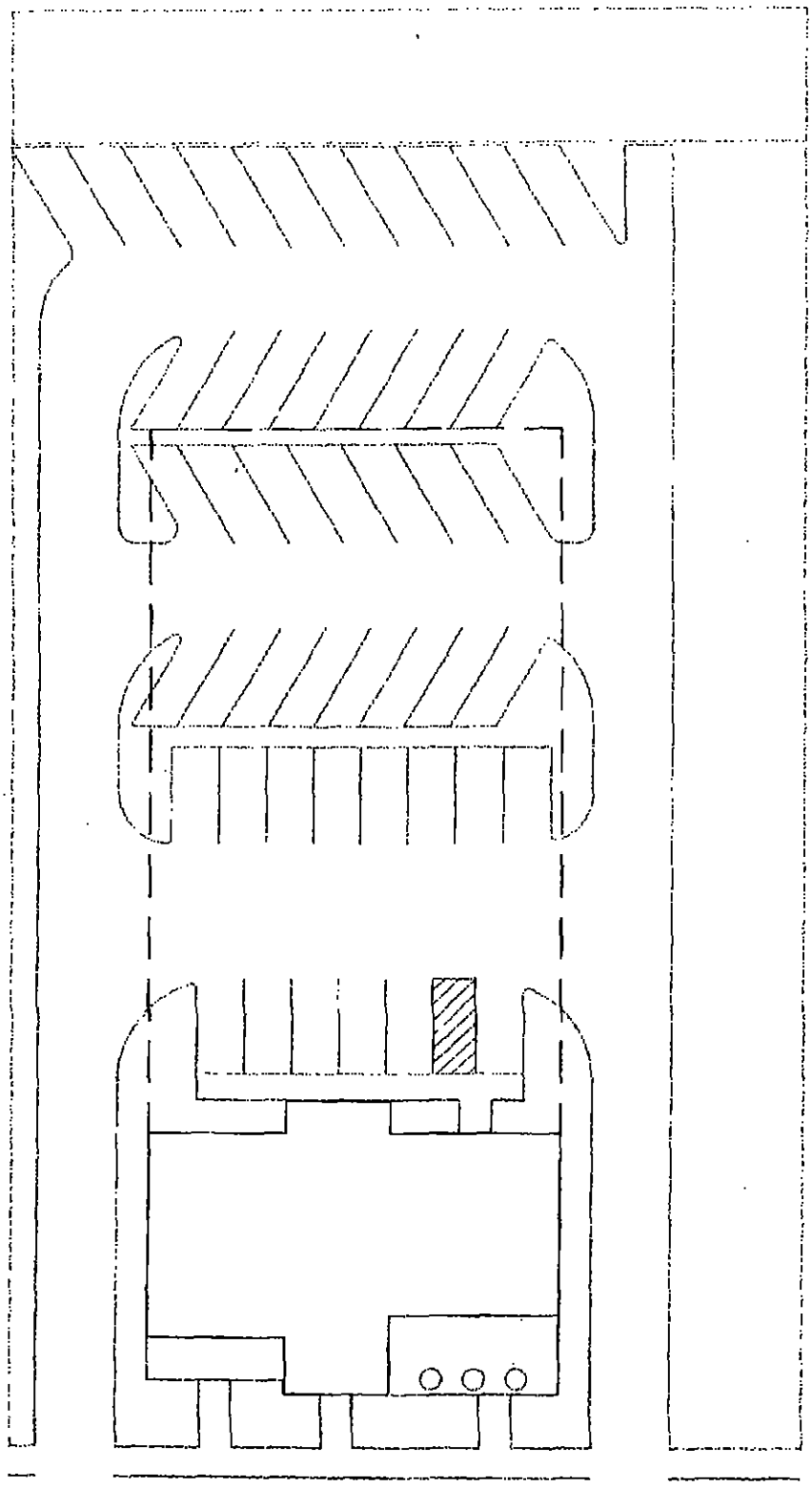
EXHIBIT L

DRAWINGS PROVIDED BY PROPERTY OWNER

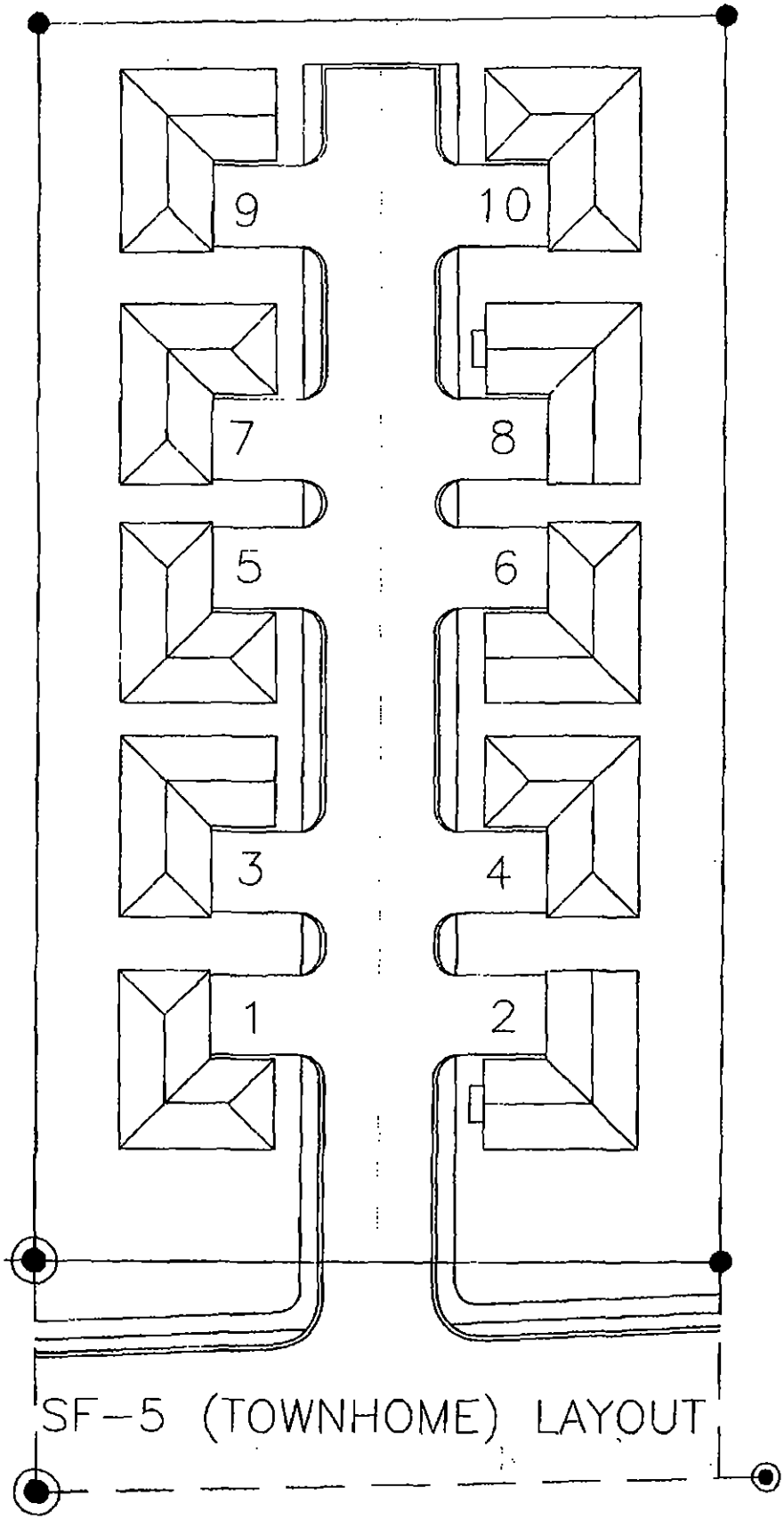


HANDOUT AT PLAN AMENDMENT MEETING
3/23/04

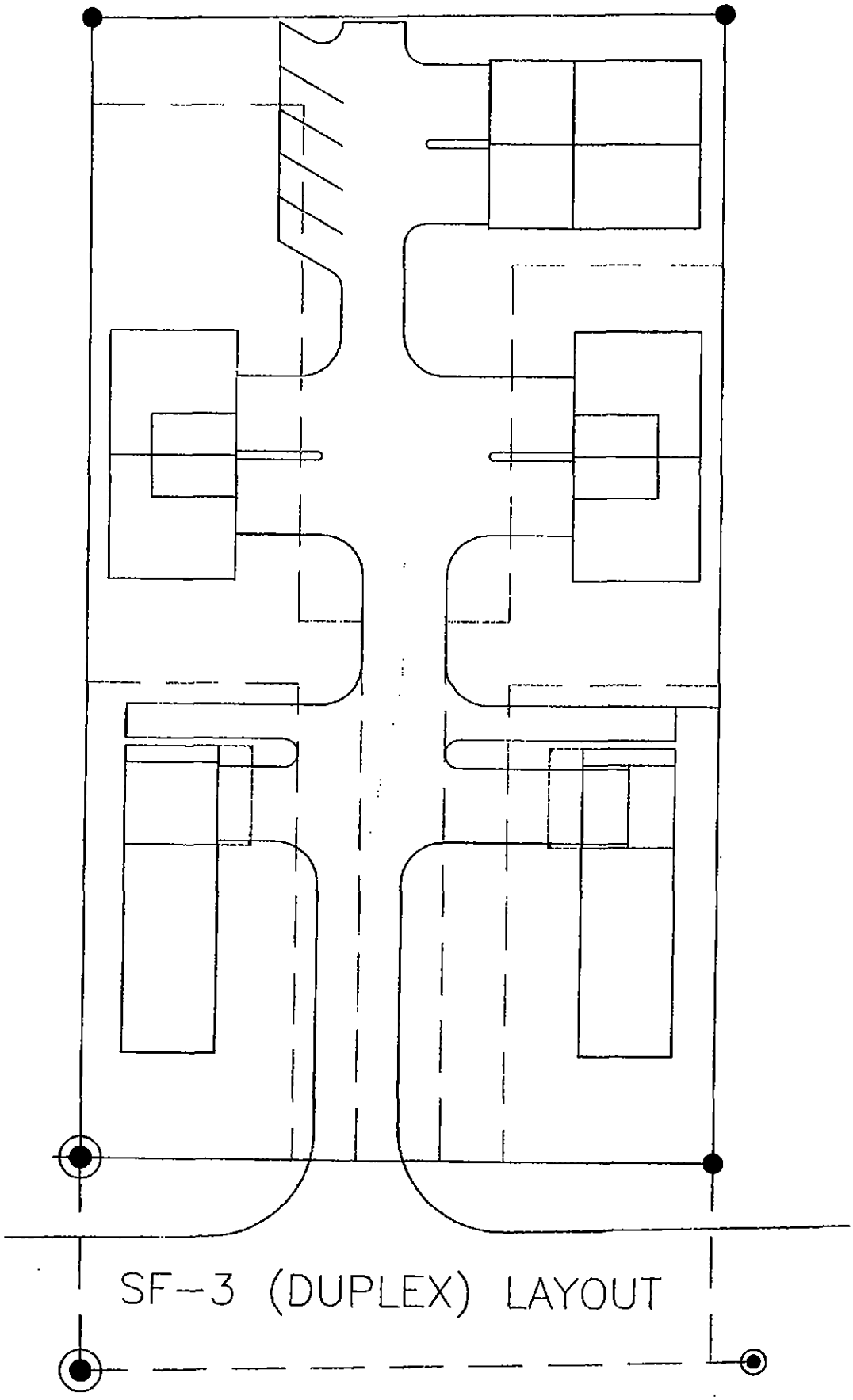
ELEVATED
BLDG. HERE
51st STREET MIXED USE BUILDING
51st STREET



LR–MU (MIXED USE) LAYOUT



SF-5 (TOWNHOME) LAYOUT



SF-3 (DUPLEX) LAYOUT

EXHIBIT M

Neighbors Opposed to the 51st Street Plan Amendment and Zoning Change

Contact: Maya Gamble at 371-0893 or Maya_Gamble@Hotmail.com
or Lisa Hoffman at 452-7347 or lacross1960@yahoo.com

April 7, 2004

VIA HAND DELIVERY
Ms. Lydia Ortiz
Planning Commissioner
PO Box 2655
Austin, Texas 78768

Re: Amendment to Neighborhood Plan (File Number: C14-04-0015) and Proposed Zoning Change (File Number: NPA-04-0011.01) at 100-104 East 51st and 0 East 51st

Dear Ms. Ortiz:

Enclosed please find the following items in support of our strong opposition to the proposed neighborhood plan amendment and zoning change for the property at 100-104 East 51st Street.

1. Copies of the petitions of neighbors opposed, both within 200 feet and outside 200 feet from the property at 100-104 East 51st Street.
2. Letters from affected neighbors in opposition (others have been e-mailed separately).
3. Future Land Use Map from the North Loop Neighborhood Plan.
4. Photographs showing the traffic on 51st Street.
5. Map showing the property and location of some of the nearby commercial developments.
6. Photographs of vacant commercial property in the area.
7. Copies of the petitions of neighbors opposed, both within 200 feet and outside 200 feet, from October, 2002 the first time the zoning change was requested.

We look forward to seeing you on April 13, 2004 when the Planning Commission will hear the proposed Amendment and proposed Zoning Change. Please do not hesitate to contact either Lisa Hoffman, or myself, Maya Gamble, prior to that time if you have any questions or would like more information.

Very Truly Yours,

Lisa Hoffman

Maya Guerra Gamble

1a. Copies of the petitions signed by neighbors within 200 feet of 100-104 East 51st Street opposed to the plan amendment and zoning change.

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS		PHONE
1.		Steve Harrington	5014 Avenue F	Austin TX 78751	512-750-9460
2.		JAMES TODD	5010 RAWEN		512-453-178
3.		CHRIS GAMBLE	5100 AVENUE F	AUSTIN, TX 78751	512-371-0893
4.		MAYA GUERRA-GAMBLE	5100 AVENUE F	AUSTIN TX 78751	512-371-0893
5.		MN Scott	5103 Ave F	Austin TX 78751	512-458-4836
6.		M. Scott	5103 Ave F	78751	" "
7.		Addie Bell Parker	205 E. 51st St.		512-7445
8.		JASON DUVALL	5107 AVE F	AUSTIN, TX 78751	779-3564
9.		Carol Dodgen	5115 Ave F	Austin, TX 78751	467-8042
10.			100 E. 52nd		
11.			102 E. 52nd	Austin	453-4457
12.			104 E. 52nd		
13.		Tina Davis	5101 Ave F	AUSTIN TX 78751	302-3386
14.		Natalie Graham	5110 Ave F	AUSTIN TX 78751-2018	
15.		Candace Claro	5108 Ave F	Austin TX 78751	
16.					
17.					
18.					
19.					
20.					
21.					
22.					
23.					
24.					
25.					

The information above is solely to aid the Austin Planning Commission and Austin City Council in deciding this case(File#C14-04-0015). This information may not be sold or given to any other entity without the expressed written consent of each party listed above.

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1.	Wendy Hedeen	Wendy Hedeen	5111 Ave P Austin TX	517-484-1614
2.				
3.				
4.				

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1.	Sylvia Knauer	Sylvia Knauer	5109 Ave F (110 E Blithedale, Mill Valley, CA 949	415-383-8685
2.	[illegible]	Kirk Knauer	5109 Ave F.	"
3.				
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20 February 2004

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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Jean D. Neal Jr	JEAN D. NEAL JR	105 E. 52nd	930 9561
2.				
3.				

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1.	David R. Albert	DAVID R. ALBERT	5105 AVENUE F	(512) 258-6602
2.				
3.				

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1.	Randal M. Bransford	RANDAL M. BRANSFORD	5014 A & B ROWENA STREET	C - 512-797-2592 W - 512-447-1100
2.				
3.				
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20 February 2004

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SIGNATURE	NAME	ADDRESS	PHONE
1. LarryWalker	LARRY WALKER	5210 Ave F - Austin	(512)441-2445

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

SIGNATURE	NAME	ADDRESS	PHONE
1.	OLIVIER CHATELAIN	5018 AVENUE H AUSTIN TX 78751	(512)419-1341

You may send your written comments to the Planning Commission Assistant, Transportation, Planning & Sustainability Department, P. O. Box 1088, Austin, TX 78767-8835.

March 9 2004

File # C14-04-0015-GR Planning Commission Hearing Date: ~~February 24, 2004~~

Name (please print) OLIVIER CHATELAIN ☐ I am in favor *(Estoy de acuerdo)*

Address 5018 Avenue F Austin TX 78751 ☒ I object *(No estoy de acuerdo)*

1

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

SIGNATURE	NAME	ADDRESS	PHONE
1.	DOUGLAS BONNER	5106 AVE F	312-344-7344
2. Ben Lindsey	BEN LINDSEY	5102 AVE F	512-453-2426

FROM :TGILLS1 FAX NO. :5122750390 Mar. 02 2004 11:42AM P2

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

SIGNATURE	NAME	ADDRESS	PHONE
1. Peter C. Brust	Peter C. Brust	5112 AVE F	(cell) 408-234-4536

1b. Copies of the petitions signed by neighbors further than 200 feet from 100-104 East 51st Street opposed to the plan amendment and zoning change.

February 2004

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-04-0015) as the increase in traffic,noise, air pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change. Thank you.

	NAME	SIGNATURE	ADDRESS	PHONE
1)	David W. Hoffman	David W. Hoffman	5102 Ave G	482-7347
2)	Cecilia Mena		5104 Ave G	451-1856
3)	NJ Owen	NJ Owen	516 Ave G	3025434
4)	Will Owen	Will Owen	5107 Ave G	6598030
5)	THOMAS HARRIS		5211 BRACKNELL	4579609
6)	Jennifer Cawston		301 Genard St	380 0651
7)	Melinda F Harris	Melinda F Harris	303 Genard St	452-9121
8)	Estelle Knapp		402 Genard	459 0993
9)	Josephine Gutierrez	Josephine Gutierrez	406 Genard	459-5081
10)	MARK BROWN		501 GENARD	453-6866
11)	MEGAN FLYNN	Megan Flynn	504 Genard St	453-6866
12)	Mose Brown	Mose Brown	504 Genard	453-6866
13)	Lynett Oliver	Lynett Oliver	502 Genard	459-4886
14)	JENNIFER BARNIER	Jennifer Barnier	502 Genard	459-4886
15)	Kevin Wegner	Kevin Wegner	5210 Guadalupe	465-9616
16)	Olivia Primavera	Olivia Primavera	5206 Guadalupe	371-1806
17)	Christopher Hynes		5206 Guadalupe	371 1806
18)	Mario C Arego		605 Genard St.	457-6760
19)	Laura Hoffman		604 GENARD	419-7670
20)	Jeff Rahman		608 A Genard	775-5268
21)	Vivianon Parker		5106 Lamplighter	453-3844
22)	Katelyn Allers		104 E 51st Unit B	289-5550
23)	Kelli R		5107 Evans	374-1015
24)	David McGriff		5208 Evans	467-1803
25)	Wm Cravey		5105 Evans Ave	323-5457
26)	Jane Bodell		5106 Martin	371-7902
27)	Lisa Hartenberger		5109 Martin	451-5420
28)	Lisa Perren		5109 Martin	451-5420
29)		Alex Kapiwoda	5111 Martin	371-0536
30)			5113 Martin	452-0079

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Lotti Pickl

February 2004

Dear Planning Commission,

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-04-0015) as the increase in traffic,noise, air pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change.Thank you .

Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Gina Ballew	5107A Ave G	5339763
2)		CAROLYN KNIGHT	5607 LINK AVE	451-1727
3)		LISA WRIGHT	5201 AVE. G	451-1727
4)		Dave Johnson	5203 Ave G	417-8359
5)		Elizabeth Flanagan	5107 Ave F	451-9252
6)		[illegible]	5209 Ave G	328 3785
7)		Lisa Sacramento	5215 Ave G	302 6491
8)		Anne Smith	5105 Ave G	453-6807
9)		Mercedes Smith	5105 Ave G	457-6802
10)		Gladys G. Duffy	5103 Ave G	453-52-77
11)		Jade Duffy	5103 Ave G	453-5272
12)		[illegible]	5108 Ave F	836-5794
13)		Joel Schlichtemeier	5106 Ave G	302-0662
14)		Marc Rendon	5107-A Ave G	5339763
15)		Kendal Barnard	5114 Ave G	452-4392
16)		Augustine GARZA	5210 Ave G	459-8149
17)		Julia R. GARZA	5210 Ave G	459-8149
18)		KEVIN JENKINS	5212 AVE H	577-1617
19)		Chiyo Nishida	5212 Ave H	799-3629
20)		LAURA HANNIBAL	5212A Ave H	452-9620
21)		Crystal Fuchigami	5208 Ave H	371-3250
22)		[illegible]	5204 Ave H	836-5185
23)	MICHAEL CAMPBELL	MICHAEL CAMPBELL	5200 AVENUE H	680-7804
24)		Teresa Martinez	5201 Ave H	419-9209
25)		Elizabeth Ivy	307 E 53rd St.	512-871-7466
26)		Michael A. Kuykendall	5106-B Ave H	454-7613
27)		Brad Johnson	5107 Ave H	458-9353
28)		[illegible]	5105 Ave H	968-3701
29)		Cassie Cordray	4901 Ave H	589-7858
30)		Jessie Taylor	4901 Ave H	589-7656
31)		Yadrex Thomas	5208 Ave G	454-9534
32)		Francis Wendy Eganick	5011 Martin Ave	451-0935
33)		Thomas M. Ballinger	5011 Martin Ave.	451-0935
34)		Blanca Scheelk	5101 Ave G	454-6677
35)		Matthew Martin	5101 Ave G	784 3358
36)		Stephani Christianch	5101 Ave G	454-6677
37)		[illegible]	5102 Ave H	916-5283
38)		Alisha Jones	5111 Ave H	(210) 421-1887
39)		KURTIS COLQUITT	5205 AVE H	452-6442
40)		James Costello	5202A Ave H	452-9621

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Northfield

February 2004

Dear Planning Commission,

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-04-0015) as the increase in traffic,noise, air pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change.Thank you .

Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Imelda Black	5212 Duval St	454-6901
2)		Emily Keesee	5208 Duval St.	459-6496
3)		Kaydean Bott	5204 Duval St.	323-5470
4)		Kathleen Wagner	5202 Duval St	407-8821
5)		Kurt F. Mehlman	5203 Duval St	371-7678
6)		Carolyn Annette Coltes	5205 Duval St	467-8807
7)		Lydia Doty	5207 DUVAL ST	467-2097
8)		Alex Jon	511a Duval St	455-6585
9)		[illegible]	5115 Duval St.	419-9798
10)		[illegible]	5108 Duval St.	451-1675
11)		Jane Dolton	5112 Duval St.	459-1801
12)		Lisa Hoffman	3402 Ave G	452-7347
13)		[illegible]	5208 Lorraine	407-9228
14)		Jennie Gray	201 Zennia St	974-7403
15)		Joe Packs	304 Zennia St.	451-1298
16)		Joyce Meredith	402 Zennia	453-4860
17)		Claudie Potter	403 Zennia	468-7860
18)		503 Zennia St	Holly Jacobs	419-9599
19)		504 Zennia St	[illegible]	374-9856
20)		Craig Whisenhunt	505 Zennia 78751	452-4545
21)		MARK A CHERRY	604 ZENNIA	453-3672
22)		KENT PIPKLE	700 ZENNIA	280-9754
23)		BAILEY LOUDAGET	700 ZENNIA	"
24)		RONNIE CANTU	"	"
25)		Donna Supra	406 W 51st	845-6523
26)		Cameron McCall Jordan	509 W. 51st	459-6223
27)		[illegible]	408-A West 51st St 78751	454-4572
28)		NEAL CLARK	302 W 51st 78751	371-0582
29)		[illegible]	Austin	459 6582
30)		5105 Leralynn St	Austin TX 78751	453-2875
31)		5205 Leralynn St	Austin, TX 78751	799 02 84
32)		5205 Leralynn St	Austin, TX 78751	407-9950
33)		500 Franklin Blvd Unit B	Austin, TX 78751	484-1892
34)				
35)				
36)				
37)				
38)				
39)				
40)				

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NORTHFIELD

February 2004

Dear Planning Commission,

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-04-0015) as the increase in traffic,noise, air pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change.Thank you .

Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Zac Bryant	5014 Ravena Ave #A	554-9056
2)		J Beaman	104 E. 51 St	633-9963
3)		Richard Rodriguez	104 E 52ND	305-1514
4)	Kim Mendez	Kim Mendez	104 E 52nd St.	371-1514
5)		Joshua Arseneaux	102 E 52nd St	407-9911
6)		Andrea Summers	102 E 52nd St	407-9911
7)		Tiffany-Lyn McGuirk	102 E. 52nd Apt B	323-9309
8)		Carol Bodgen	5115 Ave F	467-8042
9)		Andrea Santos	101 E 52nd St	451-6996
10)		Dawn Wall	101 east 52nd	467 6737
11)	Kellie Abbott	Kellie Abbott	101 East 52nd	467 6737
12)		CAROL SEPULTON	103A E. 52ND	302-4878
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14)				
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0

February 2004

Dear Planning Commission,

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-04-0015) as the increase in traffic,noise, air pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change.Thank you .

Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		V. Smith	5000 Ave G	345 3332
2)		ERIC M. MILLS	5000 AVE F	374-9064
3)		Jonathan Henry	4913 Ave F	452-8230
4)		EMILY TIMM	4904 AVE. F	374-0790
5)		Matthew Mills	4922 Ave F	325-3093
6)		Tom Rouse	11600 Hwy F	452-2906
7)		Jeff Sievers	4813 Ave F	420-0577
8)		Julia M. Smith	6014 A Rowena Ave	740-3869
9)		Janet Green	4810 Ave. F	450-1561
10)		Mary Parker	4907 Ave F	459-[illegible]
11)		Victoria Stafford	108 E 48th St	467-8922
12)		MARK ADAMS	4902 ROWENA	
13)		Linda Crockett		
14)		Linda Crockett	4700 Rowena	419-1889
15)				
16)		Brandon Skin	108 E 47th	731-6914
17)		Paul J. Williams	203 E. 47th	467-7106
18)		Amy L. Auld	4904 Ave F	323-4336
19)		Adam Stevenson	4711 Ave F	458-1531
20)		Virginia Rodriguez	5209 Ave H	380-0839
21)		[illegible]	5013 Ave H	202-1129
22)		Maggie Bennett	5011A Ave H	797-9601
23)		Suzanna Chattel	5004 Ave H 78751	323-5321
24)		[illegible]	5001 Ave H	459-1962
25)		[illegible]	4914 Ave H	454-1512
26)		Tiffany Durham	4911 Ave H	323-2832
27)		Suzanne Hurley	4909 Ave H	454-4382
28)		J. Craig Lewis	4909 Ave H	454-4382
29)		BEN MUNGHORN PANICH	4908 Ave H	459-3036
30)		Aubrie Aldridge	4906 Ave H	655-1774
31)		Jovi Manet	4901 Ave H	
32)		Amanda Allen	4811-A Ave. H	773-4141
33)		William T. Gravette	4909 Ave H	458-4613
34)		Joel Ralls	4807 Ave H	457-3863
35)		Kelcie Kelly	4714 Ave A	467-6161
36)		Douglas Kelly	4900 Ave G	452-5143
37)		Douglas Lind	4805 Ave G	407 9464
38)		Mia Segal	4813 Ave G	371-2096
39)		Ali Hamlin	4812 Ave G	674-5736
40)		HERLINDA FARIAS	4814 Ave G	458-4492

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HYDE PARK

February 2004

Dear Planning Commission,

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-04-0015) as the increase in traffic,noise, air pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change.Thank you .

Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)	[signature]	TERESA VELASQUEZ	4607 AVE F.	452-0468
2)	[signature]	Mary DaSilva	4604 Ave F.	4670166
3)	[signature]	FERNANDO DASILVA	4604 AVE F	4670166
4)	[signature]	Thomas E. O'Brien	4531 Ave F	451-4140
5)	[signature]	Rebecca O'Brien	4531 Ave F	451-4140
6)	[signature]	Patricia Bown	4525 Ave F	454-7554
7)	[signature]	PETER SIEGENTHALER	4512 F	452-6916
8)	[signature]	[illegible]	4712 F	[illegible]
9)	[signature]	John Hart	4510 ave F	4545933
10)	[signature]	Alex Knopp	4502 Ave F	302-3184
11)	[signature]	Kevin Dasch	4509 Ave F	452-8339
12)	[signature]	Rowena Dasch	4509 Ave F	452-8339
13)	[signature]	Yvette D. Welch	[illegible] Ave F	452-3841
14)	[signature]	John Rundell	4501 AVE F	401-9168
15)	[signature]	Matt Obermeier	4503 AVE F	639-1774
16)	[signature]	Phillip Shannon	4503A Ave F	453-0131
17)	[signature]	[illegible]	4501 Ave G	203-[illegible]
18)	[signature]	[illegible]	" "	820-8139
19)	[signature]	Barbara Mahler	4502 Ave G	589-9209
20)	[signature]	Jessica Cay	4504 Ave G	454-1965
21)	[signature]	SANDRA SMITH	4505 Ave G	371-7463
22)	[signature]	DWIGHT THOMPSON	4511 Avenue G	452-1911
23)	[signature]	Spencer Schrader	4519 Avenue G	302-1296
24)	[signature]	Maria Elena Cisneros	4524 Ave G	458 3487
25)	[signature]	CHAUNCEY ASHBURN	4525 AVE G	454-8919
26)	[signature]	Harold G. ASHBURN	4525 Ave G	454-8919
27)	[signature]	Victoria Goodman	4523 Ave G	452-1324
28)	[signature]	STANLEY KOBUSKY	4609 AVE G	451-4459
29)	[signature]	4709 Ave G	[illegible]	458-6804
30)	Kirsten Belgum	4712 Ave G	Kirsten Belgum	450-1757
31)	Joshua [illegible]	4713 Ave G	[signature]	302-[illegible]
32)	[signature]	4900 Ave G	JEFFREY RAGGIO	302-5834
33)	[signature]	JACLYN [illegible]	[illegible] Ave. F Austin, TX	512 458-8291
34)	[signature]	David [illegible]	4901 Rowena Ave, Austin, TX	512-302-0176
35)	[signature]	Susan Somers Willett	4908 B Rowena Ave. Austin TX	512-419-7028
36)	[signature]	JOAN N. KIRK	4815 Rowena Austin TX	467-0594
37)	[signature]	Steve [illegible]	4902 Rowena Ave. TX	474-5279
38)	[signature]	[illegible]	[illegible] Rowena	451-8001
39)	[signature]	Adrian DeLaRosa	4807 Rowena Ave	206-2805
40)	[signature]	Elizabeth F. Herrera	4813 Avenue G	454-3057

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HYDE PARK (3)

February 2004

Dear Planning Commission,

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-04-0015) as the increase in traffic,noise, air pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change.Thank you .

	NAME	SIGNATURE	ADDRESS	PHONE
1)	Dave Raichle		4530 Ave G	
2)	Brian Bindwell		4603-B Ave G	698-3321
3)	Bryan R Hunt		4703 Ave G	467-2830
4)	Chris Alger		4705 Ave G	450-1790
5)	Sue STRONG		4707 Ave G	452 1371
6)	Dawn Allen		4709 Ave. G	467-8600
7)	Rachel Mellon		4711 Ave G.	533-9190
8)	MATTHEW C KEWSURA		4716 AVE G	979-277-2412
9)	J. Haley Mobley		4717 AVE G	5124538774
10)	Rachel Jennings		4800 Ave G	415-8998
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February 2004

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	NAME SIGNATURE	ADDRESS	PHONE
1)	Magdalena N. Muchlinski	618 "B" Fairfield Lane	512-450-1594
2)	Henry E. Harned	5014 Evans	512-459-3048
3)	Simon Solotker	5015 Evans	512-453-6469
4)	Sharon Warner	5012 Evans	512 454-3318
5)	Kelly A Cox	5011 A Evans	419-9159
6)	Don Tankersley	5008 Evans	453-0272
7)	Louise McHenry	5006 Evans	453 0752
8)	[illegible]	5004 Evans	459 3509
9)	[illegible]	703 E 50th	452-8751
10)	Carolyn Porter	5005 Martin	323-2495
11)	David Wilcox Ruley	5005 Martin	323-2495
12)	[illegible]	5007 Martin	451-1691
13)	Carlos Brondo	5011 Martin	371-9521
14)	Tracy Overath	5102 Martin	419-9070
15)	Ryan Clinton	5104 Martin	467-8898
16)	KEN GRIFFITH	4803 EVANS	374-0267
17)	HELEN GRIFFITH Helen Griffith	4803 EVANS	459-6418
18)	Tonya GRIFFith Tonya Griffith	4803 Evans	968-9920
19)	Ellen Davis	4802 A Evans	452-1656
20)	ENRIQUE PINON	4804 Evans Ave	458-2949
21)	Sara Pullum-Pinon	4804 Evans Ave	458-2949
22)	Mary Carpenter	606 Fairfield Ln.	451-9401
23)	Shelley White	610 Fairfield Ln	374-9192
24)	Russell Godwin	609 Fairfield Lane	451-1136
25)	Vikki Godwin Vikki Godwin	609 Fairfield Ln	451-1136
26)	Debbie Schmuckle	609 Fairfield Ln.	451-1136
27)	[illegible]	611 Fairfield	458-1548
28)	[illegible]	620 Fairfield	454-4904
29)	Karen Nolan	620 Fairfield	454-4404
30)	[illegible] GARY DICKERSON	618 B FAIRFIELD	450 1594

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C HYDEPARK

February 2004

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-04-0015) as the increase in traffic,noise, air pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change. Thank you.

	NAME	SIGNATURE	ADDRESS	PHONE
1)	[illegible]	[illegible]	711 E 50th St	(236-1660
2)	Laura Battle	Laura Battle	713 E 50th St	419-9838
3)	[illegible]	[illegible]	705 E. 50th St.	451-4091
4)	[illegible]	[illegible]	703 E 50th St	452-8871
(85)	[illegible]	[illegible]	700 E. 50th	467-6687
6)	[illegible]	[illegible]	507 E 50th	371-1890
7)	[illegible]	[illegible]	507 east 50th st	371-1890
8)	[illegible]	[illegible]	505 E. 50th	4078402
9)	[illegible]	[illegible]	503 E 50TH	431-9273
10)	[illegible]	[illegible]	5009B 51	371-0947
11)	[illegible]	[illegible]	5008 Duval St	475-8412
12)	[illegible]	[illegible]	5002 Duval	452 7118
13)	[illegible]	[illegible]	5000 Duval	452-1922
14)	[illegible]	[illegible]	5000 Duval	452-1922
15)	Jeff Guadey	[illegible]	4912 DUVAL	507-2975
16)	Cathy Teeday	[illegible]	4900 Duval	453-6421
17)	[illegible]	[illegible]	4812 DUVAL	419-9987
18)	[illegible]	[illegible]	4806 DUVAL	419-0500
19)	RICARDO LYRA	[illegible]	4804 DUVAL	420-0918
20)	MANUEL TREVINO	[illegible]	4802 DUVAL	453-9776
21)	[illegible]	[illegible]	4800 Duval	472-9816
22)	Chris Klose	[illegible]	4809 Duval	4678993
23)	Andy Homer	[illegible]	4809 DUVAL	467-8443
24)	[illegible]	[illegible]	4813 Duval	419-9888
25)	MICHAEL SIEBEN	[illegible]	4907 DUVAL	374-0939
26)	Gene Atwood	[illegible]	4908 Duval	468-6676
27)	SANDRA FRINK	[illegible]	4911 Duval	420-9955
28)	[illegible]	[illegible]	5001 Duval	453-0723
29)	DENON GREEN	[illegible]	5001 Duval	453-0723
30)	[illegible]	[illegible]	5100 Bruning #107	N/A

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HYDE PARK

2. Letters from affected neighbors in opposition (others have been e-mailed separately).

Lisa and David Hoffman

5102 Avenue G
Austin, Texas 78751
452-7347 lacross1960@yahoo.com

April 6, 2004

VIA HAND DELIVERY
Ms. Lydia Ortiz
Planning Commissioner
PO Box 2655
Austin, Texas 78768

RE: Proposed Amendment to Neighborhood Plan (File Number: C14-04-0015) and Application for Zoning Change (File Number: NPA-04-0011.01) at 100-104 East 51st

Dear Ms. Ortiz:

My husband, David, and I strongly oppose the amendment to the North Loop Neighborhood Plan, as well as, the proposed zoning change for the property located at 100-104 East 51st Street. Our home, 5102 Avenue G, is within 300 feet of this site. We urge you to find against the plan amendment and subsequent rezoning of property currently zoned Single Family – 3 for the following reasons:

1. We are strongly in favor of the North Loop Neighborhood Plan. This Plan accentuates the positive aspects of our community while introducing new ways to encourage pedestrian traffic. This Plan appropriately provides a guide to address our community's direction and growth to avoid the painful division that often results from spot zoning, such as this.

2. The Plan amendment process unfairly favored the applicant by allowing an unchallenged presentation with a vote at the next quarterly meeting. The process for adopting the Plan was lengthy and offered many opportunities for input from those not on the Planning Team. The amendment process should first protect the Plan. Whether or not you agree with this particular Plan amendment, surely a more inclusive, thoughtful, and fair process is warranted to take a long-reaching action as a Plan amendment. What is the point of a Neighborhood Plan if amendments can be so easily obtained?

3. The North Loop Neighborhood Planning Team members' zealous "crusade" for Mixed Use zoning encourages investors to seek a more intensive zoning where no need exists solely to maximize profitability. Had there been an actual need for commercial zoning at this location, this site would have been addressed in the Neighborhood Plan.

4. The North Loop Neighborhood Planning Team's decision to amend our neighborhood Plan should be discounted for several reasons:

a. The plan amendment process was completely one-sided. The applicant was expected to notify opposition. He did not. Opposition was never allowed to present a case to the North Loop Neighborhood Planning Team prior to the vote. Since the previous application for rezoning of this site in October 2002, our opposition has been well documented. The City Staff's opposition was also clear. We were easy to find if the Planning Team had been interested in another point of view.

b. Serious conflict of interests issue begs that opposition be allowed to present a case prior to any vote by the Planning Team. This did not happen. Don Smith, the applicant for the plan amendment and rezoning, will personally benefit financially in the event that this application is granted. He is also currently serving as vice-chair of the North Loop Neighborhood Planning Team and, although, he abstained from voting, his influence on the Planning Team is undeniable. Bill Yoder, past Chair of the North Loop Neighborhood Planning Team, boasted on March 3, 2004 (at the meeting held by City Staff) that the Planning Team had already had five meetings to discuss Don Smith's proposal. Opposition was not heard at any of these meetings.

c. There is absolutely no mechanism in place to insure accountability to the majority of the neighbors. The members of the Planning Team are not elected and cannot be fired. This gives them unchecked power. They do not represent the views of the neighborhood. Some planning team members like to call us a "vocal minority", however, a petition of over 300 signatures disproves their claim. They are out of touch with the rest of us.

d. The North Loop Neighborhood Planning Team has a bias toward business/ developers over stakeholders. Their record speaks for itself. In each case below (there may be more of which I am unaware) the Planning Team voted to support the businesses without considering any opposition - even when they were aware that strong opposition existed:

1. 53rd and Evans: voted in support of a variance to allow a 5' setback instead of 25';
2. FlightPath Coffeehouse at E 51st and Duval: voted in support of a variance to allow for less parking than mandated by ordinance;
3. Up to Me, Inc.: voted in favor of a zoning change; and
3. 100-104 E 51st Street: voted in favor of a plan amendment and zoning change.

5. Traffic on E 51st Street is quite dangerous for pedestrians and motorists alike. E 51st Street is a narrow two-lane road with a bike lane on either side; most homes are about 20 feet from the roadway at this site. Commuters routinely hit speeds of 50 mph between Duval and Guadalupe. Add to this speed and increasing volume of the "cut-thru" traffic, the curve, the hill, and three odd intersections at the subject property, and you

could not have designed a more deadly destination for pedestrians. This site is unsafe, at best.

6. There is no need for this site to be commercially zoned. Indeed, only two blocks north the whole of North Loop has been designated as Mixed Use by the adopted Plan. Allowing Mixed Use zoning at 100-104 E 51st Street would mean inserting commercial use into an area which is zoned entirely Single Family-3, while a wealth of commercial property exists within and surrounding our neighborhood, i.e. within walking distance of residents. Much commercially zoned property is presently vacant.

7. The investment corporation, Eileen Merrit, Inc. and/or Condev Group, Inc., would like to transfer the risk of their investment onto adjacent property owners. While this may make good business sense, it hardly makes for good neighbors. They bought property zoned Single Family - 3, as did we all. They are under no hardship and are free to develop this property within the existing zoning.

8. Finally, the City's own definition of LR-MU states that this neighborhood commercial district is "intended ...predominately for the convenience of residents of the neighborhood." If this site were on North Loop, I believe that might fit the description, but not here. Don Smith admitted to me that one reason that he chose this site was precisely to capitalize on the high volume of traffic. This puts us at cross-purposes for any future traffic calming measures. This expansion of "cut through" traffic that will result will surely not be "for the convenience of the residents of the neighborhood."

As homeowners within 300 feet of the subject property, my husband and I obviously have a personal stake in this case. However, this is not just about our family; it is about our community, too. We love this part of Austin for its diversity and quirkiness, not to mention the trees, gardens, and well-maintained property that come from living amid mostly owner-occupied homes. We have almost everything we need within walking distance or on a bus route. We live here because we do not like to drive, much less commute. Ironically commuters living elsewhere are daily speeding past our homes on E 51st Street eroding our quality of life. Adding a commercial destination to this mix will certainly encourage more traffic on E 51st Street and further erosion of our community.

We greatly appreciate the efforts of the City Council, Planning Commission, City Staff and the North Loop Neighborhood Planning Team for producing such an appropriate plan to address our community's future. We look forward to its implementation. This rezoning request, and plan amendment process has caused division in our community. Please, uphold the North Loop Neighborhood Plan as it stands and deny this amendment to allow rezoning. Thank you for your consideration.

Very Truly Yours,

Lisa Hoffman David Hoffman

Lisa and David Hoffman

Maya and Chris Gamble
5100 Avenue F
Austin, TX 78751

April 7, 2004

VIA ELECTRONIC MAIL AND HAND DELIVERY
Ms. Lydia Ortiz
Planning Commissioner
PO Box 2655
Austin, Texas 78768

Re: Amendment to Neighborhood Plan (File Number: C14-04-0015) and Proposed Zoning Change (File Number: NPA-04-0011.01) at 100-104 East 51st and 0 East 51st

Dear Ms. Ortiz:

I am writing to express my strong opposition to the application for an amendment to the North Loop Neighborhood Plan and proposed zoning change for property located at 100-104 East 51st Street and 0 East 51st Street (herein referenced as 100-104 East 51st Street). I reside at 5100 Avenue F and own property immediately adjacent to the 100-104 E 51st Street property. I oppose any amendment to the North Loop Neighborhood Plan for this property and I oppose any zoning change at all for the property at 100-104 E 51st Street. I have numerous reasons for my opposition, as detailed below. In addition, I have spoken with many of my neighbors while collecting signatures opposed to proposed amendment and zoning change and the vast majority of the neighbors I spoke with are opposed as well.

Reasons Why The Proposed Amendment and Zoning Change Should Not Pass

1. Existing Neighborhood Plan and Future Land Use Map Plan for SF3

The North Loop Planning Team spent approximately two years and many hours developing a comprehensive neighborhood plan encompassing 100-104 East 51st Street. This neighborhood plan identifies commercial corridors within the neighborhood (53rd Street, Lamar, and Airport, to name a few) not including 51st Street. The entire property at issue is identified as Single Family 3 (SF3) in both the Current Use Map and the Future Use Map that the Planning Team created. The neighborhood plan was developed to ensure the integrity of the neighborhood and guide growth. The plan should not be easily amended, particularly not when the adjacent neighborhood opposes the amendment. The neighborhood plan should not be amended and a subsequent zoning change for 100-104 East 51st should not be approved

2. Mr. Rhodes Knowingly Purchased Property Zoned SF3

The owner/developer of 100-104 E 51st Street, Mike Rhodes, admits that he purchased the land zoned SF3 with the intention of seeking a zoning change. All of the adjacent and nearby landowners purchased their homes zones SF3 presumably with the intention to keep the zoning SF3 and to enjoy the benefits such zoning brings to a neighborhood. Mr. Rhodes is an investor; he was aware of the zoning

before he bought his property and should not now be allowed to change that zoning to improve his investment. Each property owner in this neighborhood takes some risk when making their purchase, but each of us based that risk on the zoning SF3—to allow Mr. Rhodes to change the zoning of his property transfers his investment risk onto the neighboring landowners. It is unfair to change the zoning against the wishes of the majority of the neighboring landowners and it sets a bad precedent to encourage developers and investors to buy up SF3 properties with the intention of changing that zoning to a more intensive use later. The neighborhood plan should not be amended and the zoning should not be changed.

3. Traffic on 51st Street at this Location is Dangerous and Will Only Get Worse

Traffic on this section of 51st Street is extremely dangerous and will only get worse as already planned commercial and residential developments are constructed (including The Triangle, less than a mile away, and Robert Mueller Airport). Between I35 and Guadalupe there is only one stop sign, and that is at a confusing five way stop at Duval/Bruning/51st Street. Vehicles routinely reach speeds greater than 50 miles per hour on the stretch of 51st Street between Duval and Guadalupe. This is further heightened by the incline prior to Avenue F and the curve parallel to the State Cemetery. As the owner of the residence at the corner of Avenue F and 51st Street, I am all too aware of accidents that routinely occur at this intersection.

During the peak hours of commuting, vehicles are backed up for blocks resulting from the five-way stop at Duval. Eastbound commuters on 51st Street are commonly in line beginning at the State Cemetery because of the Duval stop sign. Westbound vehicles attempting to turn against traffic are typically unable to do so because commuting vehicles block driveways and actual streets. As I previously mentioned, when traffic is not at a standstill, speeding vehicles remain a hazard.

Development of 100-104 East 51st Street would result in greater difficulties for vehicles entering and exiting 51st Street as well as the potential for more vehicles originating from 100-104 East 51st Street. The existing commercial development on 51st Street at Duval fronts other streets (Duval and Bruning respectively) so there is no direct turning from 51st Street into parking spots or access roads and on-street parking is available on the fronted streets. Furthermore, Bruning has less traffic than 51st Street and Duval is a wider street. But even given these more favorable conditions, the 51st Street and Duval intersection is still made more difficult due to commercial development. The location of 100-104 East 51st Street locked between the State Cemetery and a SF-3-Family Residence with a hill to the west on 51st Street and a significant curve in 51st Street to the East with no available on-street parking will be untenable. Potential patrons or residences will be unable to see the property when traveling eastbound on 51st Street until they are parallel or past the property because of the hill at Avenue F. An amendment to the neighborhood plan and subsequent rezoning of 100-104 East 51st Street will complicate the precarious traffic situation facing the neighborhood and result in more traffic problems and perhaps traffic fatalities.

4. Rezoning to a More Intensive Use Will Cause Overflow Parking on Avenue F

The traffic problem is complicated by the lack of street parking on 51st Street that results in increased parking on Avenue F. The rezoning of 100-103 East 51st Street to a more intensive zoning district would exacerbate the parking problems on Avenue F. Again, I cite the existing development at 51st Street and Duval. In addition to the existing commercial parking, there is on-street parking available on Duval and Bruning. Duval is a wider street than 51st Street and Bruning offers less traffic as I have indicated previously and there is no direct parking from 51st Street available. Given all of these preferred conditions, the commercial available parking is insufficient and vehicles are continuously parked on Duval and Bruning for blocks with customers patronizing the businesses. Any change in zoning to 100-104 East 51st Street allowing commercial or high density residential use will cause overflow parking falling to Avenue F and Rowena which are already oversaturated in terms of available parking.

5. There is No Need for More Commercial Development in the Area

There is sufficient commercial development (occupied and available) within blocks of the site in all directions. The entire stretch of North Loop Boulevard from the State Cemetery to Airport is commercial/mixed use as is the intersection at 51st Street and Duval. In addition, all of Airport from 2222 to IH-35 is commercial/ mixed use. Many new commercial/mixed use developments are in progress including one at North Loop and Evans that will accommodate a restaurant among other uses. The Triangle is less than a mile away and is not yet fully leased. Each of these current commercial/ mixed use zones offer better amenities in terms of access from the fronting street, wider fronting streets, available parking, and the value of being in known business districts. Development of 100-104 East 51st would be isolated between the State Cemetery and a SF-3 neighborhood without even visual site lines (the hill west of the property makes it impossible for eastbound traffic to see the property until parallel or past the property). The approval of a plan amendment and a zone change for 100-104 East 51st to any type of use other than SF-3- Family Residence is completely unnecessary and detrimental to the viability of existing commercial venues. There are sufficient businesses and facilities for the "convenience of residents of the neighborhood."

6. Neighbors Property Values Will Be Hurt by the Proposed Development

The rezoning of 100-104 East 51st will negatively impact the value of properties in the immediate area. As I previously indicated I bought my property based on the family residence zoning of the adjacent properties and undoubtedly paid a premium for my property, as I am sure my neighbors did as well. Properties adjacent to commercial development do not retain the same values as properties in residential-only classifications. I fear if rezoning of any type is allowed to proceed, the families in the adjacent properties will leave the neighborhood and turn their houses into rental properties or sell them to developers that will seek to change these homes into commercially zoned properties.

If 100-104 East 51st is rezoned, this will lead to a domino effect of zoning changes along 51st Street, resulting in pockets of houses isolated from each other and diminishing any sense of a neighborhood. While there are many difficulties with 51st Street at present, there are positive developments underway, such as the expansion of 2222, which should alleviate cut-through traffic on 51st Street and throughout the area, allowing the neighborhood to reclaim a sense of cohesiveness. If the property at 100-104 East 51st Street is rezoned and a plan amendment is approved to the neighborhood plan, regardless of other initiatives, the neighborhood will be lost to isolated pockets of houses, diminishing property values, and families will be discouraged from attempting to actually live in this part of central Austin.

7. Developer and Owner Mike Rhodes Has Behaved Unethically Throughout This Process

In the summer of 2002, Mr. Rhodes distributed flyers describing himself as a "concerned neighbor" and suggested meeting to discuss the proposed development at 100-104 East 51st Street. Mr. Rhodes did not indicate in his flyer any involvement with the project and was evasive when asked directly whether he had an interest in the development of the property. The North Loop Planning Team asked Mr. Rhodes and his agent Don Smith (also Vice-Chair of the North Loop Planning Team) to go door to door within the 300-foot radius and speak to each property owner, but they did not do so.

8. A Majority of the Property Owners Within 200' Are Opposed to Any Zoning Change

I have spent many hours of my time going door to door and discussing the proposed plan amendment and zoning change with my neighbors and the vast majority of them are vehemently opposed to any such change. Despite the fact that 100-104 East 51st Street is faced on one side with the State Cemetery, we collected more than enough signatures to force a super-majority vote should the City Council decide to approve a zoning change.

I join with my neighbors in imploring you to not accept an amendment to the neighborhood plan nor the proposed zoning change as related to 100-104 East 51st Street. Mr. Rhodes and Mr. Smith have many options to develop the property under the current SF3 zoning, including building a total of five duplexes (10 units) in place of the existing dwellings. I believe this would be an acceptable scenario for all parties and fair to the settled expectations of all the property owners in the area, not just Mr. Rhodes.

I urge you to vote NO on both the North Loop Neighborhood Plan amendment and the zoning change for 100-104 East 51st Street.

Very Truly Yours,

Maya Guerra Gamble

Chris Gamble

615 East 48th Street
Austin, Texas 78751

April 6, 2004

RE: **Amendment to Neighborhood Plan (File Number: C14-04-0015) and Proposed Zoning Change (File Number: NPA-04-0011.01) at 100-104 East 51st and 0 East 51st**

Dear Planning Commission Members,

I am writing to express my opposition to the proposed application for an amendment to the North Loop Neighborhood Plan and proposed zoning change for property located at 100-104 East 51st Street and 0 East 51st Street (herein referenced as 100-104 East 51st). I reside at 615 East 48th Street, and because of my proximity to the property in question, feel that I am a stakeholder in this requested change. My opposition to both the plan amendment and zoning change are as follows:

Existing Neighborhood Plan

The existing neighborhood plan was carefully put together. It took the North Loop Planning Team over two years of very hard and detailed work to formulate the plan that is in place today. Were in not for a developer purchasing SF-3 property with the intention of converting it to commercial use, this case would never be before you today. In fact, the chairman of the North Loop Planning Team himself told me that had the developer/owner not requested this change, they planning team never would have requested a change.

The developer, in an open public meeting, very clearly stated that he purchased the property with full knowledge that it was zoned SF-3. He also had full intention of requesting a change for commercial use. This is simply unfair to all the adjacent property owners who purchased their homes in an area that was clearly designated, and planned, as SF-3. The developer is hoping that this zoning chance will be made so that he and his company, solely, will profit from the development. He never considered the detrimental economic impact to adjacent property owners. In short, had the developer wanted a commercial property, he should have purchased a commercial property.

In the North Loop area there is no shortage of available commercial, retail, office, and warehouse space available for lease or purchase. A change from SF-3 to any other designation will economically benefit only the developer. It will have adverse economic impact upon the 28 properties immediately surrounding the site, and beyond. These average property owners should not be penalized by the profit motive of one corporation.

Traffic

As Austin has grown, 51st Street has not. However, the city's policy of continuing infill has brought more and more traffic to this area. 51st Street has been particularly hard hit. As it is today, the street is heavily congested and dangerous. With the further development of The Triangle and Robert Mueller Airport, the traffic along 51st Street will become a main thoroughfare and the level of traffic will increase exponentially.

Parking
Any commercial development large enough to make economic sense to the developer will surely bring more cars than the site will be able to accommodate. This will mean that there will be intense parking on the adjacent residential streets on both sides of 51st. This is already a dangerous road. Putting additional pedestrians darting through the building traffic will not be conducive to a save environment.

Additionally, the side streets are already burdened with cars belonging to property owners and their guests. As traffic has built up over the years, many of these streets have become through streets for commuters and others looking for ways to avoid the city's expanding traffic problems.

Lack of Integrity and Ethics on behalf of the Developer, Mr. Rhodes
In the summer of 2002, many adjacent property owners learned of potential development at 100-104 East 51st through a flyer left on their doors by Mr. Rhodes. This occurred prior to any notice by the City of Austin that a zoning change would be requested. The flyer indicated he was a "concerned" neighbor and suggested a meeting a day or two later at his residence to discuss the possible development. He did not indicate in his flyer any involvement with the project. At least one property owner called the various contact numbers offered on the flyer and spoke directly with Mr. Rhodes.

That caller was straightforward in noting their opposition to the zoning change (as cited previously in the course of this correspondence.) Mr. Rhodes indicated he was in favor of the development and assured the caller only upscale duplexes would be built. The caller agreed this would be an improvement over the current duplexes. However, when questioned if his intention was to replace the current dwellings with higher quality housing then why was a zoning change necessary? Mr. Rhodes was also asked, given his enthusiasm for the project, if he was the developer or in any way affiliated with the project. In both responses he was evasive and duplicitous. The caller only learned of his true involvement when notified by the City of Austin of a proposed zoning change. He pointedly lied to the property owner about the project and his involvement in said project. Given the strong objections to the zoning change by neighbors within 300 feet of the subject property and neighbors in surrounding areas including the Hyde Park Neighborhood Association, the zoning change request was rescinded by Mr. Rhodes.

In another instance, Mr. Rhodes and his development company purchased a house in Patterson Heights (a very small subdivision within the Hyde Park Neighborhood Association area). Patterson Heights has very specific and valid deed restrictions in regards to the building of duplexes and garage apartments. It was Mr. Rhodes intention to build a duplex on the site. The lot where Mr. Rhodes wanted to build his duplex was clearly not designated as a site where duplexes are permitted. These deed restrictions have been in place since Patterson Heights was platted. That was long, long before Mr. Rhodes was even born.

These deed restrictions were very clearly explained to Mr. Rhodes by many of the neighbors. Despite this, he persisted in his plans. My wife and I, along with 9 other households in my neighborhood, each contributed $100 (for a total of $1,000.00) in order to hire an attorney so that we could preserve our neighborhood. That is $100 I'll never see again (despite a public request to Mr. Rhodes for reimbursement). Only a year later, Mr. Rhodes now wants to build a garage apartment on that same site. I fear that once again, Mr. Rhodes will force us to take legal action to protect the neighborhood we so love.

All of this speaks to the integrity of Mr. Rhodes and his development company. In short, buy it cheap, bully the neighbors, and try to make a buck at their expense. This is true of the property on

51st Street as well as the house I described in my neighborhood. In neither of these cases has Mr. Rhodes, or his development company, acted with good faith or integrity.

Regarding SF-5

I join with my neighbors in imploring you to not accept an amendment to the neighborhood plan nor the proposed zoning change as related to 100-104 East 51st. The option is already available within the existing SF-3- Family Residential classification for Mr. Rhodes and Mr. Smith to build a total of five duplexes (10 units) in place of the existing dwellings. This will allow the same type of densification and infill that SF-5 would provide. Please keep in mind that Mr. Rhodes, his development company, and Mr. Smith have not requested SF-5 zoning. The North Loop Planning Team has not requested SF-5 zoning, either now, or when they spent in excess of two years putting together their neighborhood plan.

Conclusion

There is already a valid petition showing that the immediate surrounding property owners (the ones who would be most impacted) clearly do not want *any* zoning change. The only reason that the percentage of opponents on the petition is not higher is that a large majority of the *surrounding property is owned by the State of Texas (State Cemetery and Texas Parks and* Wildlife Depot).

Logic would dictate that the zoning should remain SF-3. The petitioner's client knowingly purchased inexpensive SF-3 property with the sole intention of converting it to commercial. Commercial property is more expensive, so this was a calculated gamble for him. Please don't reward this risky gamble at the expense of surrounding property owners. In addition, Mr. Rhodes ethics and tactics should not be rewarded either.

Please feel free to contact me at any time regarding this manner. I can be reached by phone at *(512) 323-0779 or via e-mail at: motorbruce@hotmail.com*.

Sincerely,
Bruce W. Nadig

5101 Avenue F
Austin, Texas 78751

March 3, 2004

Ms. Lydia Ortiz
PO Box 2655
Austin, Texas 78768

RE: **Amendment to Neighborhood Plan (File Number: C14-04-0015) and Proposed Zoning Change (File Number: NPA-04-0011.01) at 100-104 East 51st and 0 East 51st**

Dear Ms. Ortiz:

I am writing to express my opposition to the application for an amendment to the North Loop Neighborhood Plan and proposed zoning change for property located at 100-104 East 51st Street and 0 East 51st Street (herein referenced as 100-104 East 51st). I reside at 5101 Avenue F and am a property owner within 300 feet of the subject property. My opposition to both the plan amendment and zoning change are as follows:

(1) Existing Neighborhood Plan
When I selected my property in December 1999 and prior to purchase, I investigated the zoning of all adjacent properties as well as the greater Highlands and Hyde Park Subdivisions. I wanted to assure my investment would be financially beneficial and desired neighborhood characteristics would remain intact. I was and remain a strong advocate for residing in central Austin. Consequently, I anxiously followed the neighborhood planning efforts; including making various calls to the City of Austin Neighborhood Planning Liaison, to assure that my investment in this neighborhood would not be compromised. I knew Avenue F, 51st Street, and the immediate surrounding area remained classified SF-3- Family Residential at the time I bought my property and after the extensive planning process was completed and the neighborhood plan was adopted. Similarly, when the properties at 100-104 East 51st were procured by Mike Rhodes (and his incorporated partners), he knew the properties were classified as SF-3- Family Residential. I believe Mr. Rhodes continued efforts to rezone the property exemplify he acted in bad faith in his procurement and such questionable business practices should not be rewarded with a zoning change. Further, myself and my neighbors who acted in good faith pursing a SF-3- Family Residence surrounded by other SF-3- Family Residences should not be penalized for poor business acumen on the behalf of Mr. Rhodes.

The neighborhood plan was developed to ensure the integrity of the neighborhood and guide growth. The plan should not be easily amended based on the desires of developers but should rather be guided by the needs of the neighborhood as best deemed by those actually living in the neighborhood and in the case of conflicts, by those actually impacted by potential development. If the neighborhood plan is easily amended then what is the value of a neighborhood plan? The neighborhood plan should not be amended and a subsequent zoning change for 100-104 East 51st should not be approved.

(2) Traffic

Traffic is a continuous problem for residences living near 51st Street, as I imagine it is for most residences of central Austin. The street has become a cut through for suburban commuters. There is a five way stop at Duval then no traffic calming device nor deterrent till the stop light at Guadalupe. Vehicles routinely reach speeds greater than 50 miles per hour on the stretch of 51st Street between Duval and Guadalupe. This is further heightened by the incline prior to Avenue F and the curve parallel to the State Cemetery. As the owner of the residence at the northeast corner of Avenue F and 51st Street, I am all too aware of accidents that routinely occur at this intersection. If I were to level my house and have a completely vacant lot, anyone venturing off Avenue F onto 51st Street would still be unable to see vehicles approaching from the east due to the hill.

During the peak hours of commuting, vehicles are backed up for blocks resulting from the five way stop at Duval. Eastbound commuters on 51st Street are commonly in line beginning at the State Cemetery because of the Duval stop sign. Westbound vehicles attempting to turn against traffic are typically unable to do so because commuting vehicles block driveways and actual streets. As I previously mentioned, when traffic is not at a standstill, speeding vehicles remain a hazard. I regularly sit 15 minutes or more in my driveway waiting to safely enter the street.

Development of 100-104 East 51st would result in greater difficulties for vehicles entering and exiting 51st Street as well as the potential for more vehicles originating from 100-104 East 51st. The existing commercial development on 51st Street at Duval fronts other streets (Duval and Bruning respectively) so there is no direct turning from 51st Street into parking spots or access roads and on-street parking is available on the fronted streets. Furthermore, Bruning has less traffic than 51st Street and Duval is a wider street.) But even given these more favorable conditions, the 51st Street and Duval intersection is still made more difficult due to commercial development. The location of 100-104 East 51st locked between the State Cemetery and a SF-3-Family Residence with a hill to the west on 51st Street and a significant curve in 51st street to the East with no available on-street parking will be untenable. Potential patrons or residences will be unable to see the property when traveling eastbound on 51st Street until they are parallel or past the property because of the hill at Avenue F. An amendment to the neighborhood plan and subsequent rezoning of 100-104 East 51st will complicate the precarious traffic situation facing the neighborhood and result in more traffic problems and perhaps traffic fatalities.

(3) Parking

The traffic problem is also complicated by the lack of street parking. There is no parking on 51st Street which results in parking at a premium on Avenue F. I routinely am unable to find street parking in front of my own house due to the number of cars present. The rezoning of 100-103 East 51st to any other zoning district would complicate the parking problems on Avenue F. Again, I cite the existing development at 51st Street and Duval. In addition to the existing commercial parking, there is on-street parking available on Duval and Bruning. Duval is a wider street than 51st Street and Bruning offers less traffic as I have indicated previously and there is no direct parking from 51st Street available. Given all of these preferred conditions, the commercial available parking is insufficient and vehicles are continuously parked on Duval and Bruning for blocks with customers patronizing the businesses. A plan amendment and subsequent zoning change to 100-104 East 51st will result insufficient parking for any commercial or high density residential use and the overflow for parking will fall to Avenue F and Rowena which are already oversaturated in terms of available parking.

(4) Commercial Development

There is sufficient commercial development (and available commercial properties) within blocks of the site in all directions. The entire stretch of North Loop Boulevard from the State Cemetery to Airport is commercial/mixed use as is the intersection at 51st Street and Duval. In addition, all of Airport from 2222 to IH-35 is commercial/ mixed use and I understand a new development is planned for North Loop and Evans which will accommodate a restaurant and other mixed use developments. Each of these current

commercial/ mixed use zones offer better amenities in terms of access from the fronting street, wider fronting streets, available parking, and the value of being in known business districts. Development of 100-104 East 51st would be isolated between the State Cemetery and a SF-3- Family Residence without even visual site lines (the hill west of the property makes it impossible for eastbound traffic to see the property until parallel or past the property). The approval of a plan amendment and a zone change for 100-104 East 51st to any type of use other than SF-3- Family Residence is completely unnecessary and detrimental to the viability of existing commercial venues. There are sufficient businesses and facilities for the "convenience of residents of the neighborhood."

(5) Property Values

The rezoning of 100-104 East 51st will negatively impact the value of properties in the immediate area. As I previously indicated I bought my property based on the family residence zoning of the adjacent properties and undoubtedly paid a premium for my property as I am sure my neighbors did as well. Properties adjacent to commercial development do not retain the same values as properties in residential-only classifications. I fear if rezoning of any type is allowed to proceed, each property owner will be forced to sell their residence at a lose for future commercial development.

If 100-104 East 51st is rezoned, this will lead to a domino effect of zone changes along 51st Street, resulting in pockets of houses isolated from each other and diminishing any sense of a neighborhood. While there are many difficulties with 51st Street at present, there are positive developments underway, such as the expansion of 2222, which should alleviate cut-through traffic on 51st Street and throughout the area, allowing the neighborhood to reclaim a sense of cohesiveness. If the property at 100-104 East 51st is rezoned and a plan amendment is approved to the neighborhood plan, regardless of other initiatives, the neighborhood will be lost to isolated pockets of houses, diminishing property values, and people will be discouraged from attempting to actually live in central Austin.

(6) Lack of Integrity and Ethics on behalf of the Developer, Mr. Rhodes

In the summer of 2002, I learned of potential development at 100-104 East 51st through a flyer left on my door as well as those of my neighbors by Mr. Rhodes. This occurred prior to any notice by the City of Austin that a zoning change would be requested. The flyer indicated he was a "concerned" neighbor and suggested a meeting a day or two later at his residence to discuss the possible development. He did not indicate in his flyer any involvement with the project. I called the various contact numbers offered on the flyer and spoke directly with Mr. Rhodes.

I was straightforward in noting my opposition to the zoning change (as cited previously in the course of this correspondence.) Mr. Rhodes indicated he was in favor of the development and assured me only upscale duplexes would be built. I agreed this would be an improvement over the current duplexes. However, I questioned if his intention was to replace the current dwellings with higher quality housing then why was a zoning change necessary? I also asked, given his enthusiasm for the project, if he was the developer or in any way affiliated with the project. In both responses he was evasive and duplicitous. I only learned of his true involvement when notified by the City of Austin of a proposed zoning change. He pointedly lied to me about the project and his involvement in said project. Given the strong objections to the zoning change by neighbors within 300 feet of the subject property and neighbors in surrounding areas including the Hyde Park Neighborhood Association, the zoning change request was rescinded by Mr. Rhodes.

In his current request to amend the neighborhood plan and proposed zoning change, Mr. Rhodes is now represented by his agent, Don Smith. Based on Mr. Rhodes lack of integrity and ethical behavior toward myself and other property owners during his initial efforts to obtain a zoning change for 100-104 East 51st, I am circumspect in believing any comments by him or Mr. Smith concerning Mr. Rhodes true intentions for the property at issue.

I join with my neighbors in imploring you to not accept an amendment to the neighborhood plan nor the proposed zoning change as related to 100-104 East 51st. The option is already available within the existing SF-3- Family Residential classification for Mr. Rhodes and Mr. Smith to build a total of five duplexes (10 units) in place of the existing dwellings. I believe this would be an acceptable scenario for all parties and adheres to the proposal originally presented to my by Mr. Rhodes in the summer of 2002.

If you have any questions or need additional information related to this letter, I can be reached at (512) 302-3386 or via email at Brighton@austin.rr.com

Sincerely,

Tina Dacus /s/ Mg. [illegible]

Tina Dacus

Steve Harrington
5014 Avenue F
Austin, Texas 78751

April 7, 2004

Austin City Planning Commission:

Ms. Maggie Armstrong
PO Box 26883
Austin, Texas 78755-0883

Ms. Cynthia Medlin
2501 Wilson Street
Austin, Texas 78704

Mr. Matthew Moore
702 Spofford Street
Austin, Texas 78704

Ms. Lydia Ortiz
PO Box 2655
Austin, Texas 78768

Mr. Chris Riley
1310 San Antonio
Austin, Texas 78701

Ms. Niyanta Spelman
3802 Avenue F
Austin, Texas 78751

Dr. David Sullivan
1710 Waterston Avenue
Austin, Texas 78703

RE: **Amendment to Neighborhood Plan (File Number: C14-04-0015)** and **Proposed Zoning Change (File Number: NPA-04-0011.01)** at 100-104 East 51st and 0 East 51st

Dear Commission Members,

I am writing to express my vehement opposition to the application for an amendment to the North Loop Neighborhood Plan and proposed zoning change for the property located at 100-104 East 51st Street and 0 East 51st Street. I reside at 5014 Avenue F and am a property owner within 300 feet of the subject property. I have signed the petition against the proposed change, as have most of my neighbors. You should be aware that the percentage of neighbors within 300 feet who have signed the petition (as measured by square footage), although sufficient to force a super-majority at city council, is actually artificially low; a large part of the property abuts the state cemetary and it is not feasible to get a signature from the State of Texas to oppose the zoning change. However, the vast majority of the citizens within 300 feet oppose this proposal, as you will see from the petition.

In addition to those within 300 feet who are in opposition, a large number of neighbors outside 300 feet also oppose the proposal, as evidenced by the large number of signatures on the petition. I urge you to consider the desires of hundreds of neighbors and contrast them with the desires of the developing corporation and a handful of members of the neighborhood planning team.

My opposition to both the plan amendment and zoning change are enumerated in the following paragraphs. I appreciate your attention and patience in reading through these concerns.

(1) Existing Neighborhood Plan and Desires of the Neighbors

The neighborhood plan was developed to ensure the integrity of the neighborhood and guide growth. The plan should not be easily amended based on the desires of *corporations* but should rather be guided by the needs and desires of the *citizens* as best deemed by those actually living in the neighborhood. While it is true that a small minority of neighbors, who happen to control the neighborhood planning team, have elected to support the proposed amendment, these neighbors are in the minority – please see the petition for factual support of this statement.

Also, there is some concern that personal friendships with the developer and architect may have affected the neighorhood planning team's ability to be objective on this case. The architect, Don Woods, is a member of the neighborhood planning team. While he abstained from voting on this issue, I suspect that his participation in the project has affected the judgement and objectivity of the neighborhood team. I can think of no other reason for the neighborhood planning team to vote in strict opposition to the desires of the majority of neighbors (again, see the petition for evidence of the neighbor's desires).

(2) Traffic

In an effort to convince others that this rezoning is a good idea, the developing corporation often uses the word "unique" to describe the property. While many of the arguments for the property's uniqueness are incorrect, one area in which the property truly *is* unique is with respect to traffic. I am not exaggerating when I say that this property is located at the single worst location for traffic, especially pedestrian traffic, in the entire neigborhood. The reasons are as follows:

a) **51st is an arterial:** This precludes speed bumps or other traffic calming measures which might help alleviate the dangers for pedestrian traffic in the area.

b) **Poor visibility and sight lines in both directions:** From the subject property, towards the east, there is a hill which obscures cars coming from this direction. Depending on traffic conditions, cars are often coming at high speed and cannot be seen until they have crested the hill, at which point it may be too late to react. Towards the west, there is a blind curve. Depending on where a person is located, it may be impossible to see oncoming cars coming from this direction. For example, exiting Rowena it is literally impossible to see oncoming traffic, which often approaches at high speed.

c) **High speed traffic:** As previously mentioned, depending on the time of day and the traffic conditions, cars are frequently traveling at high speeds – sometimes exceeding 50 m.p.h. This, *combined with the aforementioned blind spot and hill, is a recipe for disaster, particularly for* pedestrian or bicycle traffic.

d) **Rush hour traffic:** When traffic is light, cars often travel at high speed on 51st. However, during rush hour, the traffic situation is horrible and only going to get worse with the development of the "triangle" at 45th and Lamar and the development of the old airport. Even now, prior to these developments being completed, rush hour traffic is bumper to bumper from 51st and Duval past the state cemetary. Adding additional commercial traffic to this would be a nightmare.

(3) Parking

Zoning ordinances and parking regulations notwithstanding, common sense tells us that the parking for a commercial establishment is *rarely* sufficient. As evidence of this, one can drive by many of the area's surrounding LR-MU and commercial properties and witness overflow parking on the side streets. Given

that most of the homes in the area are older and many do not have garages, it is the norm for residents to park on the street. Consequently, there is already a large number of cars on the street. Adding additional cars to this mix will not only make the traffic situation and pedestrian/bicycle dangers greater, but also cause general noise and annoyances for the neighbors.

(4) Commercial Development

There is sufficient commercial development (and available commercial property) within blocks of the site in all directions. In fact, had the developing corporation really wanted commercial property in the area, it would have been well served to purchase such property rather than property that was zoned SF-3. It is not too late for the corporation to do so, as many available properties are still on the market. Of course, by purchasing property that is appropriately zoned, it might have been harder for the developing corporation to turn a profit at the expense of the neighbors via rezoning. The "triangle" at 45th and Lamar, which is currently being developed, is close to the subject property, as are many other available properties.

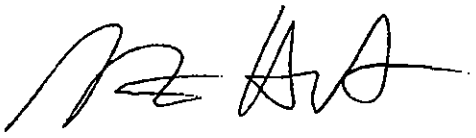
(5) Property Values

The rezoning of 100-104 East 51st will positively impact the value of the property for the developing corporation. Unfortunately, this is a zero-sum game – the corporation's gain in property value will be offset by the residents' losses. If you doubt that proximity to commercial property lowers the surrounding value of residential properties, ask any residential real estate agent.

In Conclusion:

I join with my neighbors in imploring you to not accept an amendment to the neighborhood plan nor the proposed zoning change as related to 100-104 East 51st. The developer has many options available within the existing SF-3- Family Residential classification. The neighbors will be happy to work with Mr. Rhodes, the developing corporation's agent, on any concerns he has with respect to developing the property under SF-3 zoning. I am sure that we can work out any concerns the developing corporation has with respect to SF-3. Thank you for your attention in this matter. If you have any questions or need additional information related to this letter, I can be reached at (512) 750-9460 or via email at steve_ha@swbell.net.

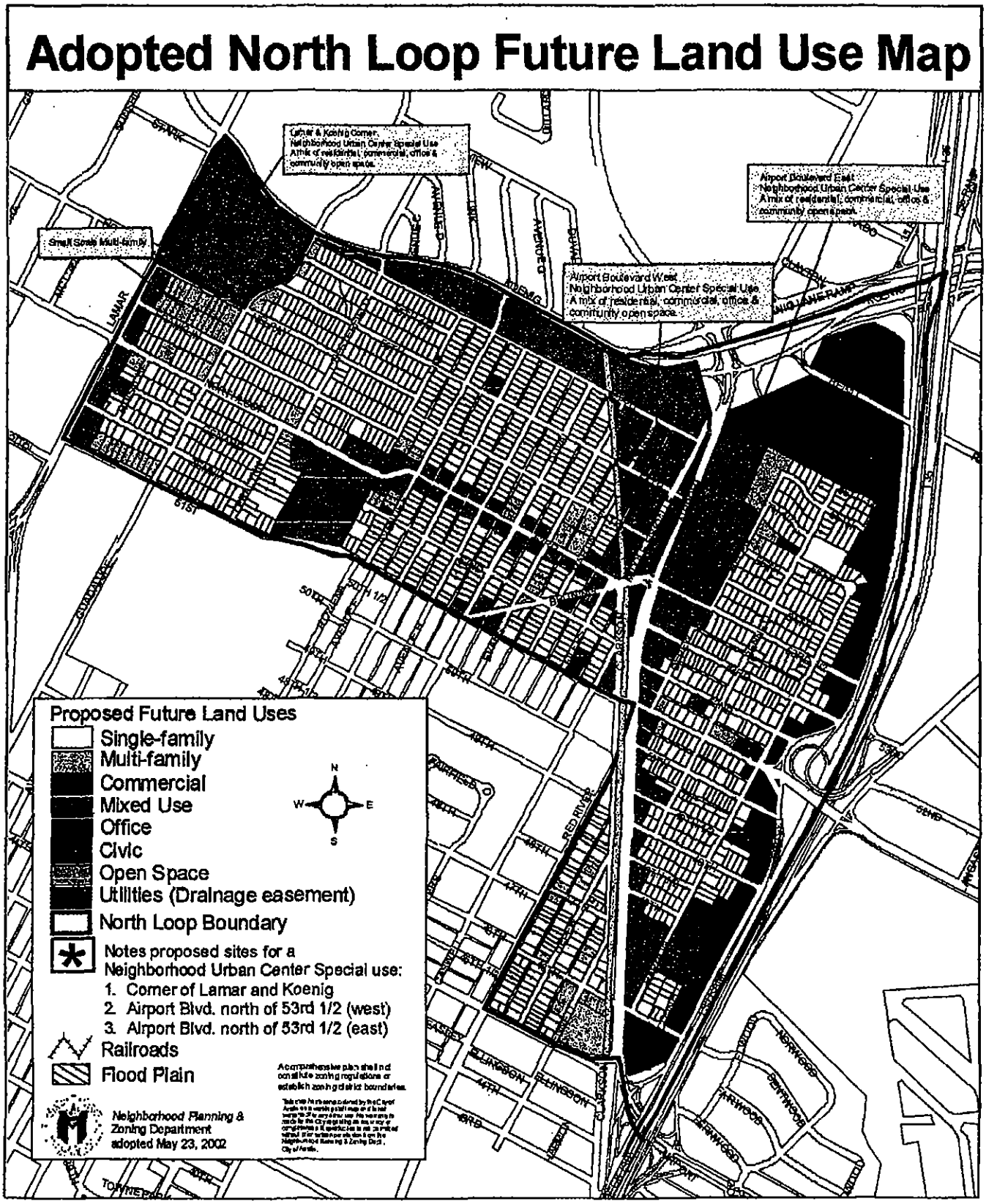
Sincerely,



Steve Harrington

3. Future Land Use Map from the North Loop Neighborhood Plan.

Adopted North Loop Future Land Use Map



4. Photographs showing the traffic on 51st Street.

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1	Peter C. Brust	Peter C. Brust	5112 Ave F	(cell) 408-234-4536
2				
3				
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The information above is solely to aid the Austin Planning Commission and Austin City Council in deciding this case(File#C14-04-0015). This information may not be sold or given to any other entity without the expressed written consent of each party listed above._

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1.		Douglas Bonner	5106 Ave F	312-344-734
2.	Ben Lindsey	BEN LINDSEY	5102 AVE F	512-453-2426
3.				
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The information above is solely to aid the Austin Planning Commission and Austin City Council in deciding this case(File#C14-04-0015). This information may not be sold or given to any other entity without the expressed written consent of each party listed above._

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS		PHONE
1.		Steve Harrington	5014 Avenue F	Austin TX 78751	512-750-9
2.		JAMES TODD	5010 ROWENA		512-453-1
3.		CHRIS GAMBLE	5100 AVENUE F	AUSTIN, TX 78751	512-371-089
4.		MAYA GUERRA GAMBLE	5100 AVENUE F	AUSTIN, TX 78751	512-371-089
5.		M N Scott	5103 Ave F	Austin TX 78751	512-458-483
6.		M. Scott	5103 Ave F	78751	" "
7.		Addie Bell Parker	205 E. 51 & E. 51st		599-7441
8.		JUSTIN DUVALL	5107 AVE F	AUSTIN, TX 78751	779-35
9.		Carol Dodgen	5115 Ave F	Austin, TX 78751	467-80
10.			100 E. 52nd		
11.			102 E. 52nd	Austin	
12.			104 E. 52nd		
13.		Tina Davis	5101 Ave F	AUSTIN TX 78751	302 338
14.		Natalie Graham	5110 Ave F	AUSTIN TX 78751-2012	
15.		Candace Claro	5108 Ave F	Austin TX 78751	
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1.	Do not within 200				
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	David R. Albert	DAVID R. ALBERT	5105 AVENUE F	(512) 258-6602
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Randal M. Bransford	RANDAL M. BRANSFORD	5014 A & B ROWENA STREET	C - 512-797-259 W - 512-447-1100
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Jean D. Neal Jr	JEAN D. NEAL JR	105 E. 52nd	930 9561
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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Vic Stauffa	5000 Ave G	345 3382
2)		ERIC M. MILLS	5000 AVE F	374-9064
3)		Julian Henry	4913 Ave F	452-8230
4)		EMILY TIMM	4904 AVE. F	374-0790
5)		Matthew Mills	4900 Ave F	825.3002
6)		Tom Rouse	4900 Ave F	452-2906
7)		Geff Sievers	4813 Ave F	420-0577
8)		Julia M. Smith	6014 A Rowena Ave	740-3359
9)		Janet Green	4810 Ave. F	450-1561
10)		Mary Slavik	4807 Ave F	469-8288
11)		Victoria Stafford	108 E 48th St	407-8922
12)		MARIE ABRAHAMS	4702 ROWENA	454-7863
13)		Linda Crockett		
14)		Linda Crockett	4700 Rowena	414-1889
15)				
16)		Brandon Skin	108 E 47th	731-6914
17)		PAUL T. WILLIAMS	203 E. 47th	407-7166
18)		Amy L. Auld	4700 Ave F	323-4336
19)		ADAM STEVENSON	4711 Ave F	458-1537
20)		Virginia Rodriguez	5209 Ave H	380-0839
21)		Colin M. Harwell	5013 Ave H	302-1129
22)		Maggie Bennett	5011A Ave H	797-9621
23)		Suzanna Chaffel	5004 Ave H 78751	323-5321
24)		Nancy Lehn	5001 Ave H	459-1962
25)		Bob Hemhdel	5014 Ave H	454-1512
26)		Tiffany Durham	4911 Ave H	823-2834
27)		Suzanne Hurley	4909 Ave H	454-4382
28)		J. Craig Lewis	4909 Ave H	454-4382
29)		BEN MUNGKORNPANICH	4908 Ave H	454-3036
30)		Aubrie Aldridge	4906 Ave H	655-1774
31)		Jenni Mayer	4901 Ave H	
32)		Amanda Allen	4811-A Ave. H	773-4141
33)		William T. Gravette	4809 Ave H	458-4613
34)		Joel Ballas	4807 Ave H	457-5863
35)		Kelcie Tefft	4714 Ave A	467-6964
36)		Douglas Kelley	4800 Ave G	452-5143
37)		Douglas LIND	4805 Ave G	407 9464
38)		Mia Segal	4813 Ave G	371-7006
39)		Ali Hewlin	4812 Ave G	693-5736
40)		HERLINDA TAMOLA	4814 Ave G	458-0492

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		BOB BREEZE	4815 AVE G	452-3850
2)		10TH ALLEY	4900 AVE G	458-3959
3)		Chris Keller	4906 Ave G	457-2654
4)		Amanda Jahnke	4917 Ave G	459-5756
5)		[illegible]	4911 Ave G	453 5218
6)		Laura Gaston	5001B Ave G	323-6044
7)		Regina Hampton	5015 Ave G	458-4663
8)		Kate Sasser	5017 Ave G	970-4987
9)		Valerie Rossman	5005 Ave G	619-8986
10)		Amanda Stanley	5005 Ave G	749-7798
11)		STEVE BROKEN	5004 Ave G	323-9316
12)		[illegible]	4914 Ave G	459-6294
13)		Mandeth Bhandari	4909 Ave F	450-0343
14)		Scott Myers	4907 Ave G	323-6514
15)		Velma Pierce	4902 Ave G	459-0929
16)		Marcus Butler	4915 Ave H	302-1425
17)		Mitra Mechanic	4913 Ave H	302-1425
18)		Daryl DeHay	5007 Ave H	459-9180
19)		Becky Layne	5009 Ave H	451 8092
20)		Robert Heynen	5006 Rowena	4533667
21)		DIANA HEYNEN	5006 Rowena	453-3667
22)		[illegible]	5007 Rowena	407-7925
23)		[illegible]	4912 Rowena	415-6995
24)	James M. Paine	[illegible]	4901 B Rowena	419-0896
25)	Andrew C Kocherry	[illegible]	4915 A Rowena	465-9413
26)		Kalina Babcock	" "	" "
27)		Peter Zelley	4906-B Rowena	454-4241
28)		Steve Locke	4903 Rowena	850 509 9468
29)		ANDY JONES	4900 ROWENA	4532025
30)		WENDY ALBERS	4528 Ave G	454-9329
31)		[illegible]	4706 Rowena St	814-7437
32)		Adam Parks	107 E. 48th St	407-9986
33)		Sloan Schwab	108 E 48th St	467-8922
34)		Stephanie Poussin	4602 Ave H	420 8050
35)		Donna Thayer	4710 Rowena	380-9282
36)		Daniel Mott	4708 Rowena	452-7716
37)		Chris Linden	4704 Rowena	706 0366
38)		MICHAEL ANDERSON	4610-A Ave F	836-0040
39)		Rodney King	4608 Ave F	971-4926
40)		Colleen Torma	4600 Avenue F	657-5490

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)	[illegible]	TERESA VELASQUEZ	4607 AVE F.	452-0468
2)	[illegible]	Mary Dasilva	4604 Ave F.	467 0166
3)	[illegible]	FERNANDO DASILVA	4604 AVE F	4670166
4)	[illegible]	THOMAS E. O'BRIEN	4531 Ave. F	451-4140
5)	[illegible]	Rebecca O'Brien	4531 Ave F	451-4140
6)	Patricia Bowm	Patricia Bowm	4525 Ave F	454-7554
7)	[illegible]	PETER SIEGENTHALER	4512 F	452-6916
8)	[illegible]	[illegible]	4512 F	452-6916
9)	[illegible]	John Hart	4510 ave F	4545933
10)	[illegible]	Alex Knoop	4507 Ave F	302-3184
11)	[illegible]	Kevin Dasch	4509 Ave F	452-8339
12)	[illegible]	Rowena Dasch	4509 Ave F	452-8339
13)	[illegible]	Yvette D. Welch	4506 Ave F	452-3841
14)	[illegible]	John Rundell	4504 AVE F	601-9168
15)	[illegible]	Matt Oermeier	4502 AVE F	659-1774
16)	[illegible]	Phillip Shannon	4503A AVE G	453-0131
17)	[illegible]	Haley [illegible]	4501 Ave G	203-7407
18)	[illegible]	Jordan [illegible]	" "	810-8139
19)	[illegible]	Barbara Mahler	4502 Ave G	589-9209
20)	[illegible]	Jessica Lay	4504 Ave G	454-1963
21)	[illegible]	SANDRA SMITH	4505 Ave G	371-7463
22)	[illegible]	DWIGHT THOMPSON	4511 Avenue G	452-1911
23)	[illegible]	Spencer Schnaufer	4518 Avenue G	302-1296
24)	[illegible]	Maria Elena Cisneros	4524 Ave G	458 3497
25)	[illegible]	CHAUNCEY ASHBURN	4525 AVE G	454-0919
26)	[illegible]	Arnold B. ASHBURN	4525 Ave G	454-0919
27)	[illegible]	Victoria Goodman	4523 Ave G	452-1324
28)	[illegible]	STANLEY KOBINSKY	4609 AVE G	451-4455
29)	[illegible]	" "	4708 Ave G	458-6904
*30)	Kirsten Belgum	4712 Ave G	Kirsten Belgum	450-1757
*31)	Joshua Tompkins	4713 Ave G	[illegible]	302-3791
*32)	[illegible]	4908 Ave G	JEFFREY RAGGIO	302-5834
33)	[illegible]	JACLYN [illegible] 5010 Ave. F	Austin, TX	512 458-8291
34)	[illegible]	David Veshae	4901 Rowena Ave	Austin TX 512-302-0798
35)	[illegible]	Susan Somers-Willett	4908 B Rowena Ave. Austin TX	512-419-7028
36)	[illegible]	JOHN N. KIVES	4815 Rowena Austin TX	467-05
37)	[illegible]	Steve Holtz	4812 Rowena Ave A TX	974-5279
38)	[illegible]	Eileen Theen	4801 Rowena	451-8601
39)	[illegible]	Adrian DeLeRosa	4807 Rowena Ave	206-2805
40)	[illegible]	Elizabeth F. Herrera	4613 Avenue G	454-3057

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	SIGNATURE	NAME	ADDRESS	PHONE
1)		Zac Bryant	5014 Ravena Ave #A	554-9056
2)		J. Beaman	104 E 51st	633-9963
3)		Michael Rodriguez	104 E 52ND	371-1514
4)	Kim Mendez	Kim Mendez	104 E 52nd st.	371-1514
5)		Joshua Arredondo	102 E 52nd St	407-9911
6)		Andrea Thomas	102 E 52nd st	407-9911
7)		Tiffany-Kaye McGuire	1026 52nd Apt B	323-9309
8)		Carol Badgett	5115 Ave F	467-8042
9)		Andrea Santos	101 E 52nd St	451-6996
10)		David Wall	101 east 52nd	467 6737
11)	Kellie Abbot	Kellie Abbot	101 East 52nd	467 6737
12)		CAROL SEPULVEDA	103A E. 52ND	302-4878
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	NAME	SIGNATURE	ADDRESS	PHONE
1)	Dave Raichle		4530 Ave G	459-3381
2)	brentbirdwell		4603-B Ave G	6983321
3)	Bryan R Hunt		4703 Ave G	467-2830
4)	Chris Alger		4705 Ave G	450-1790
5)	Sue STRONG		4707 Ave G	452 1371
6)	Dawn Allen		4709 Ave. G	467-8600
7)	Michal Mellon		4711 Ave G.	533-9190
8)	MATTHEW C KEWSURA		4716 AVE G	979-277-2412
9)	Hayley Mobley		4717 AVE G	5124538974
10)	Rachel Jennings		4808 Ave G	415-8998
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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		gina ballew	5107A Ave G	5339763
2)	Carolyn Knight	CAROLYN KNIGHT	5607 LINK AVE	451-1727
3)		LISA WRIGHT	5201 AVE. G	457-1727
4)		Dave Johnson	5203 Ave G.	417-8359
5)		Elizabeth Flanagan	5107 Ave F	451-9252
6)		W. D. Sowell	5209 Ave G	323 3780
7)		Lisa Sarmiento	515 Ave G	302 6491
8)		Anne Smith	5105 Ave G	453-6807
9)		mercedes Smith	5105 Ave G	457-6802
10)	Gladys Daily	Gladys G. Daily	5103 Ave. G	453-52-72
11)	Jade Daily	Jade Daily	5103 Ave G	453-5272
12)		Ann Quattlebaum	5108 Ave G	836-5794
13)		Joel Schlichtemeier	5106 Ave G	302-0662
14)		Marc Rendon	5107-A Ave G	5339763
15)		Kendal Barnard	5114 Ave G	452-4392
16)	Augustine Garza	Augustine GARZA	5210 Ave G	459-8149
17)		Julia R. GARZA	5210 Ave. G	459-8149
18)		KEVIN JENKINS	5212 AVE H	577-1617
19)		Chiyo Nishida	5213 Ave H	799-3629
20)		LAURA HANNIBAL	5212A Ave H	452-9625
21)		Crystal Fulbright	5208 Ave H	371-3255
22)		Robin Moe	5204 Ave H	819-5185
23)	MICHAEL CAMPBELL	MICHAEL CAMPBELL	5200 AVENUE H	680-7904
24)	Tonya Martinez	Tonya Martinez	5201 Ave H	419-9009
25)		Elizabeth Ivy	307 E. 53rd St.	512-837-7466
26)		Michael A. Kuykendall	5106-B Ave H	454-7613
27)		Brad Johnson	5107 Ave. H	458-9353
28)			5105 Ave H	268-3701
29)	Cassie Cordray	Cassie Cordray	4901 Ave H	589-7856
30)		Jessie Taylor	4901 Ave H	589-7856
31)		Yarrex Thomas	5208 Ave G	454-8534
32)	Francis Wendy Eranyk	Francis Wendy Eranyk	5011 Martin Ave	451-0935
33)		THOMAS M. BALLINGER	5011 MARTIN AVE.	451-0935
34)		Blanca Schrelle	5101 Ave G	454-6677
35)		Matthew Martin	5101 Ave G	784 3358
36)		Gaetano Aristondo	5101 Ave G	454-6677
37)	PHIL ROGOFF		5102 Ave H	916-5283
38)		Alisha Isner	5111 Ave H	(210) 421-1887
39)		KUEMS COLONNA	5205 AVE H	452-6442
40)		James Costello	5212A Ave H	452-9621

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Imelda Black	5212 Duval St	454-6901
2)		Emily Keesee	5208 Duval St.	459-6496
3)		Kaydean Both	5204 Duval St.	323-5670
4)		Kathleen Wagner	5202 Duval St	407-8821
5)		Kurt F. Mohlman	5203 Duval St	371-7678
6)		Carolyn Annette Coltes	5205 Duval St	467-8807
7)		Lydia Doty	5207 DUVAL ST	467-2097
8)		Alex Jan	5114 Duval St	455-6488
9)		[illegible]	5115 Duval St.	419-9788
10)		[illegible]	5104 Duval St	457-1675
11)		Jane Bolton	5112 Duval St.	459-1801
12)		Lisa Hoffman	3102 AVE G	452-7347
13)		[illegible]	5208 LORACOYAN	407-9288
14)		Jennie Gray	201 Jennia St	974-7400
15)		Joe Parks	304 Zennia St.	451-1298
16)		Joyce Meredith	402 Zennia	453-4260
17)		Albert / Bozzy	403 Zennia	468-7960
18)		503 Zennia St.	Holly Ingram	419-9594
19)		504 Zennia St	[illegible]	374-9856
20)		Craig Whitehurst	505 Zennia 78751	452-4545
21)		MARK A. OWENS	604 ZENNIA	453-3672
22)		KENT PIRKLE	700 ZENNIA	880-9754
23)		BAILEY LONDAGIN	700 ZENNIA	"
24)		RONNIE CANTU	"	"
25)		Donna Sapp	406 W. 51st	845-6573
26)		Cameron McCall Jordan	504 W. 51st	459-6223
27)		[illegible]	408-A West 51st St 78751	454-4572
28)		NEAL CLARK	502 A W. 51st 78751	371-0582
29)		[illegible]	5202 Zennia Austin	459 6582
30)		[illegible]	5205 Leralynn St Austin TX 78751	453-2875
31)		[illegible]	5205 Leralynn St Austin, TX 78751	799 02 84
32)		[illegible]	5205 Leralynn St. Austin, TX 78751	407-9950
33)		[illegible]	500 Franklin Blvd Unit B Austin, TX 78751	484-1892
34)				
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Peter C. Brust	Peter C. Brust	5112 AVE E	(cell) 408-234-1536
2.				
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	SIGNATURE	NAME	ADDRESS	PHONE
1.		Douglas Bonner	510 G Ave F	312-344-734
2.	Ben Lindsey	BEN LINDSEY	510Z AVE F	512-453-2426
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	SIGNATURE	NAME	ADDRESS		PHONE
1.		Steve Harrington	5014 Avenue F	Austin TX 78751	512-750-9
2.		JAMES TODD	5010 ROWENA		512-453-1
3.		CHRIS GAMBLE	5100 AVENUE F	Austin, TX 78751	512-371-089
4.		MAYA GUERRA GAMBLE	5100 AVENUE F	Austin TX 78751	512-371-089
5.		MN Scott	5103 Ave F	Austin TX 78751	512-458-483
6.		M. Scott	5103 Ave F	78751	" "
7.		Addie Bell Parker	205 E. 51st St.		599- 7441
8.		JUSTIN DUVALL	5107 AVE F	AUSTIN, TX 78751	779-35
9.		Carol Dodgen	5115 Ave F	Austin, TX 78751	482-80
10.			100 E. 52nd		
11.			102 E. 52nd	Austin	458-48
12.			104 E. 52nd		
13.		Tina Davis	5101 AVE F	AUSTIN TX 78751	202 338
14.		Natalie Graham	5110 AVE F	AUSTIN TX 78751-2012	
15.		Candace Claro	5108 Ave F	Austin TX 78751	
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1.	Do not within 200'				
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	David R. Albert	DAVID R. ALBERT	5105 AVENUE F	(512) 258-6602
2.				
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Randal M. Bransford	RANDAL M. BRANSFORD	5014 A & B ROWENA STREET	C - 512-797-259 W - 512-447-1109
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Jean D. Neal Jr.	JEAN D. NEAL JR	105 E. 52nd	930 9561
2.				
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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)			5000 Ave G	345-3332
2)		ERIC M. MILLS	5000 AVE F	374-9064
3)		Julian Henry	4913 Ave F	452-8230
4)		EMILY TIMM	4904 AVE. F	374-0790
5)		Matthew Mills	4900 Ave F	825-3003
6)		Tom Rouse	4800 Ave F	452-2906
7)		Jeff Sievers	4813 Ave F	420-0577
8)		Julia M. Smith	5014 A Rowena Ave	740-3367
9)		Janet Green	4810 Ave. F	450-1561
10)		Mary Slavik	4807 Ave F	469-8288
11)		Victoria Stafford	108 E. 48th St	407-8922
12)			4702 ROWENA	454-7863
13)				
14)		Linda Crockett	4700 Rowena	414-1889
15)				
16)		Brandon Skin	108 E 47th	731-6914
17)		PAUL J. WILLIAMS	703 E. 47th	407-7166
18)		Amy L. Auld	4904 Ave F	703-4336
19)		ADAM STEVENSON	4711 Ave F	458-1531
20)		Virginia Rodriguez	5709 Ave H	380-0939
21)			5013 Ave H	302-1129
22)		Maggie Bennett	5011A Ave H	797-9621
23)		Suzanna Choffel	5004 Ave H 78751	323-5321
24)		[illegible]	5001 Ave H	459-1962
25)		Bob Hemphill	4914 Ave H	451-1812
26)		Tiffany Durham	4911 Ave H	323-2834
27)		Suzanne Hurley	4909 Ave H	454-4382
28)		J. Craig Lewis	4909 Ave H	454-4382
29)		BEN MUNGHORNPANICH	4908 Ave H	459-3036
30)		Aubrie Aldridge	4906 Ave H	655-1774
31)		Jenni Mayer	4901 Ave H	
32)		Amanda Allen	4811-A Ave. H	773-4141
33)		William T. Gravette	4809 Ave H	458-4613
34)		Joel Rollins	4807 Ave H	457-5863
35)		Kelcie Pepper	4714 Ave A	467-6964
36)		Douglas Kelley	4800 Ave G	452-5143
37)		Douglas Lind	4805 Ave G	407-9464
38)		Mia Segui	4813 Ave G	371-7096
39)		Ali Yeu-Lin	4812 Ave G	693-5726
40)		HERLINDA TAMEZ	4814 AVE G	458-4492

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Bob Barker	4815 Ave G	452-3850
2)		[illegible]	4900 Ave G	458-3759
3)		Chris Keller	4906 Ave G	457-2654
4)		Amanda Jahnke	4917 Ave G	459-5756
5)		[illegible]	4911 Ave G	453 5217
6)		Laura Quinn	5009B Ave G	323-[illegible]
7)		Regina Hampton	5015 Ave G	458-4663
8)		Kats Sassen	5017 Ave G	970-4987
9)		Valerie Rossman	5005 Ave G	619-8986
10)		Amanda Stanley	5005 Ave G	749-7198
11)		Steve Brown	5004 Ave G	323-9316
12)		Mildred Cleere	4914 Ave G	459-6374
13)		Mahesh Bhandari	4909 Ave F	450-0343
14)		Scott Myers	4907 Ave G	323-6514
15)		Velma M. Pierce	4902 Ave G	459-0929
16)		Marcus Bivins	4915 Ave H	302-1425
17)		Mitra Mechanic	4913 Ave H	302-1425
18)		Daryl DeHay	5007 Ave H	459-9780
19)		Becky Layne	5009 Ave H	451 8092
20)		Robert Heynen	5006 Rowena	4533667
21)		Diana Haynen	5006 Rowena	453-3667
22)		Phil Stepsa	5007½ Rowena	417-7925
23)		Randy Coleman	4912 Rowena	415-6995
24)	James M. Paine	[illegible]	4904½ Rowena	419-0896
25)	Andrew C Karberg	[illegible]	4904A Rowena	465-2413
26)		Kalina Rabeck	" "	" "
27)		Peter Kelley	4906-B Rowena	454-9241
28)	Cooley	Steve Locke	4903 Rowena	850 509 4468
29)		Andy Jones	4900 Rowena	4532025
30)	Wendy Albers	Wendy Albers	4528 Ave G	454 9329
31)		[illegible]	4706 Rowena St	814-7437
32)		Adam Parker	107 E. 48th St	407-9786
33)	Sloan Schwab	Sloan Schwab	108 E 48th St	467-8922
34)		Stephanie Poussson	4602 Ave H	420 8060
35)		Donna Thayer	4710 Rowena	380-9282
36)		Daniel Mork	4708 Rowena	452-7716
37)		Chris Ligren	4704 Rowena	706 0366
38)		MICHAEL ANDERSON	4610-A Ave F	836-0040
39)		Rodney King	4608 Ave F	471-4926
40)		Colleen Torma	4600 Avenue F	657-5490

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		TERESA VELASQUEZ	4607 AVE F.	452-0466
2)		Mary DaSilva	4609 Ave F.	467-0166
3)		FERNANDO DASILVA	4609 AVE F	467-0166
4)		Thomas E. O'Brien	4531 Ave F	451-4140
5)		Rebecca O'Brien	453½ Ave F	451-4140
6)		Patricia Brown	4525 Ave F	454-7554
7)		ROBERT SIEGENTHALER	4512 F	452-6916
8)		Lara Wilke	472 F	452-695
9)		John Hart	4510 ave F	4545933
10)		Alex Knaap	4507 Ave F	302-3184
11)		Kevin Dasilva	4509 Ave F	452-8389
12)		Rowena DaSilva	4509 Ave F	452-8389
13)		Yvette D. Welch	4506 Ave F	452-3841
14)		John Rundell	4501 Ave F	601-9168
15)		Matt Obermeier	4502 Ave F	689-1774
16)		Phillip Shannon	4503A Ave G	453-0131
17)		Haley Hoover	4501 Ave G	203-7407
18)		Jordan Fisher	11 11	810-8137
19)		Barbara Mahler	4502 Ave G	589-9209
20)		Jessica Lay	4504 Ave G	454-1965
21)		SANDRA SMITH	4505 Ave G	371.7463
22)		DWIGHT THOMPSON	4511 Avenue G	452-1911
23)		Spencer Schneider	4518 Avenue G	302-1896
24)		Maria Elena Cisneros	4524 Ave G	458-3487
25)		CHAUNCEY A SHAFFURN	4525 Ave G	454-0919
26)		Harold B. Ashburn IV	4525 Ave G	454-0919
27)		Victoria Goodman	4523 Ave G	452-1324
28)		STANLEY KOZINSKY	4604 Ave G	451-4753
29)		[illegible]	4708 Ave G	458-6804
30)		Kirsten Belgum	4712 Ave G	450-1757
31)		Joshua Tomaselli	4713 Ave G	302-3791
32)		[illegible]	4908 Ave. G	JEFFREY KACZMARCZ 302-5834
33)		JACLYN PEARSON	6 Ave. F	Austin, TX 512 458-8291
34)		David Vega	4907 Rowena Ave	Austin TX 512-302-0198
35)		Susan Somers-Willett	4908 B Rowena Ave.	Austin TX 512-419-7028
36)		Joan N. Kilpatrick	4615 Rowena Ave	Austin TX 467-05[illegible]
37)		Steve Holt	4903 Rowena Ave	Austin TX 974-2279
38)		Karen Trek	601 Rowena	451-8001
39)		Adrian DeLaRosa	4807 Rowena Ave	206-2805
40)		Elizabeth F. Henderson	4613 Avenue G	454-3057

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Zac Bryant	5014 Ravens Ave #A	554-9056
2)		J. Beaman	104 E 51st	633-9963
3)		Michael Rodriguez	104 E 52ND	371-1514
4)	Kim Mendez	Kim Mendez	104 E 52nd St.	371-1514
5)		Joshua Arrecheary	102 E 52nd St	407-9911
6)		Andrea Thomas	102 E 52nd st	407-9911
7)		Tiffany-Kaye McGuirt	102 E. 52nd Apt B	323-9309
8)		Carol Badgett	5115 Ave F	467-8042
9)		Andrea Santos	101 E 52nd ST	451-6956
10)		David Wall	101 east 52nd	467 6737
11)		Kellie Albert	101 East 52nd	467 0737
12)		CAROL STEPHTON	1038 E. 52ND	302-4878
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	NAME	SIGNATURE	ADDRESS	PHONE
1)	Dave Raichle		4530 Ave G	459-3381
2)	brian birdwell		4603-B Ave G	698-3321
3)	Bryan R Hunt		4703 Ave G	467-2830
4)	Chris Alger		4705 Ave G	450-1790
5)	Sue STRONG		4707 Ave G	452 1371
6)	Dawn Allen		4709 Ave. G	467-8600
7)	Michael Mellen		4711 Ave G.	533-9190
8)	MATTHEW C KEWSURA		4716 AVE G	974-277-2412
9)	Hayley Mobley		4717 Ave G	5124538774
10)	Rachel Jennings		4808 Ave G	415-8998
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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		gina ballew	5107A Ave G	5339763
2)		CAROLYN KNIGHT	5607 LUNK Ave	451-1727
3)		LISA WRIGHT	5201 AVE. G.	451-1727
4)		Dave Johnson	5203 Ave G.	417-8359
5)		Elizabeth Flanagan	5407 Ave F	451-9252
6)		[illegible]	5209 Ave G	371 3785
7)		Lisa Sacramento	515 Ave G	302 6491
8)		Anne Smith	5105 Ave G	453-6802
9)		Mercedes Smith	510.5 Ave G	453-6802
10)		Gladys G. Daily	5103 Ave G	453-52-72
11)		Jade Daily	5103 Ave G	453-5272
12)		[illegible]	5108 Ave G	836-5794
13)		Joel Schlichtemeier	5106 Ave G	302-0662
14)		Marc Rendon	5107-A Ave G	5339763
15)		Kendal Barnard	5114 Ave G	452-4392
16)		Augustine Garza	5210 Ave G	459-8149
17)		Julia R. Garza	5210 Ave. G	459-8149
18)		KEVIN JENKINS	5212 AVE H	577-1617
19)		Chiyo Nishida	5213 Ave H	799-3829
20)		LAURA HAUNIBAL	5212A Ave H	452-9620
21)		Crystal Fuelbright	5208 Ave H	371-3255
22)		Felix Moe	5204 Ave H	619-5185
23)		MICHAEL CAMPBELL	5200 AVE NUE H	680-7804
24)		Teresa Martinez	5201 Ave H	419-9809
25)		Elizabeth Ivy	307 E. 53rd St	512-8794460
26)		Michael A. Kuykendall	5106-B Ave H	454-7613
27)		Brad Johnson	5107 Ave H	458-9353
28)		[illegible]	5105 Ave H	268-3701
29)		Cassie Cordray	4901 Ave H	589-7856
30)		Jessie Taylor	4901 Ave. H	589-7856
31)		YARREX THOMAS	5208 Ave G	454-8534
32)		Wendy Franck	5011 Martin Ave	451-0935
33)		THOMAS M. BALLINGER	5011 MARTIN AVE.	451-0935
34)		Blanca Scheele	5101 Ave G	454-6677
35)		Matthew Martin	5101 Ave G	784 3358
36)		GIOVANNI CRISTOFORO	5101 Ave G	454-6677
37)		[illegible]	5102 Ave H	916-5283
38)		Alisha Isner	5111 Ave H	(210) 421-1887
39)		KUEMS COLONNA	5205 AVE H	452-6442
40)		James Costello	5204 Ave H	452-9621

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Imelda Black	5212 Duval st	454-6901
2)		Emily Keesee	5208 Duval st.	459-6496
3)		Kaydean Bott	5204 Duval St.	323-5670
4)		Kathleen Wagner	5202 Duval St	401-8821
5)		Kurt F. Mohlman	5203 Duval St	371-7678
6)		Carolyn Annette Coltes	5205 Duval St.	467-8807
7)		Lydia Doty	5207 DUVAL ST	467-2097
8)		Alex Jan	511a Duval St	455-6585
9)		[illegible]	515 Duval St	419-9788
10)		[illegible]	510 E. Duval St.	451-1675
11)		Jane Dolton	5112 Duval St.	459-1801
12)		Lisa Hoffman	3102 AVE G	452-7347
13)		[illegible]	5205 LORAINE	407-9288
14)		Jennie Gray	801 Jennia st	974-7400
15)		Joe Davies	304 Zenia St.	451-1298
16)		Joyce Meredith	402 Zennia	453-4260
17)		Christine L Geer	403 Zennia	468-7860
18)		503 Zennia St.	Holly Jacobs	419-9594
19)		504 Zennia St	[illegible]	374-9856
20)		Craig Whisenhunt	505 Zennia 78751	452-4545
21)		MARK A. OWENS	604 ZENNIA	453-3672
22)		KENT PIXLEY	700 ZENNIA	880-9754
23)		BAILEY HANDAGE	700 ZENNIA	"
24)		RONNIE CANTU	"	"
25)		Donna Sapp	406 W. 51st	845-6523
26)		Cameron McCall Jordan	504 W. 51st	459-6223
27)		[illegible]	408-A West 51st St 78751	454-4572
28)		NEAL CLARK	302 A W 51st 78751	371-0582
29)		[illegible]	5207 Leralynn Austin	459 6582
30)		[illegible]	5205 Leralynn St Austin TX 78751	453-2875
31)		Nathan Wilkes	5205 Leralynn St Austin, TX 78751	799 02 84
32)		Sarah Howard	5205 Leralynn St. Austin, TX 78751	407-9950
33)		Ben Regal	500 Franklin Blvd Unit B Austin, TX 78751	484-1892
34)				
35)				
36)				
37)				
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39)				
40)				

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Z-1
Z-2

Guernsey, Greg

From: Soliz, Ricardo
Sent: Monday, August 02, 2004 2:46 PM
To: Guernsey, Greg
Cc: Welder, Kathleen; Rhoades, Glenn; Thomas, Deborah
Subject: FW: Official Request for a Postponement of the 51st Street Zoning/Plan Amendement Cases, by the 200' Neighbors

Importance: High

Postponement request for the 51st street zoning case to Aug 12 or later.

Ricardo Soliz

-----Original Message-----
From: Maya Guerra Gamble [mailto:maya.gamble@gmail.com]
Sent: Monday, August 02, 2004 2:42 PM
To: Soliz, Ricardo
Cc: Welder, Kathleen; Rhoades, Glenn; m.rhodes@condevgroup.biz; Lisa Hoffman
Subject: Official Request for a Postponement of the 51st Street Zoning/Plan Amendement Cases, by the 200' Neighbors

I am writing to officially request that the 51st Street Zoning/Plan Amendment cases currently set to be heard by the City Council this Thursday, August 5th, be postponed and rescheduled for August 12th or a later date.

The 200' neighbors have not asked for a postponement before.

The 51st Street Zoning/Plan Amendment cases were set for City Council hearing last Thursday, July 29th and many of the neighbors arranged their schedules accordingly. Unfortunately, the City Council Agenda incorrectly listed the cases and therefore notice was invalid under the Open Meetings Act. Because of this mistake, the hearing was postponed until August 5th.

Several of the 200' neighbors cannot attend on August 5th and therefore we are asking for a postponement to August 12th or a later date.

Very Truly Yours,
Maya Gamble, Primary Speaker for the 200' Neighbors

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: North Loop **CASE#:** NPA-04-0011.01

ADDRESS: 100, 102 & 104 E. 51st St. & 0 E. 51st St. (south 75 feet of lots 9, 10, & 11 and the north 75 feet of lots 12, 13 & 14, Block 1, Smith and Abrahamson Subdivision, Travis County, Texas)

APPLICANT: North Loop Neighborhood Planning Contact Team

OWNER: Eileen Merritt, Inc. (Representative: Mike Rhodes)

AGENT: Don Smith, Northfield Design Association, PLLC

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single-family **To:** Commercial-Mixed Use

Base District Zoning Change

From: SF-3-NP **To:** LR-MU-NP **(amended to SF-5-CO-NP on June 17, 2004)**
Related Zoning Case #: C14-04-0015

UPDATE (August 25, 2004):

On August 12, 2004, the item was postponed upon the property owner's request. The item was postponed to September 2, 2004. Neighbors within 300 feet of the property did not oppose the action.

UPDATE (August 6, 2004):

On August 5, 2004, the item was postponed upon the adjacent neighbors' first request. The item was rescheduled for August 12, 2004.

UPDATE (July 30, 2004):

On July 29, 2004, the item was postponed due to insufficient description of the property to be amended. The 0 E. 51st St. address and a legal description of the vacant portion were not included; therefore, the item was postponed to August 5, 2004.

UPDATE (July 22, 2004):

Since the postponement of the first City Council date of June 24, 2004, the property owner has come to an agreement with concerned neighbors within 300 feet of the subject property. Both the owner and the neighbors request a land use change **from single-family residential to higher density single-family residential.** They have also worked out a tentative zoning agreement to that effect. Ordinances have been prepared for a plan amendment change to higher density single-family as well as for a zoning change to SF-5-CO-NP. The property owners and the concerned neighbors within 300 feet of the property request that the cases be heard on all three readings.

As of July 22, 2004, the North Loop Planning Team has not formally amended its original application of a plan amendment change from single-family residential to commercial-mixed use. At the same time, a certain number of North Loop residents who are requesting a land use change to higher density single-family are both neighbors within 300 feet of the property as well as members of the Planning Team.

UPDATE (June 17, 2004):

The property owner has requested a postponement of the public hearing until July 29, 2004. This is the owner's first request.
Due to adjacent neighbors' opposition to the originally proposed commercial-mixed use change, the property owner is working with them to create a compromise. The compromise would change the land use from single-family residential to higher density single-family residential.
The neighborhood planning team has not issued a letter of support or opposition to the proposed compromise of higher density single family at this time.

.....

DEPARTMENT COMMENTS:

The North Loop Neighborhood Plan was adopted as part ..of the Austin Tomorrow Comprehensive Plan on May 23, 2002. On January 23, 2004, the North Loop Neighborhood Planning Contact Team submitted a plan amendment application for the E. 51st St. tract on behalf of the property owner.
Prior to the date of filing the application, the team heard the agent present the proposed change over a series of meetings. The team agreed to file the application "out-of-cycle" and included a letter of stating their support for the change to the North Loop Future Land Use Map. The team's letter of support was conditional upon conditions that could be included in a conditional overlay as well as in a restrictive covenant.
An official meeting organized by NPZD occurred on March 23, 2004 to bring identified stakeholders together to discuss the plan amendment application. Those stakeholders are the North Loop Neighborhood Planning Contact Team members (approximately 30), property owners within 300 feet of the subject tract, neighborhood association representatives, and the property owner and agent. Staff briefly described the preliminary staff recommendation, as well. Opinions and visions for the tract varied widely.
At the end of the meeting, the team members present voted to maintain their support for a land use change from single-family to commercial-mixed use. This support was conditional upon an associated zoning change that included conditions outlined in the team's original letter of support (see Exhibit C). The property owner has agreed to those requests. The owner will execute a private restrictive covenant to address those conditions not able to be part of a conditional overlay (see Exhibit E).
The subject tract is comprised of four unequal lots. The front portion, 18,750 square feet, is occupied by two duplexes and a single-family home and measures 18,750 square feet (0.43 acres) The rear portion is vacant and measures 22,500 square feet (0.517 acres). The tract's total dimensions are 150 feet X 200 feet (150 ft. edge fronts E. 51st St.). The associated zoning case is a request to upzone the property from SF-3-NP to LR-MU-CO-NP. Zoning case number is C14-04-0015, and zoning case manager is Glenn Rhoades, 974-2775.

STAFF RECOMMENDATION:

The Neighborhood Planning & Zoning Staff recognizes that the proposal has certain qualities that are compatible with the North Loop vision. However, the request for commercial-mixed use is intense, given the tract's configuration and surrounding environment. Staff recommends against the applicant's request; staff altenately recommends a change in the land use designation higher-density single-family residential.

Commercial-mixed use is intense and inappropriate for this location: The tract is approximately .95 acres and is located midblock between a cemetery to the west and single-family homes to the east. With a depth of 200 feet, it stretches deep into a block of single family lots. Specifically, the east side of the tract shares property lines with six single-family homes, and the rear backs up to three more single-family properties *(see map)*. The tract faces a single-family home located across E. 51st St, and single-family homes line E. 51st St. as it extends east. E. 51st St. is a two-lane roadway with no on-street parking and is a designated arterial.
Finally, the tract is located just above the rise of a hill that visually separates the single-family neighborhood (top of the hill) from the cemetery and Texas Parks and Wildlife property to the west (bottom of the hill). The visual separation provided by the hill enhaces the single-family character of the area. The hill, the two-lane roadway, and the miblock location of the tract impose parameters that limit the viable uses on a tract transitioning from a single-family neighborhood.

Higher-density single-family residential is an appropriate transition land use in this location: The standardized function of the higher density single-family land use category is as follows. Its purpose is to provide options for the development of higher-density, owner-occupied housing in urban areas and encourage a mixture of moderate intensity residential on residential corridors (uses include townhouses and condominiums). It is to be applied in locations where it can appropriately manage development on major corridors that are primarily residential in nature. It should also be applied where it provides a buffer at the edge of low-density residential areas. When applied to the E. 51st St. tract inside the North Loop Urban Core Plan Area, higher density single-family fulfills all of the criteria listed above.
Finally, a change to higher density single-family adds a measure of flexibility to this relatively large tract in a challenging location. As a transition between the single-family homes and the state-owned property (including the cemetery and the Texas Parks and Wildlife facility), the higher density land use is well suited.

NEIGHBORHOOD PLANNING TEAM RECOMMENDATION:

Update: The makeup of the Neighborhood Planning Team has changed somewhat since the application for the plan amendment case was first filed. Some members have moved and been removed from the team, and others have recently been added. The Team's bylaws stipulate that a stakeholder becomes a Team member at the third meeting he or she attends in a twelve month period. Therefore, it should be noted that the recommendation described below is that of the Team as it was composed seven months ago on January 28, 2004, the date of the plan amendment application.

Recommendation: At the time of the application, the members of the North Loop Planning Contact Team recommended a land use change to commercial-mixed use because they believed it supported the growth pattern established in their Neighborhood Plan: *"The North Loop Neighborhood Planning Area of the future is a vibrant mixed use neighborhood, where commercial and residential uses are combined, and designed in a way that creates an interesting streetscape and built environment. Compatibility is important, but so is uniqueness and a[n] eclectic character. The North Loop Neighborhood Planning Area of the future is envisioned as a place where the needs of everyday life are available wihin walking distance from where most people live."* The team reasoned that the request for the three street-fronting lots combined with the large vacant lot to the rear was modest and self-contained. They believe the plan amendment could give rise to a structure that would help *"create an interesting streetscape"* and contribute to North Loop's *"eclectic character."* Moreover, they support a plan amendment that could *increase* density to the extent that it supports locally-owned-businesses. Their recommedation hinges on the fulfillment of crafting an agreeable restrictive

covenant that would mandate development of at least 3000 square feet of commercial and 3000 square feet of residential, ensuring mixed use.

ATTACHMENTS:
Exhibits "A"-"M"

PLANNING COMMISSION DATE:
April 13, 2004

May 11, 2004

ACTION:
POSTPONED due to incorrect agenda posting
No Recommendation (see Exhibit B)

NEIGHBORHOOD ORGANIZATIONS in North Loop Planning Area:
Northfield Neighborhood Association
Morningside/ Ridgetop Neighborhood Association
EYE-H35/ Airport Blvd. Neighborhood Association
North Loop Neighborhood Planning Contact Team

CASE HISTORIES (Zoning and/or Neighborhood Plan Amendments):

NUMBER	REQUEST	CITY COUNCIL
NP-02-0011	North Loop Neighborhood Plan	Approved 5-23-02
C14-02-0009	North Loop Neighborhood Plan Combining District Rezonings	Approved 5-23-02

CITY COUNCIL DATE: June 24, 2004 **ACTION:** Postponed 6-24 to 7-29-04

July 29, 2004 **ACTION:** Postponed 7-29 to 8-5-04

August 5, 2004 **ACTION:** Postponed 8-5 to 8-12-04

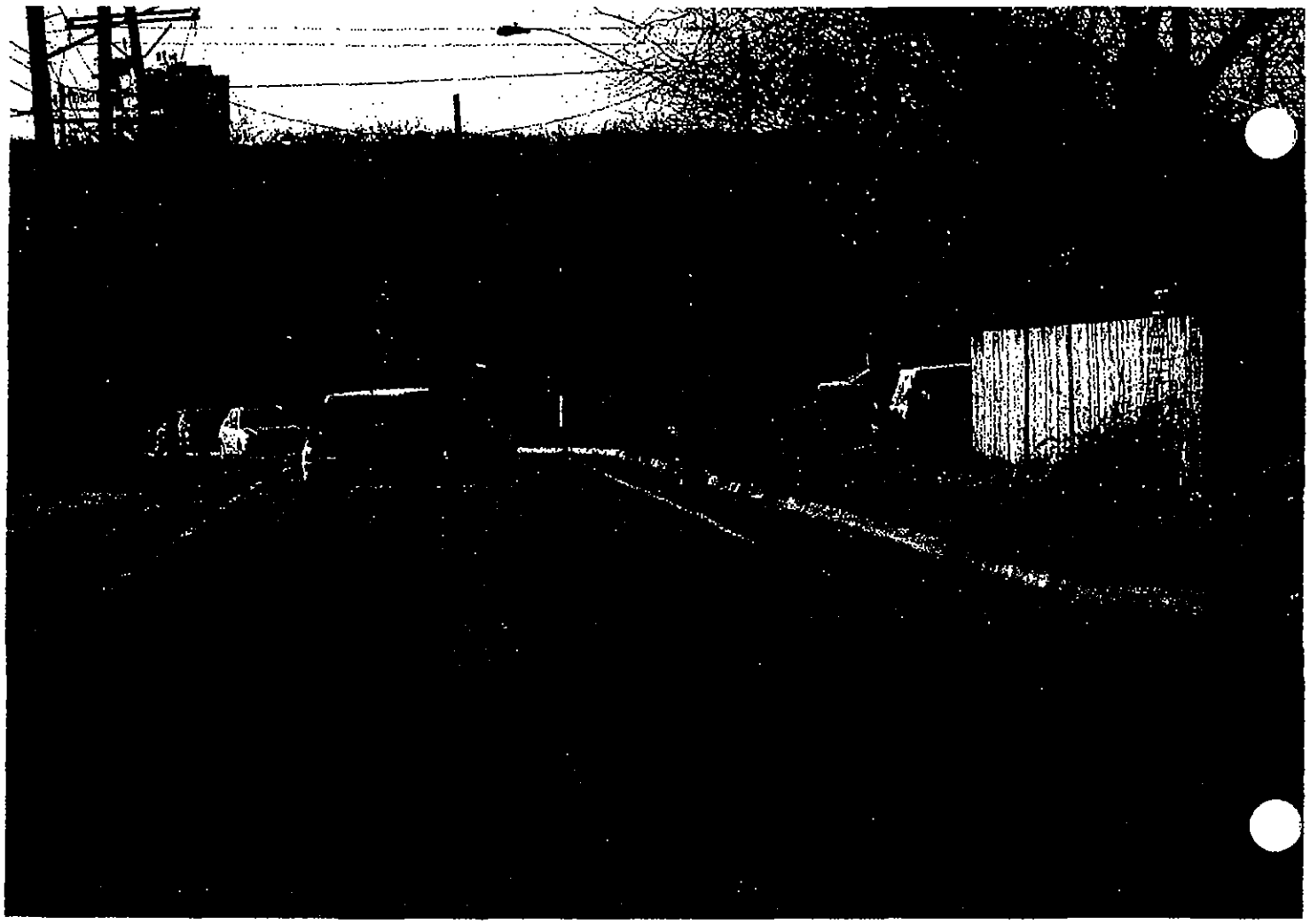
August 12, 2004 **ACTION:** Postponed 8-12 to 6-2-04

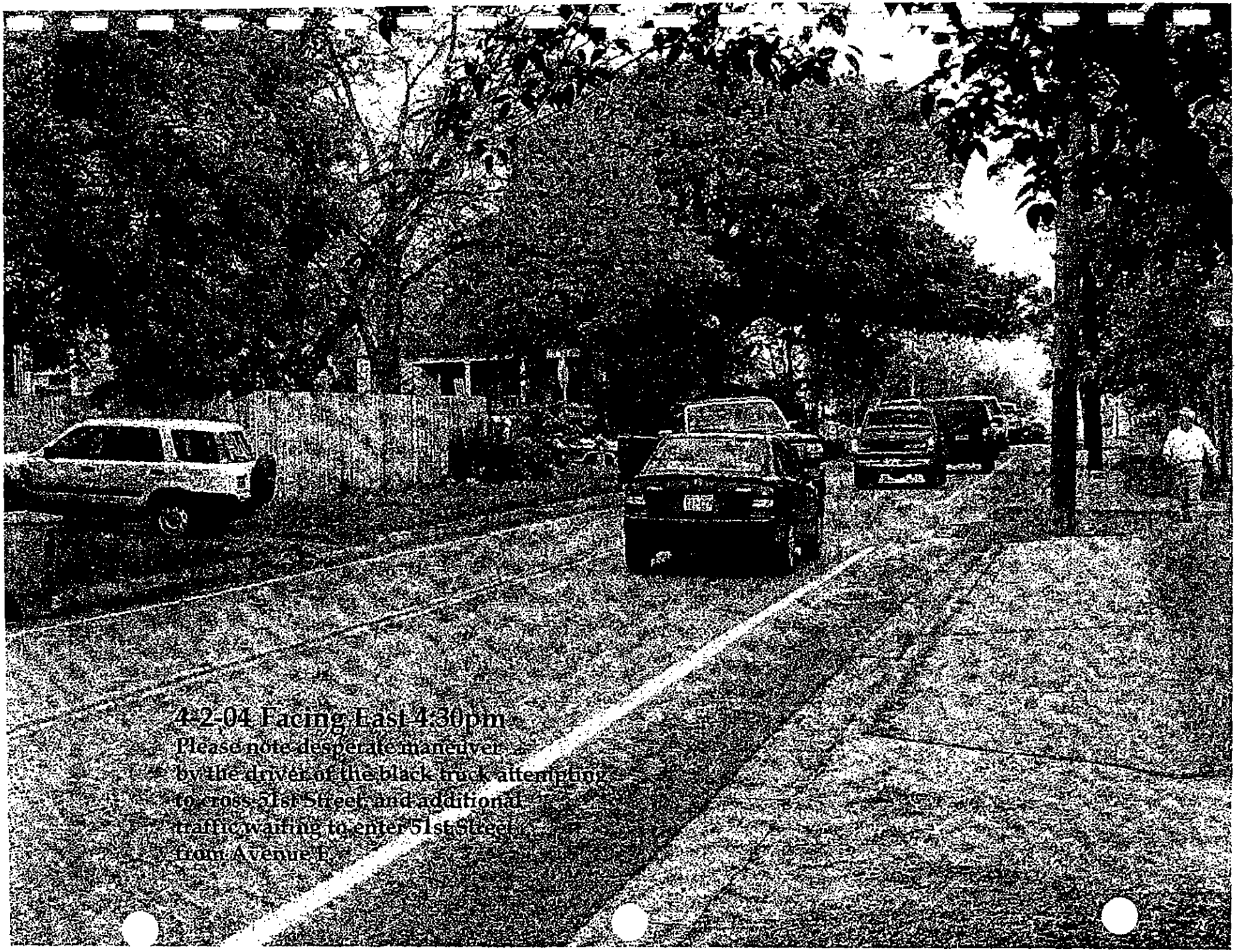
CASE MANAGER: Kathleen Welder (plan amendment) **PHONE:** 974-2856
Ricardo Soliz, NPZD Manager **PHONE:** 974-3524

EMAIL: kathleen.welder@ci.austin.tx.us
ricardo.soliz@ci.austin.tx.us

Sunday 03/07/04 2:30pm

Curve at 100-104 E 51st Street prevents eastbound traffic from becoming visible until it is dangerously close to vehcles turning onto E 51st at Rowena.

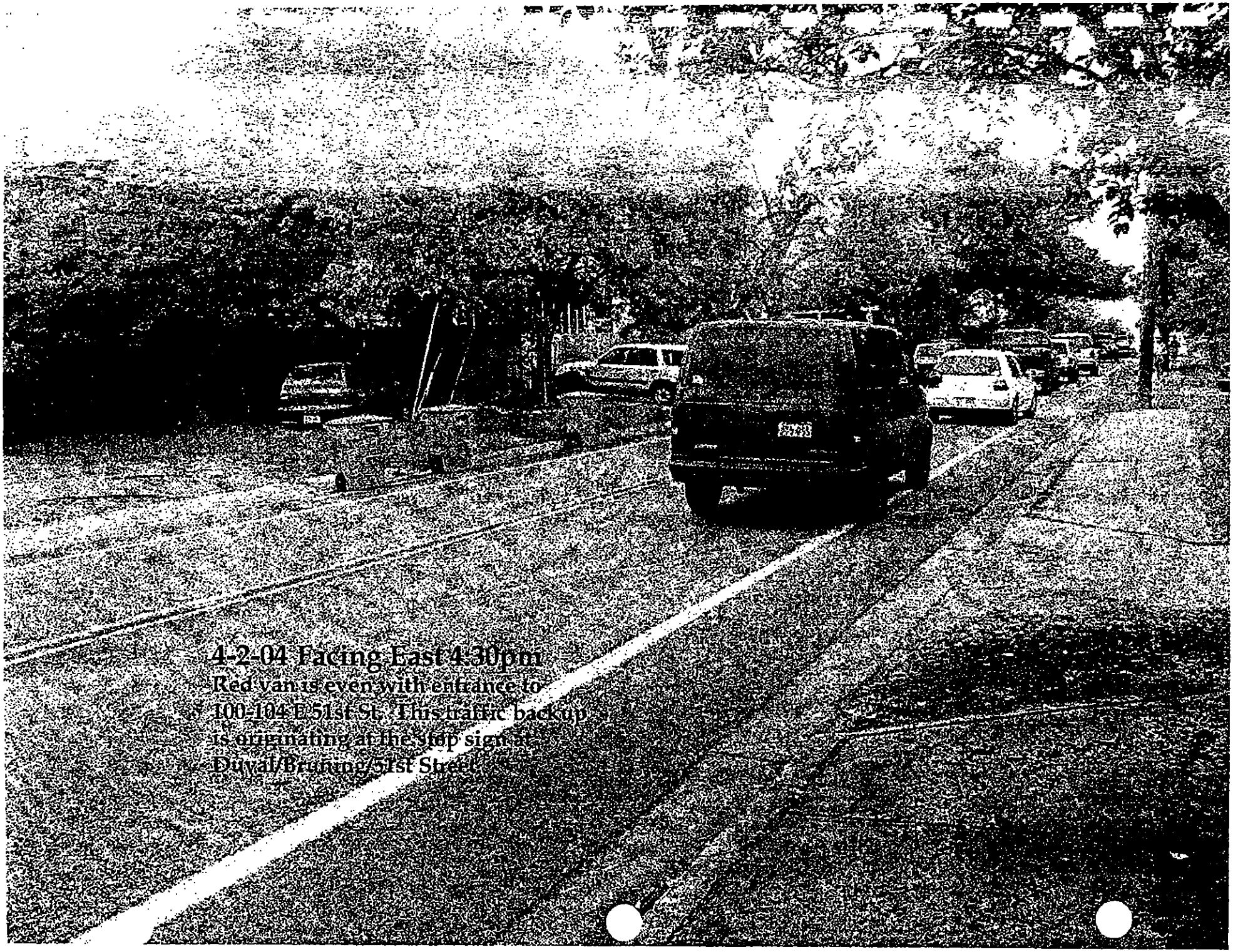




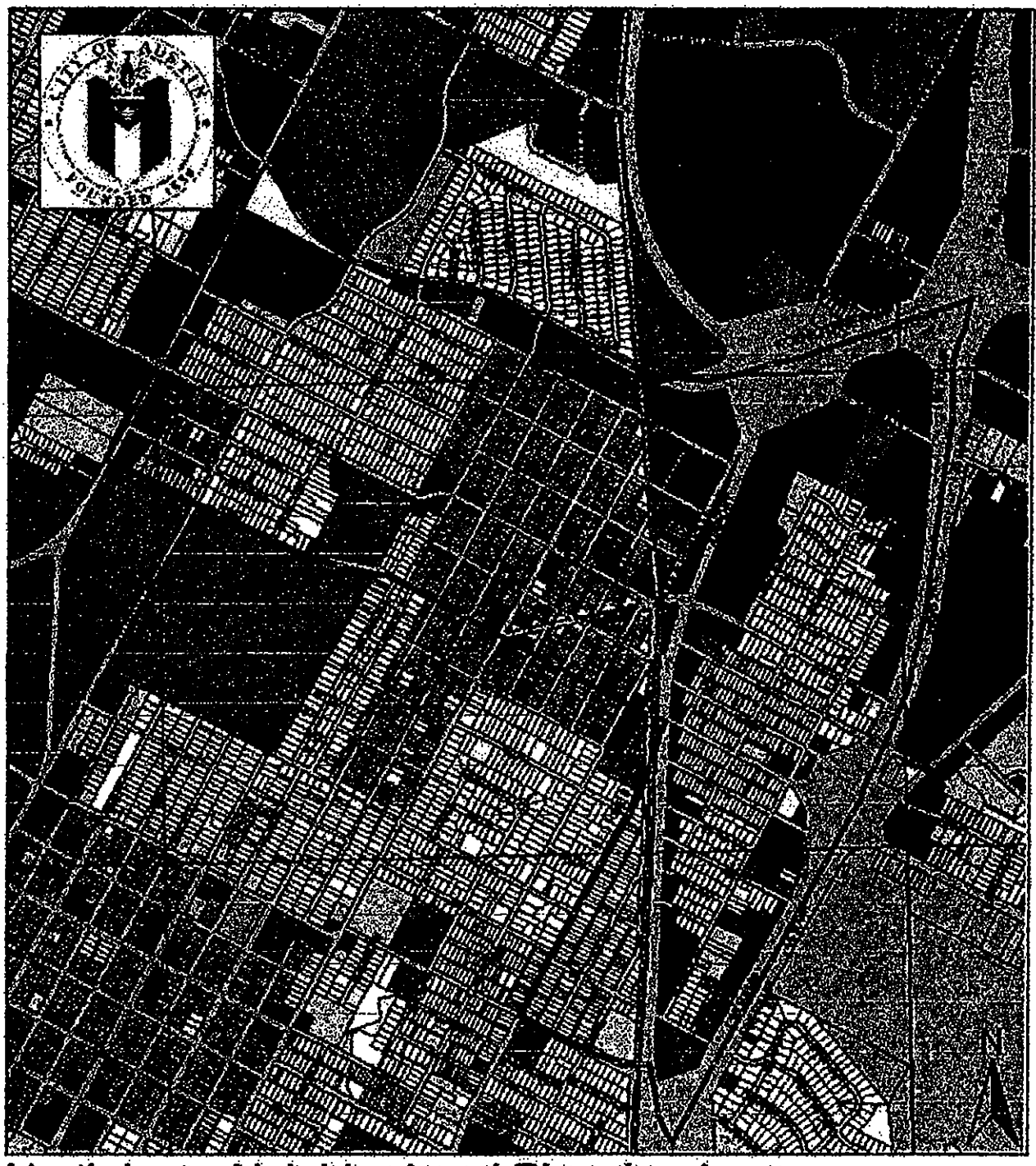
4-2-04 Facing East 4:30pm

Please note desperate maneuver by the driver of the black truck attempting to cross 51st Street and additional traffic waiting to enter 51st Street from Avenue F.

4-2-04 Facing West 4:30pm
Truck headed west is just beyond
the entrance to 100-104 E 51st St.


4-2-04 Facing East 4:30pm
Red van is even with entrance to
100-104 E 51st St. This traffic backup
is originating at the stop sign at
Duval/Bruning/51st Street

5. Map showing the property and location of some nearby commercial developments.



North Loop Neighborhood Planning Area

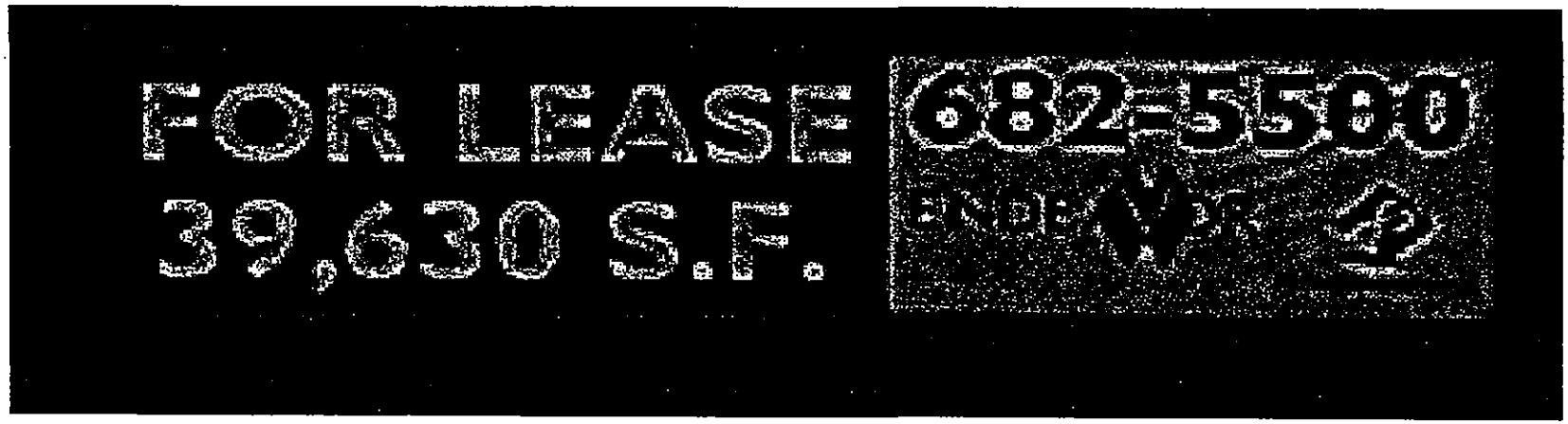
0.2 0 0.2 0.4 Miles

LandUse

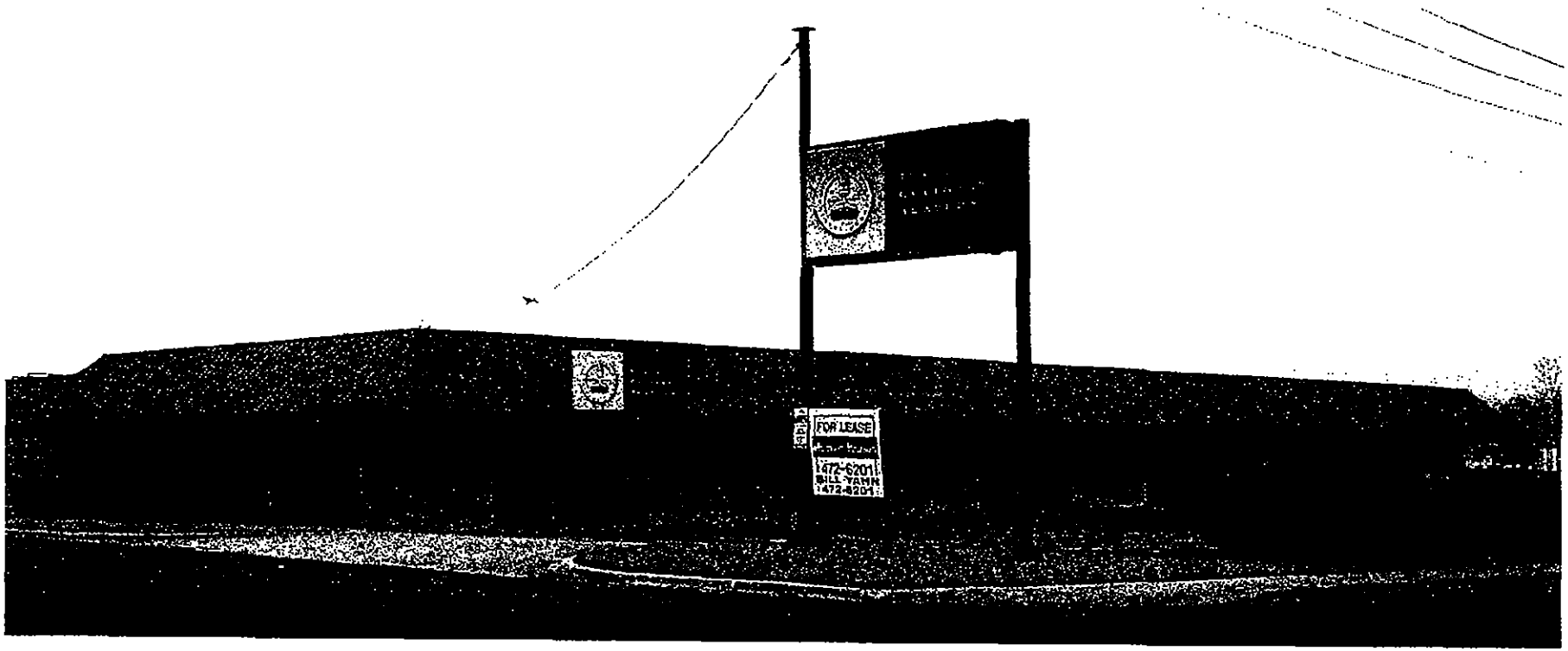
- Large Lot Single-family
- Single-family
- Mobile Homes
- Multi-family
- Commercial
- Office
- Industry
- Mining
- Civic
- Open Space
- Transportation
- Utilities
- Undeveloped
- Water
- Unknown

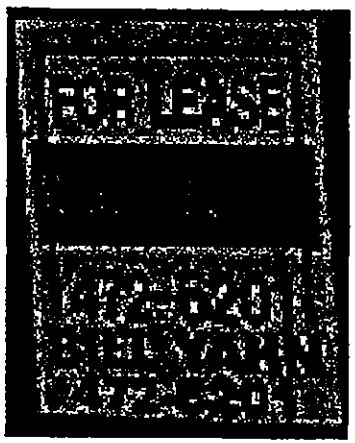
6. Photographs of vacant commercial property in the area.


For Information
Call Situs, Inc
713-626-7700
www.situscos.com
SPACE FOR LEASE
479-0471
FOR LEASE
For Information
Call Situs, Inc
713-626-7700
www.situscos.com
FOR LEASE
39,630 S.F.
682-5500
ENDEAVOR
467-7266
SMALL TENANTS WANTED: MOVING COSTS PAID
FOR LEASE
331-8595

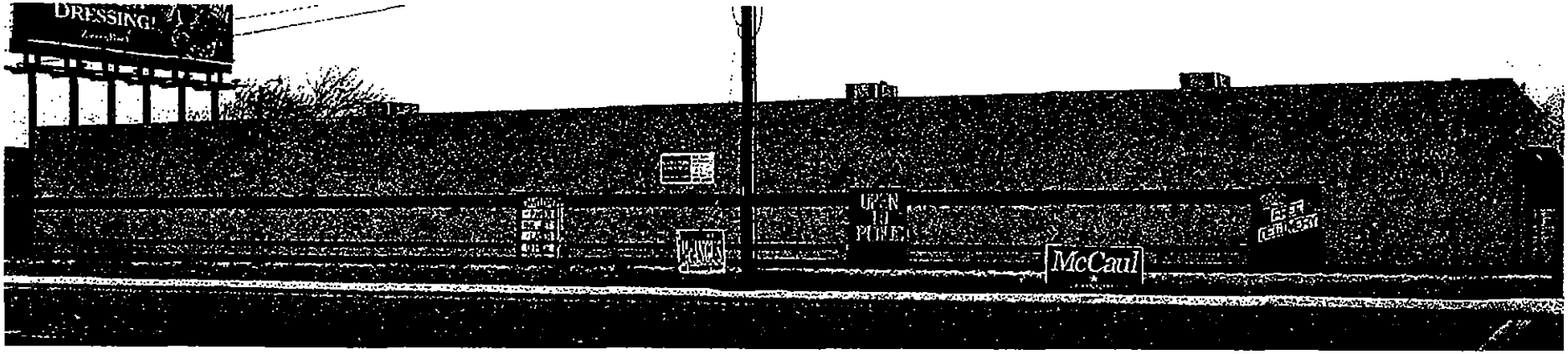


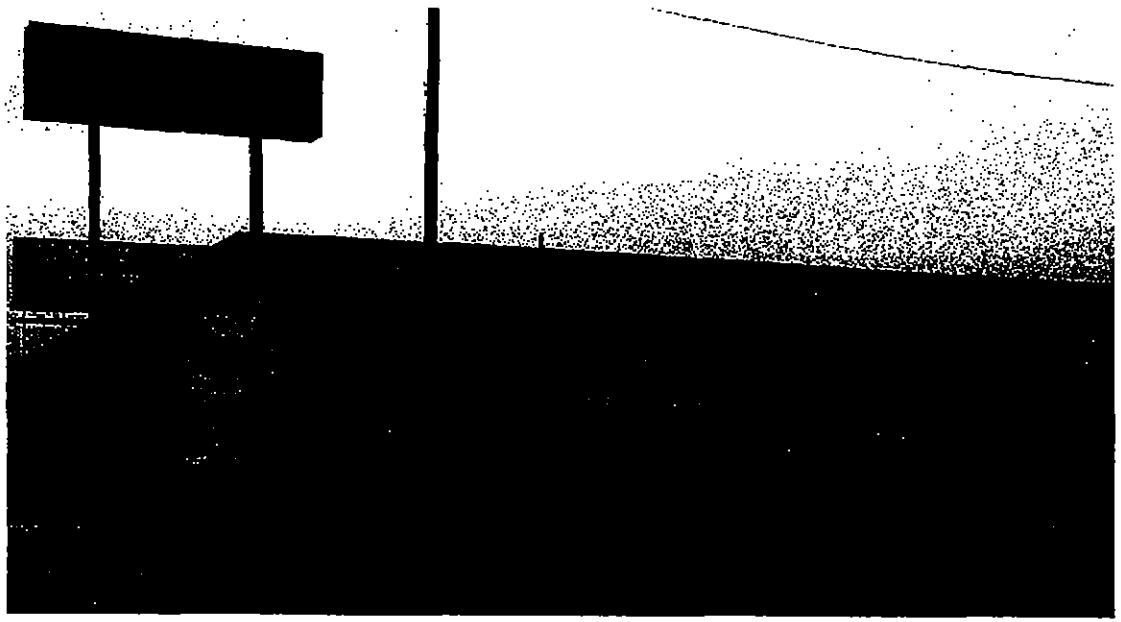
5555 North Lamar

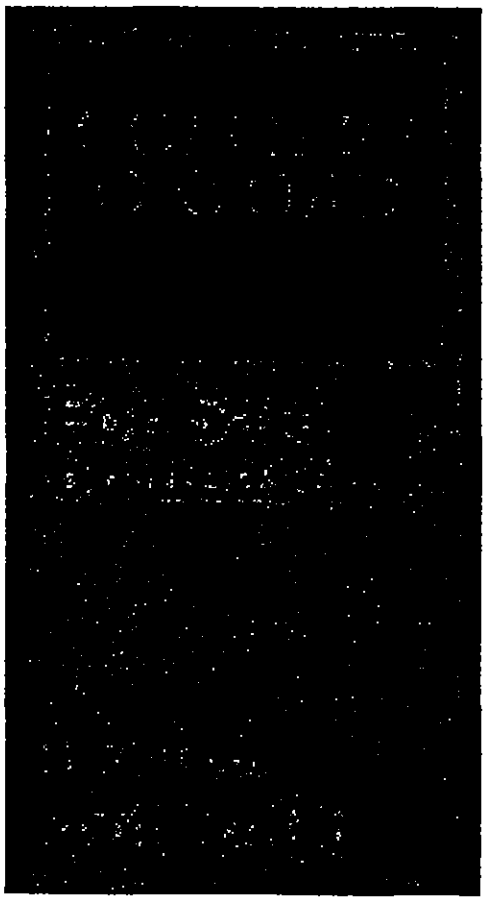




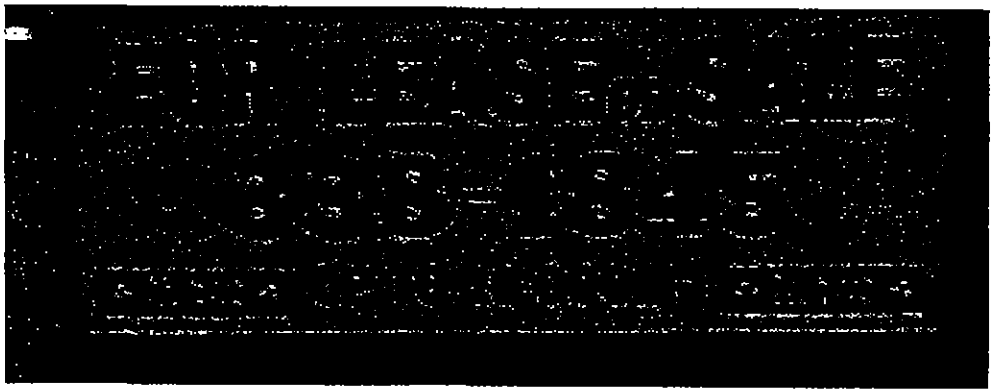
Dillard & Denson



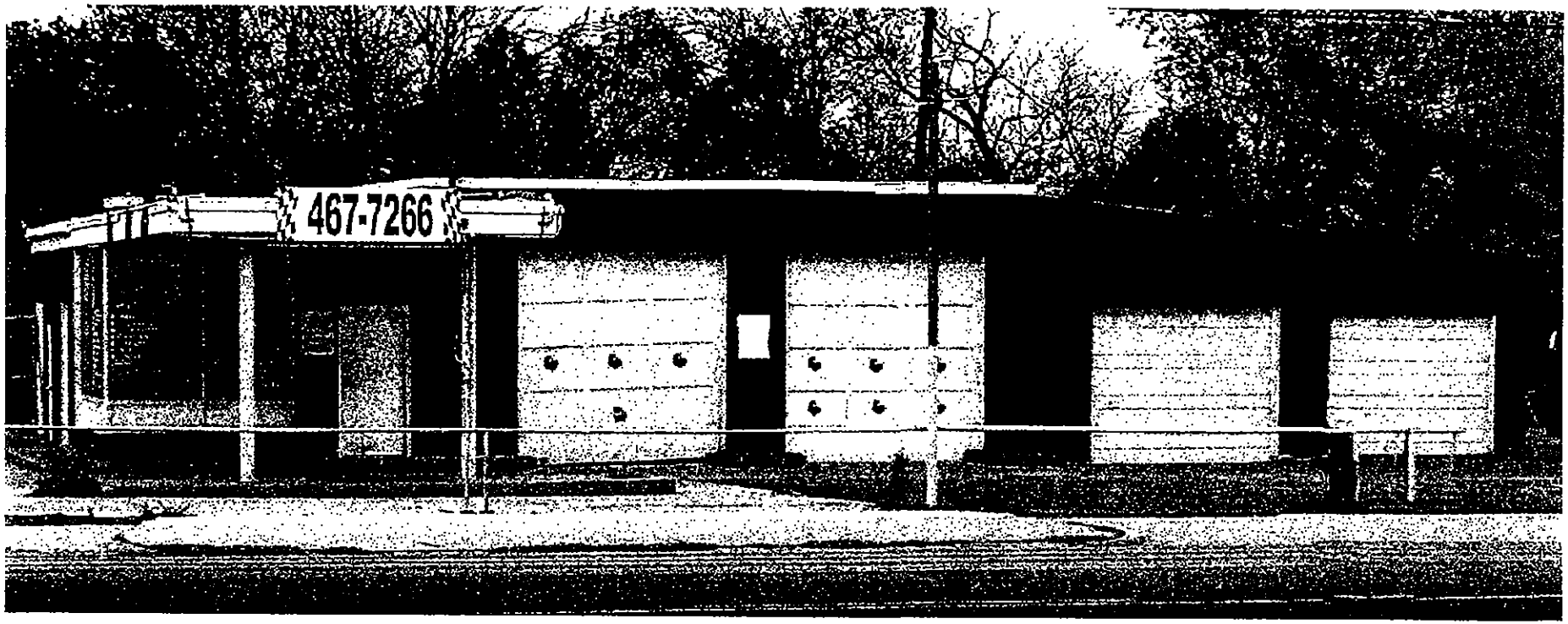




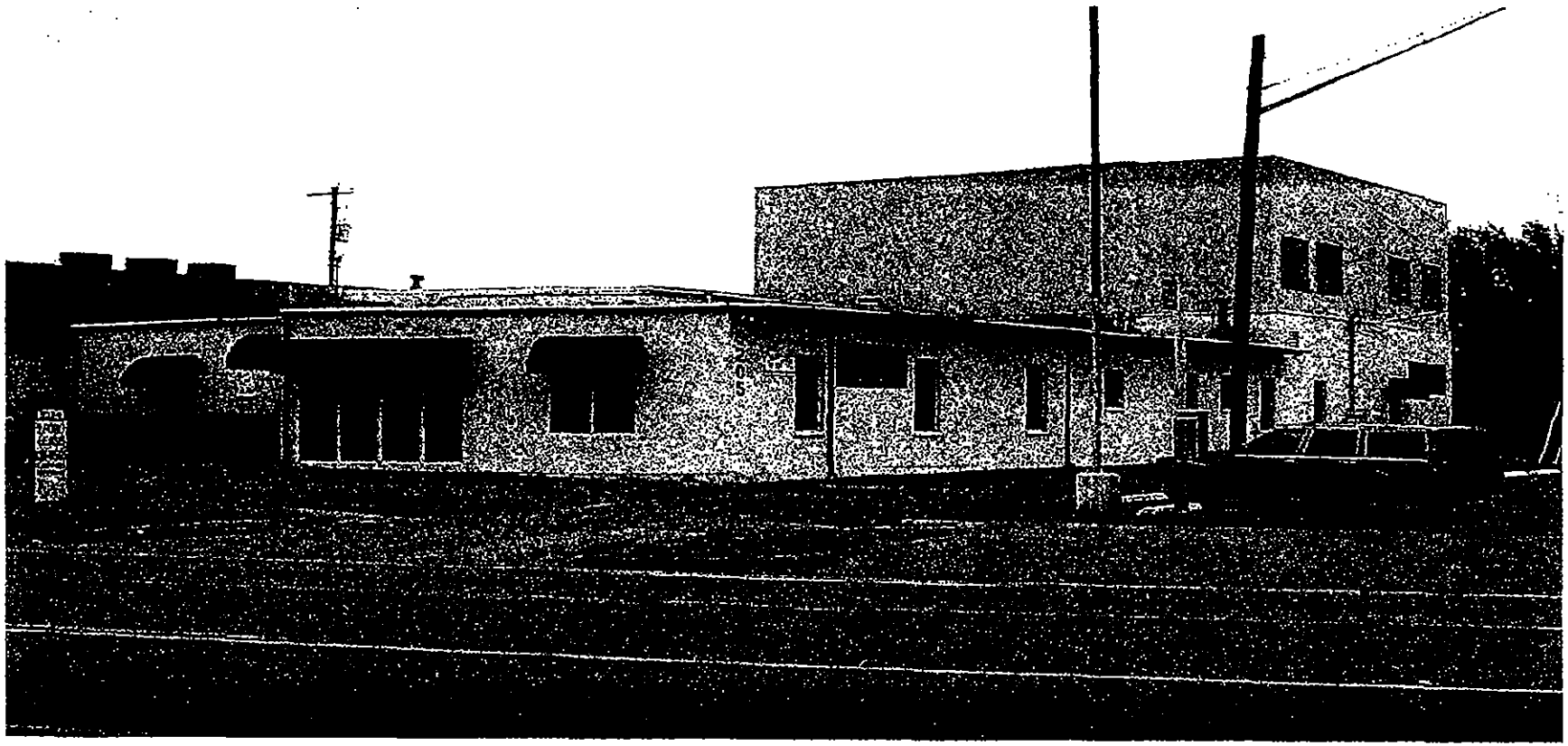
Denson & Airport

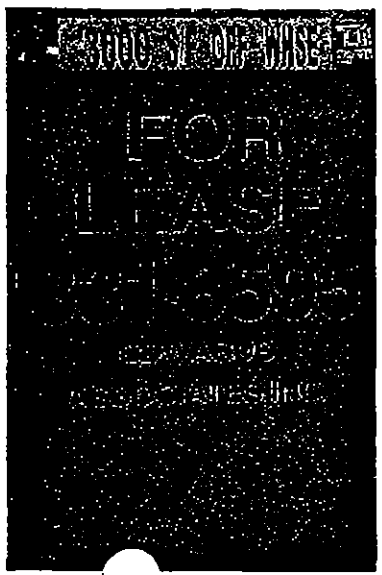


5417 Lamar

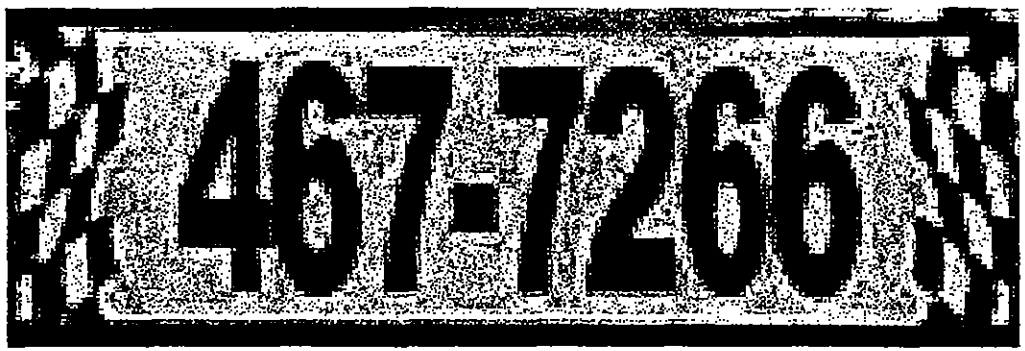


5319 Lamar

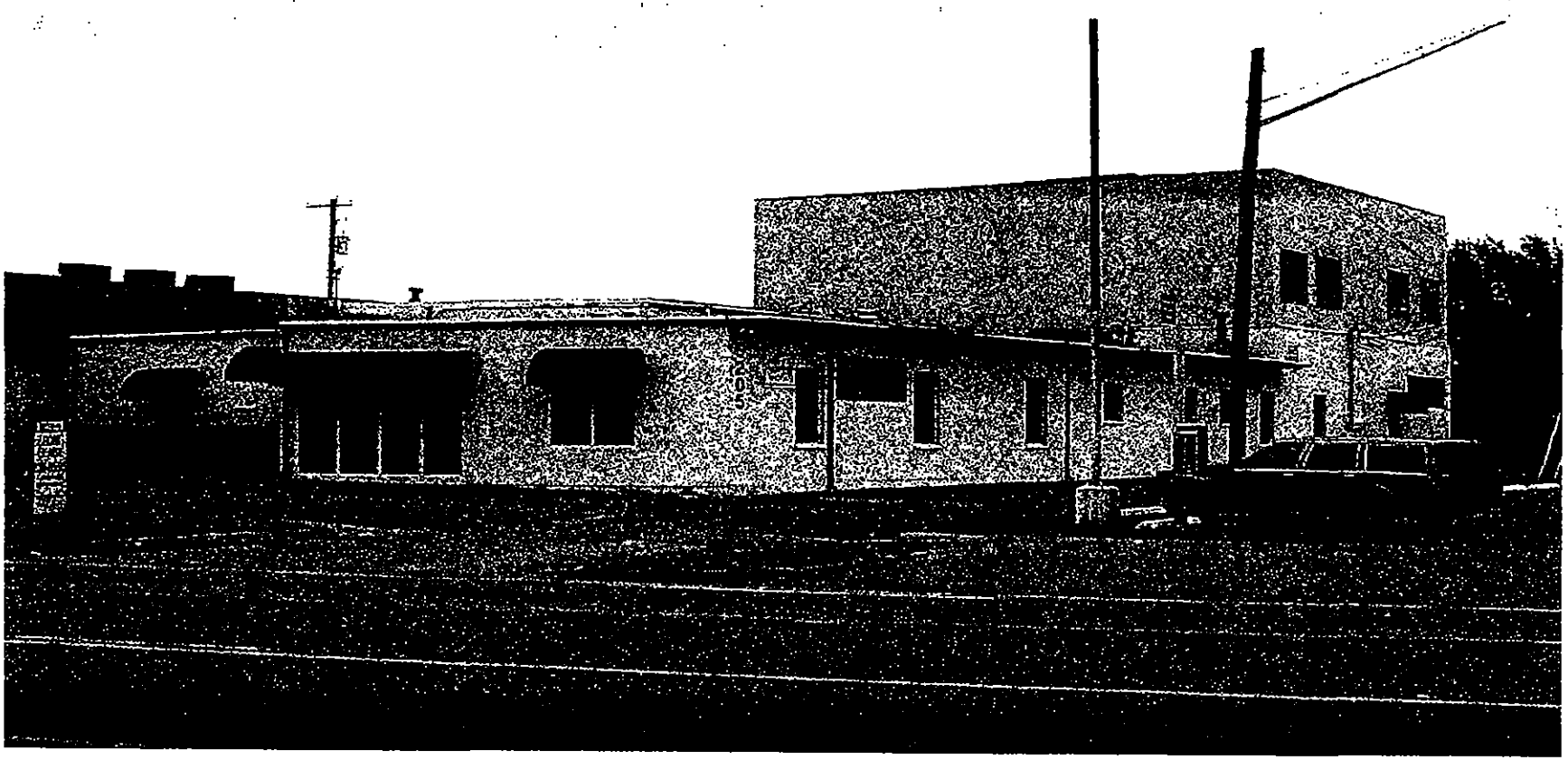


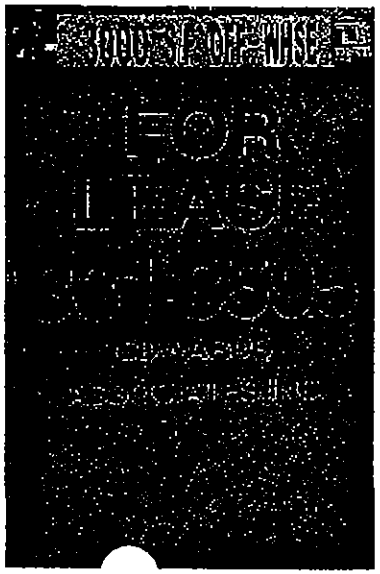


5205 Airport



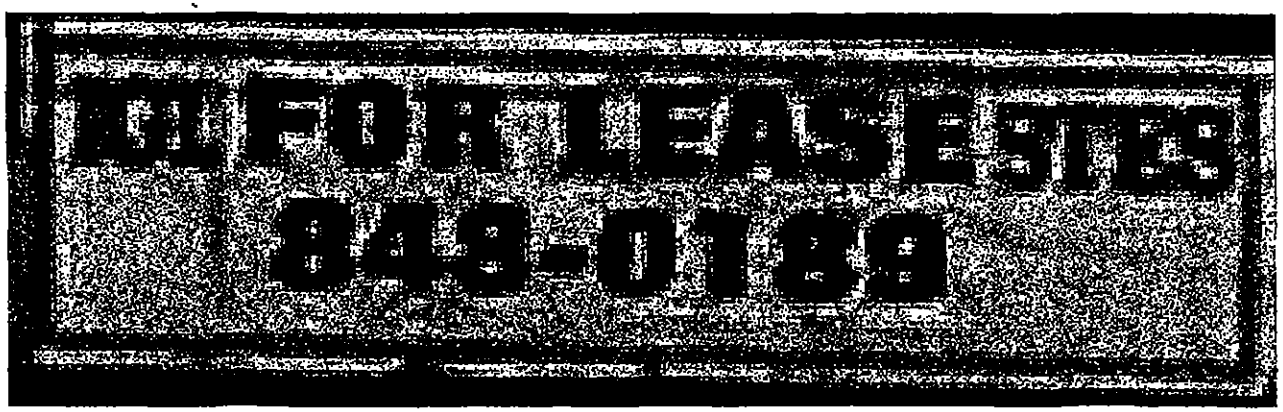
5319 Lamar





5205 Airport

4315 Guadalupe



5102 Clarkson

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7. Copies of the valid petition signed by neighbors opposed to the zoning change, from October 2002, the first time this zoning change was requested.

City of Austin, Neighborhood Planning & Zoning Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

NOTICE OF PLANNING COMMISSION PUBLIC HEARING FOR A PROPOSED ZONING CHANGE

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2680.

Mailing Date of this Notice: October 11, 2002 **File Number: C14-02-0113**
Mailing Date of first Notice: July 17, 2002

ADDRESS AND/OR LEGAL DESCRIPTION OF PROPOSED ZONING CHANGE: (See map) 100, 102, & 104 East 51st Street

PROPOSED ZONING CHANGE:

FROM: *SF-3-NP Family Residence district is intended as an area for moderate density single-family residential use, with a* minimum lot size of 5,750 square feet. Duplex use is permitted under development standards which maintain single-family neighborhood characteristics. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements. NP--Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

TO: LR-MU-NP Neighborhood Commercial district is intended for neighborhood shopping facilities which provide limited business service and office facilities predominately for the convenience of residents of the neighborhood. MU--Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development. The MU combining district is intended for use in combination with the NO base district only when its use will further the purposes and intent of the NO base district. NP--Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

OWNER: Eileen Merritt, Inc. (Sharon Sargent) PHONE: (512) 328-6995

AGENT: Eileen Merrit, Inc. (Mike Rhoades) PHONE: (512) 748-3377

PLANNING COMMISSION HEARING DATE: October 23, 2002 **TIME: 6:00 PM**

LOCATION: 505 Barton Springs Road, One Texas Center 3rd Floor, Training Room #325, Austin

If you have any questions concerning this notice, please contact Glenn Rhoades at the City of Austin, Neighborhood Planning & Zoning Department, (512) 974-2775. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call. See enclosed sheet for more information on public hearings.

You may send your written comments to the Planning Commission Assistant, Transportation, Planning & Sustainability Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-02-0113 **Planning Commission Hearing Date: October 23, 2002**

Name (please print) Thelma Boerling

Address 700 FM 247 Hentwood TX 77520

931-295-0256

☐ I am in favor
(Estoy de acuerdo)
☑ I object
(No estoy de acuerdo)

5 October 2002

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-02-0113). I object to the proposed rezoning as the increase in traffic, noise, pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1.		CHRIS GAMBLE	5100 AVENUE F	512-371-0893
2.		RICHARD STEINBERG	5107 AVENUE F	512-453-1445
3.		BENGARZA III	100 E. 52	512-4545452
4.		BENGARZA III	102 E. 52	512-4545452
5.		BENGARZA III	104 E. 52	512-4545452
6.		DAVID R. ALBERT	5105 AVENUE F	512-258-6602
7.		Valerie L. Moreland	5114 Avenue F	512-452-1333
8.		EVELYN LINDSEY	5102 AVE F	512-453-2435
9.		Steven L. Harrington	5014 Ave F	512-374-932
10.		TINA DACUS	5101 Avenue F	512-302-3386
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5 October 2002

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	SIGNATURE	NAME	ADDRESS	PHONE
1.		DON BONNER	5106 Ave F / 300 N. State St, Chicago	312-644-3506
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Larry Walker	Larry Walker	5200 Ave F.	454-2115
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	SIGNATURE	NAME	ADDRESS	PHONE
1.		Phyllis Jeanette Dodgen	19 Casa Verde	261-0677
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26.		owner of	5115 Ave F	

5 October 2002

I, the undersigned, own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-02-0113). I object to the proposed rezoning as the increase in traffic, noise, pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1.	Wendy Hedeen	Wendy Hedeen	(5111 Ave F Austin, Tx) 2211 Lyman Dr. Lansing MI 48912	517-484-2600
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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Sylvia Knauer	Sylvia + Kirk Knauer	5109 Avenue F, Austin TX Residence: 110 E Blithedale Ave, Mill Valley, CA 94941	415/383-8685
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5 October 2002

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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Vincent C. Geisler	VINCENT C. GEISLER	5108 AVENUE F	689-8714
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5 October 2002

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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Peter C. Brust	Peter C. Brust	5112 AVE F. Austin, TX	940-498-4301
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5 October 2002

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	SIGNATURE	NAME	ADDRESS	PHONE
1.	Jean Neal	JEAN D. NEAL	1237 MAIN GEORGETOWN, TX 78626	930 9581
2.				
3.	I own a single family home at			
4.	105 E. 52nd street Austin, TX			
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1 October 2002

Dear Planning Commission,

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-02-0113) as the increase in traffic,noise, pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change.Thank you .

Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		COBNM. HARWELL	5013 AVE H.	302.1129
2)		DAVID ALEMAN	5014 Ave H	452-6465
3)		THOMAS EGAN	5012 Ave H	458-6918
4)		[illegible]	5016 Ave H	302-0684
5)		BECKY BRYNE	5009 AVE H	451 5092
6)		Mel Black	5007 Ave H	454-6901
7)		Chashna McKay	5005 Ave H	471-6056
8)		Melanie Gray	5006 Ave H	459-6887
9)		ALLISON PEARCE	5002 Ave H	374-1777
10)		Kate Frederick	5000 Ave H	560-7190
11)		MILDRED COLLINS	4914 Ave G	459-6274
12)		JAMES TYKALSKY	5000 Avenue G	512) 323-6289
13)		BEN BARR	5001 Avenue G	(512) 371-1186
14)		GREGORY PARKER	5003 Ave G	689-0121
15)		Mary Stanley	5005 Ave G	321-9803
16)		STEVEN BROKAW	5004 Ave G	323-9216
17)		LORIE BEEMSTER	5006 Ave G.	451-2550
18)		Philip Rowen	5004 Ave G.	407-8025
19)		Nevin Laughlin	303 E 51st	450-0513
20)		Addie Bell Parker	205 E. 51st	459-7481
21)		Rebecca Robertson	5010 Avenue F	699-5954
22)		Stephanie Watson	5010 Avenue F	296-6867
23)		ERIC M. MILLS	5000 AVE F	374-9064
24)		Jeremy Behnke	4904 Ave F	420-9899
25)		E Hanvey	4904 Ave F	420-9899
26)		Ishrat Malik	4904 Ave F	420-9899
27)		WARREN D. JONES	4900 ROWENA	4532025
28)		Margaret Jones	4900 Rowena	453 2025
29)		4815 Rowena	4815 Rowena	467-0594
30)		4815 Rowena	4815 Rowena	467-0594
31)		4804 Rowena	Kathleen Thelen	451-8607
32)		4904 B Rowena	James M. Paine	4490896
33)		STEVE GRILL	STEVE GRILL	4708300
34)		ANDREW KALBERG	4904 Rowena Ave #A	586 965 9993
35)		Jennifer T. Bratton	4804 A Rowena	301 1748
36)		Frank May	5005 Rowena	286-7389
37)		Ruben Heyne	5006 Rowena	453-3867
38)		[illegible]	5010 Rowena	374-[illegible]
39)		Selenia Rios	5014 A Rowena	458-0129
40)		HOLLY PARKS	4913 Ave G.	467-7491

The above information is solely to aid the Planning Commission in deciding this case(File # C14-02-0113). This information may not be sold or given to any other entity without expressed written consent of each party listed above.

resident within 200

1 October 2002

Dear Planning Commission,

As a resident of the neighborhood, I object to the proposed zoning change at 100,102,&104 East 51st Street (File # C14-02-0113) as the increase in traffic,noise, pollution, and litter will surely negatively impact the quality of life for my family and me. Please, protect the rights of my family and my neighbors' families to retain our peaceful community and vote against the zoning change.Thank you .

Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Adrian Tegler	5106 Avenue F	(512) 467-6907
2)		Natalie Graham	5110 AVENUE F	(512) 452-0703
3)		Drew Graham	5110 Avenue F	(512) 452-0727
4)		Rebekah Ross	5112 Ave F	(512) 467-7903
5)			5204 Ave F	512-467-3196
6)		SUSANNE KRAFT	5406 ave G	512 278-0013
7)		J.B. KRAFT	5107 Ave G	512 567 4732
8)		Paige Bonesteel	5111 Ave F	(512) 452-3236
9)		MAX DODSON	5115 AVE F	(512) 467-8042
10)		Phil Rocco	105 E 52nd	(512) 452-5511
11)		Chad Hopper	102 E 52	(512) 407-9911
12)		Jeffrey A. Sims	5402 Ave F	512-302-3650
13)		Kristin Cooper	5109 Avenue F	(512) 750-1780
14)		Tom Bonesteel	5111 Ave. F	512) 452-3236
15)		DAVID R. ANDIST	5105 AVENUE F	512-258-6602
16)		LISA HOFFMAN	5102 Avenue G	512-452-7347
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President within 200'

1 October 2002

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)	[illegible]	James [illegible]	5700 Ave H	419-9190
2)	[illegible]	LILA CHAMBERS	5104 AVE H	323-2013
3)	[illegible]	[illegible]	5106 Ave H	78751 371-4893
4)	[illegible]	MCKEE FLAZIER	5111 Ave H	453-9427
5)	[illegible]	Camille Norman	5201 Ave H	451-4043
6)	[illegible]	R MICHAEL AARONSON	307 E 52nd	371-9460
7)	[illegible]	KURTIS COLONNA	5205 AVE H	452-6442
8)	Chiyo Nishida		5213 Ave. H	799-3629
9)	[illegible]		5214 Duval St.	452-6245
10)	[illegible]	Corey Lewis	5210A Duval St.	465-9625
11)	[illegible]		5201 Duval St	458-5009
12)	[illegible]		5115 Duval St.	419-9521
13)	[illegible]		5109 [illegible]	451-1706
14)	[illegible]		5107 Duval St	451-4924
15)	[illegible]		5200 Ave H Austin Tx 78751	916-0552
16)	[illegible]	Michael Kaiser	5202 Ave G	459-0550
17)	[illegible]		5211 Ave G	371-7901
18)	[illegible]	DAVE GEROLD	5112 Ave H	458-9795
19)	[illegible]		5113 AVE G	784 9509
20)	[illegible]	Monique Lee	5110 Ave. G Austin	459-4461
21)	Kendal Barnard	Kendal Barnard	5114 Ave G Aus	452-4392
22)	[illegible]	[illegible]	5201 AVE G	451-1727
23)	Howard Bielss	Howard Bielss	5207 Ave G	296-6500
24)	[illegible]	Miguel Hinojosa	5212 Ave G	323-2789
25)	[illegible]	Matthew J Schultz	5203 Ave H	467-0030
26)	[illegible]	Aaron Valdez	5204 Ave H	420-8437
27)	[illegible]	Keith Carlson	5207 Ave H	731-2372
28)	[illegible]		5513 Ave H Austin TX 78751	512-452-7706
29)	[illegible]		5209 Ave H ; Austin TX 78751	512-407-4584
30)	[illegible]		5210 Ave H, Austin, TX 78751	512-698-3647
31)	[illegible]		5212 Ave H Austin TX 78751	371-0153
32)	JIM CASTILLO		5212 Ave H Austin TX 78751	371-0153
33)	[illegible]		5214 Ave H Austin Tx 78751	371-1553
34)	[illegible]		5208 Ave H 78751	459 1794
35)	[illegible]	Kendra Bartsch	5109 Ave. H, Austin, TX 78756	323-5[illegible]
36)	[illegible]	Brad Johnson	5107 Ave H 78751	458-9353
37)	[illegible]		5106-B Ave H 78751	
38)	Reece Garcia		5101 Ave H 78751	451-4616
39)	[illegible]	Richard [illegible]	5107 Avenue [illegible] 78751	452-1445
40)	[illegible]		203 W 51st 78751	663-2871

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1 October 2002

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Sincerely,

SIGNATURE	NAME	ADDRESS	PHONE
1)	JIM MOORE	212 W. 51st St.	(512) 451-6094
2)	MARK GRAVES	212 W 51st	(512) 371-9041
3)	Lynn Appleby	218 B W 51st	512 302-5287
4)	Cynthia Lisle	5101A Leralynn	512 431-6252
5)	NASH FRANSON	5101 B LERALYNN	512-970-5195
6)	[illegible]	5100 LERALYNN	419-9438
7)	Monica Meriage	304 W 51st	512 454 4189
8)	Tommy Ice	408-A West 51st	512-454-4572
9)	Erik Bliss	506 Zennia St	512-302-3628
10)	Matt McGuigan	504 Zennia	" " 302-0245
11)	K. MARIA LANE	503 ZENNIA ST	512 419-9594
12)	Dolores M. Sales	501 Zennia st	512 323-2154
13)	Brad Pippins	406 Zenaida St.	512-428-9855
14)	Maria de L. Acevedo	405 ZENNIA ST	512 454 3242
15)	Joyce Meredith	402 Zennia St	512 453-4860
16)	Sandy Woods	400 Zennia	512 453-9792
17)	Brad Ferguson	302 Zennia	512-419-6399
18)	Brian Carrig	307 Zenaida	512-587-6234
19)	Rachel Rhodes	301 Zennia	512-371-9170
20)	Jennifer gray	301 Zennia st	512 371 9170
21)	Brad Fulkerson	5202 Leralynn	512 467-7692
22)	Hollie Fulkerson	5202 Leralynn	512-467-7692
23)	Rachel Snyder	301 Genard St.	512-380-0151
24)	[illegible]	303 Genard	512-452-7189
25)	LAUREN ODMAN	304 GENARD	512-380-0292
26)	Matt Odman	304 Genard St	512-380-0292
27)	Maria Ketzlaff	400 Genard Street	512 371-0798
28)	[illegible]	406 Genard	512-458-5081
29)	[illegible]	409 GENARD	451-6367
30)	CHRISTINE NALL	422 Genard	458-2774
31)	KATHY KIDD-BONILLA	501 GENARD	452-4826
32)	MARK BROWN	504 GENARD	453-6866
33)	[illegible]	506 GENARD	789-6263
34)	BRIAN DONOVAN	508 Genard st	453-8144
35)	Ethan Klein	5208 Guadalupe st	214-537-8208
36)	Susan Svedeman	5211 Leralynn St.	451-9609
37)	Sarah Bulbolz	5209 Leralynn st	467-9064
38)	[illegible]	5203 Leralynn St.	(512) 454-8053
39)	Sheila Adams	5104 Avenue G	(512) 451-1350
40)	Neil Scott	5103 Ave F	512 458-4836

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1 October 2002

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Sincerely,

	SIGNATURE	NAME	ADDRESS	PHONE
1)		Geoffrey L. Clifton	4911 Ave. G	(512) 454-8055
2)		Lauren Arbuthnot	4910 Ave G	512 452-5975
3)		JEFF BAGSDALE	4908 AVE. S	512 302-5834
4)		Scott Myers	4907 Ave. G	512 323 6519
5)		Heidi Bojesen	4907 Ave G	512 323-6519
6)		Peter Whitehill	4905 Ave G	512 453 3562
7)		JODY AVERY	4900 AVE G	512 458-3359
8)			4819 Ave G.	512 458-4992
9)			4814 AVE G	512 451-6903
10)				512 454-9483
11)		Kevin Ashton	4807 Ave G	512 423 5838
12)				512 459-0678
13)				236-8834
14)			4805 AVE G APT A	512 419 1035
15)			4803 Ave G	453-6981
16)			4714 Ave. G	512-458-4439
17)			4713 Ave G.	512 302-3791
18)			4713 Ave G	472-9838
19)			4712 Ave G	450-1757
20)			4712 Avenue G	450-1757
21)			4708 AVE. G.	458-2367
22)			4701 Ave G	432 1371
23)			4703 Ave H	(512) 454-5960
24)			4705 Ave H	453-0547
25)			4709 Ave H	453-9001
26)			4709 Ave H.	
27)			4710 Ave H	451-3480
28)			4713 B Ave H	451-4899
29)			4802 Ave H	451-5663
30)			4802 Ave H	451-5663
31)			4803 Ave H	458-1038
32)			4808 Ave H	453-3092
33)			4908 Ave H	459-3096
34)			4905 Avenue H	459-5036
35)			4914 Ave H	454-1542
36)			5018 Ave F	452-3606
37)			5018 Ave. F	452-8929
38)				
39)				
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City of Austin, Neighborhood Planning & Zoning Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

NOTICE OF PLANNING COMMISSION PUBLIC HEARING FOR A PROPOSED ZONING CHANGE

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2680.

Mailing Date of this Notice: February 13, 2004 **File Number: C14-04-0015**
Mailing Date of first Notice: February 4, 2004

ADDRESS AND/OR LEGAL DESCRIPTION OF PROPOSED ZONING CHANGE: (See map) 100 - 104 East 51st Street & 0 East 51st Street

PROPOSED ZONING CHANGE:

FROM: SF-3--Family Residence district is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. Duplex use is permitted under development standards which maintain single-family neighborhood characteristics. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements.

TO: LR-MU-CO-NP-Neighborhood Commercial district is intended for neighborhood shopping facilities which provide limited business service and office facilities predominately for the convenience of residents of the neighborhood. MU--Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development. The MU combining district is intended for use in combination with the NO base district only when its use will further the purposes and intent of the NO base district. CO--Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. NP-Neighborhood Plan denotes a tract located within the boundaries of an adopted Neighborhood Plan.

OWNER/AGENT: Northfield Design Assoc., PLLC (Don Smith) PHONE: (512) 302-1458

PLANNING COMMISSION HEARING DATE: February 24, 2004 **TIME: 6:00 PM**

LOCATION: 505 Barton Springs Road, One Texas Center 3rd Floor, Training Room #325, Austin

If you have any questions concerning this notice, please contact Glenn Rhoades at the City of Austin, Neighborhood Planning & Zoning Department, (512) 974-2775. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call. See enclosed sheet for more information on public hearings.

You may send your written comments to the Planning Commission Assistant, Transportation, Planning & Sustainability Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-04-0015-GR **Planning Commission Hearing Date: February 24, 2004**

Name (please print) DOUGLAS BONNER

Address OWNER: 5106 AVENUE F

☐ I am in favor
(Estoy de acuerdo)
☒ I object
(No estoy de acuerdo)

Within 200'

20 February 2004

I, the undersigned , own a home and/or property within 200' of the proposed zoning change at 100,102,&104 East 51st Street(File # C14-04-0015). I object to the proposed rezoning as the increase in traffic, noise, air pollution, litter, and light pollution will surely negatively impact my property value as well as the quality of life for me and my family.

	SIGNATURE	NAME	ADDRESS	PHONE
1.	Larry Walker	LARRY WALKER	5210 Ave F - Austin	(512)448-2015
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The information above is solely to aid the Austin Planning Commission and Austin City Council in deciding this case(File#C14-04-0015). This information may not be sold or given to any other entity without the expressed written consent of each party listed above._