

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Govalle/Johnston Terrace Combined

CASE#: NPA-2018-0016.01 **DATE FILED:** July 2, 2018 (In-cycle)

PROJECT NAME: Sekrit Theater

PC DATE:

November 13, 2018

October 9, 2018

ADDRESS/ES: 1145/1147 Perry Road

DISTRICT AREA: 3

SITE AREA: Approx. 2.03 acres

OWNER/APPLICANT: Beau Reichert

AGENT: Matt Lewis

CASE MANAGER: Maureen Meredith **PHONE:** (512) 974-2695

STAFF EMAIL: Maureen.meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Higher Density Single Family

Base District Zoning Change

Related Zoning Case: C14-2018-0074

From: SF-3-NP

To: SF-6-NP

NEIGHBORHOOD PLAN ADOPTION DATE: March 27, 2003

PLANNING COMMISSION RECOMMENDATION:

November 13, 2018- After a discussion, the Planning Commission approved the Applicant's request for Higher Density Single Family land use. [P. Seeger – 1st; K. McGraw – 2nd] Vote:

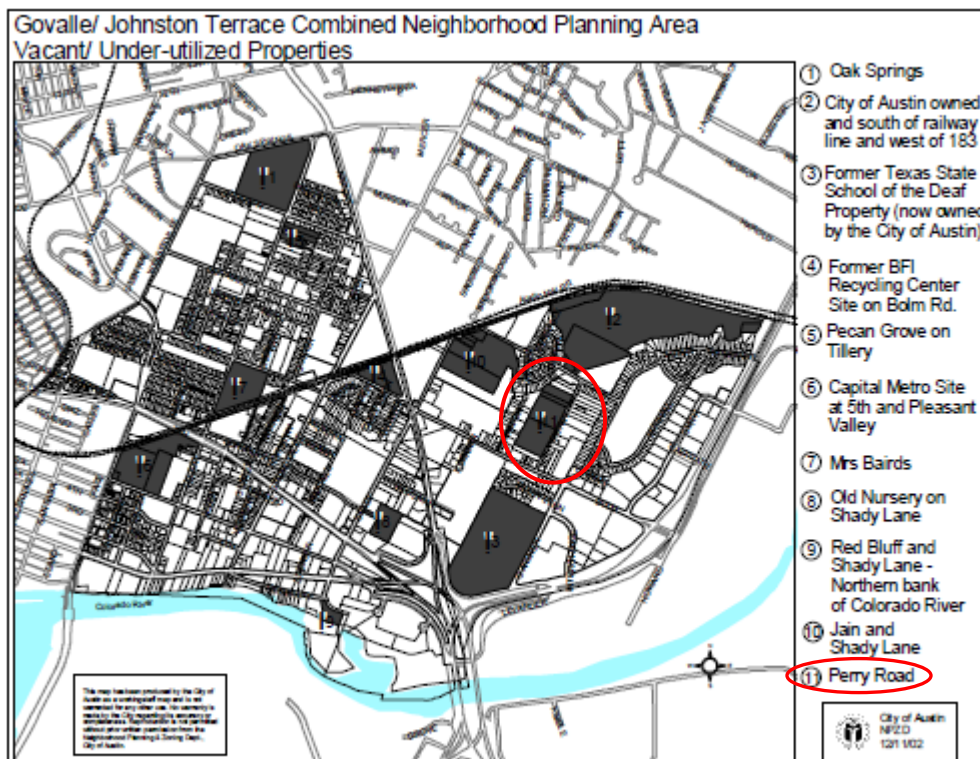
8-3-1 [G. Anderson, J. Schissler, and C. Kenny voted nay. F. Kazi abstained. A. De Hoyos Hart absent].

October 9, 2018 – Postponed on the consent agenda at the request of the Govalle/Johnston Terrace Neighborhood Plan Contact Team to November 13, 2018. [P. Seeger – 1st; K. McGraw – 2nd] Vote: 10-0 [J. Shieh and T. Witte absent. One vacancy].

STAFF RECOMMENDATION: Staff recommends the applicant's request for Higher Density Single Family land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Higher Density Single Family land use because the proposed zoning of SF-6-NP would allow the construction of detached courtyard homes as proposed by the applicant which could provide a variety and increase the number of housing types for the planning area and the City.

The plan document recommends the Perry Road area to be built with small lot residential developments. The proposed development is proposed for courtyard homes to be built on a single lot, but could meet the plans goals of providing a variety of housing types in the planning area.



45

Perry Road

This area is recommended as smaller lot residential development. High quality design standards are encouraged for this site with styles that are reflective of local housing including front porches and houses that address the street.

Below are sections of the Govalle/Johnston Combined Neighborhood Plan document that are relevant to this request:

Land Use Goals

Goal 1: **Adjacent land uses should be compatible.** (Sector Plan)²

Key Principles: Address the "over-zoning" of properties in the Govalle/Johnston Terrace Neighborhood Planning Area. (Sector Plan and modified by Gov/JT)

Goal 2: **Preserve and protect current and future single-family neighborhoods.** (Gov/JT)

Key Principles: Initiate appropriate rezoning to preserve and protect established and planned single-family neighborhoods. (Gov/JT)

Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods. (Sector Plan)

Goal 3: **Develop a balanced and varied pattern of land use.** (Sector Plan)

Key Principles: Provide a balance of land use and zoning for people to both live and work in the area. (Gov/JT)

Encourage mixed use so that residential uses are allowed on some commercial properties. (Gov/JT)

Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment. (Gov/JT)

Goal 4: **Create and preserve a sense of "human scale" to the built environment of the neighborhood.** (Gov/JT)

Key Principles: Ensure that new development and redevelopment respects the existing scale and character of the planning area. (Gov/JT)

Residential uses

- Low density housing that caters to a range of income levels.
- Housing should be priced at a level that local people can afford.
- Neighborhood representatives expressed a strong preference for single family houses that are compatible with existing neighborhoods.
- Housing should be located away from noise and other hazards such as the busy roadways like Airport Blvd.

Single Family Neighborhoods: The preservation of single family neighborhoods is an important priority in this Neighborhood Plan. This FLUM endorses the neighborhoods' desires that established single family neighborhoods in the interior of the planning area be protected from encroachment of incompatible non-residential uses.

Planning principles that support the importance of single family neighborhoods include:

- Preserve and protect current and future single-family neighborhoods
- Initiate appropriate rezonings to preserve and protect established and planned single-family neighborhoods
- Provide a diverse range of housing opportunities for all stages of life and income levels, and
- Encourage the development of affordable single-family and multi-family units on vacant tracts in established neighborhoods.

Housing

Goal 5: **Maintain an affordable and stable housing stock.** (Sector Plan)

Key Principles: Provide a diverse range of housing opportunities for all stages of life and income levels. (Sector Plan and modified by Gov/JT)

Increase home ownership opportunities. (Sector Plan)

Encourage the development of affordable single-family and multi-family units on vacant tracts in established neighborhoods.
(Sector Plan)

Goal 8: Increase opportunities for people to live in close proximity to daily needs such as shopping and transportation.
(Gov/JT)

Housing: Housing issues are number one in this Sector, especially the need for affordable infill housing and for multi-family housing units. The existence of an affordable and stable housing stock; provision of a diverse range of housing types in order to achieve home ownership; adoption of strict housing/building code enforcement, and development of programs in rehabilitation; and the preservation of existing neighborhoods are all priority issues here. (Sector Plan 8, p. 26)

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Single family - Detached or two family residential uses at typical urban and/or suburban densities

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single- family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two- family residential options (Duplex, Secondary Apartment, Single Family Attached, Two- Family Residential) in areas considered appropriate for this type of infill development.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and

3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

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PROPOSED LAND USE ON THE PROPERTY

Higher Density Single- family land use - is housing, generally up to 15 units per acre, which includes townhouses and condominiums as well as traditional small- lot single family.

Purpose

1. Provide options for the development of higher- density, owner- occupied housing in urban areas; and
2. Encourage a mixture of moderate intensity residential on residential corridors.

Application

1. Appropriate to manage development on major corridors that are primarily residential in nature, and
2. Can be used to provide a buffer between high- density commercial and low- density residential areas.
3. Applied to existing or proposed mobile home parks.

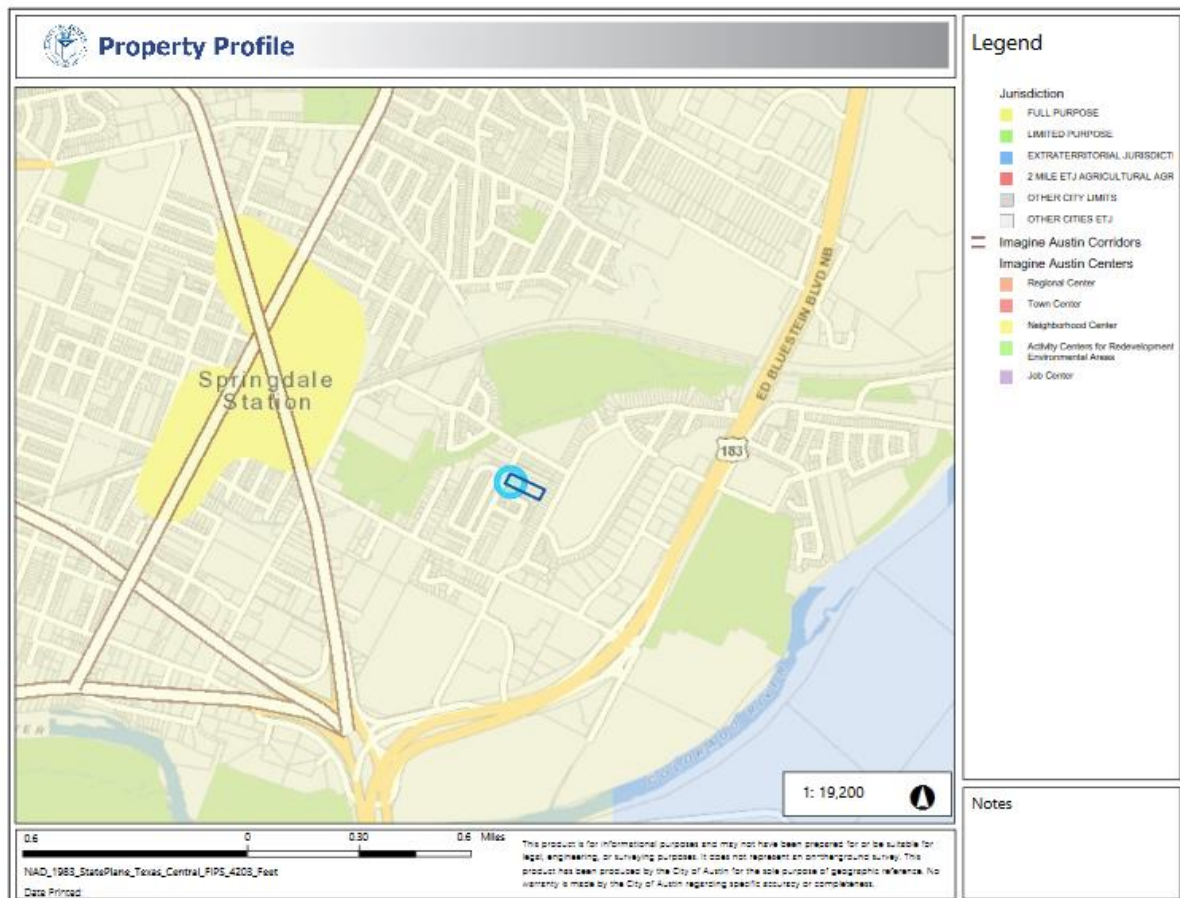
IMAGINE AUSTIN PLANNING PRINCIPLES

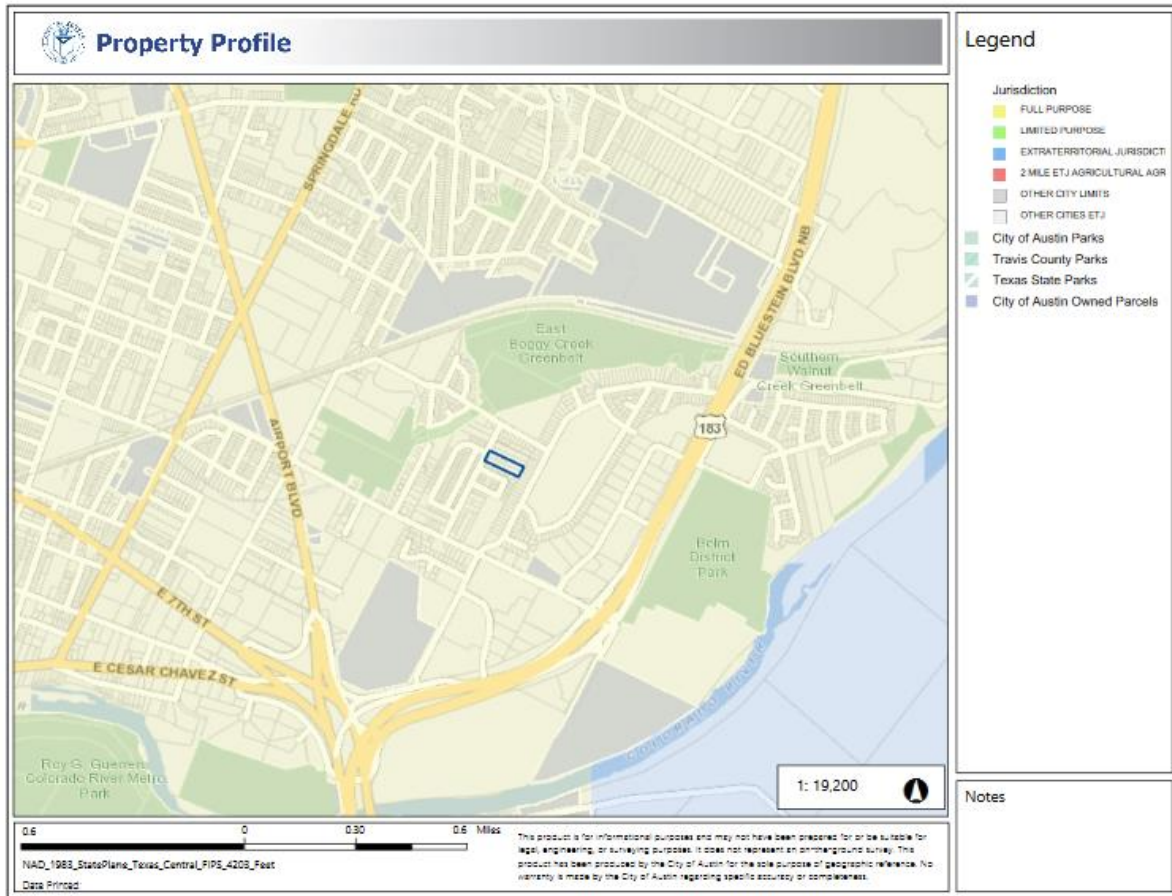
1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
 - ***The applicant proposes to build courtyard homes either for sale or for rent, which would provide a variety of housing types, prices and housing options for the planning area and for the city. The property is located on Perry Road which***

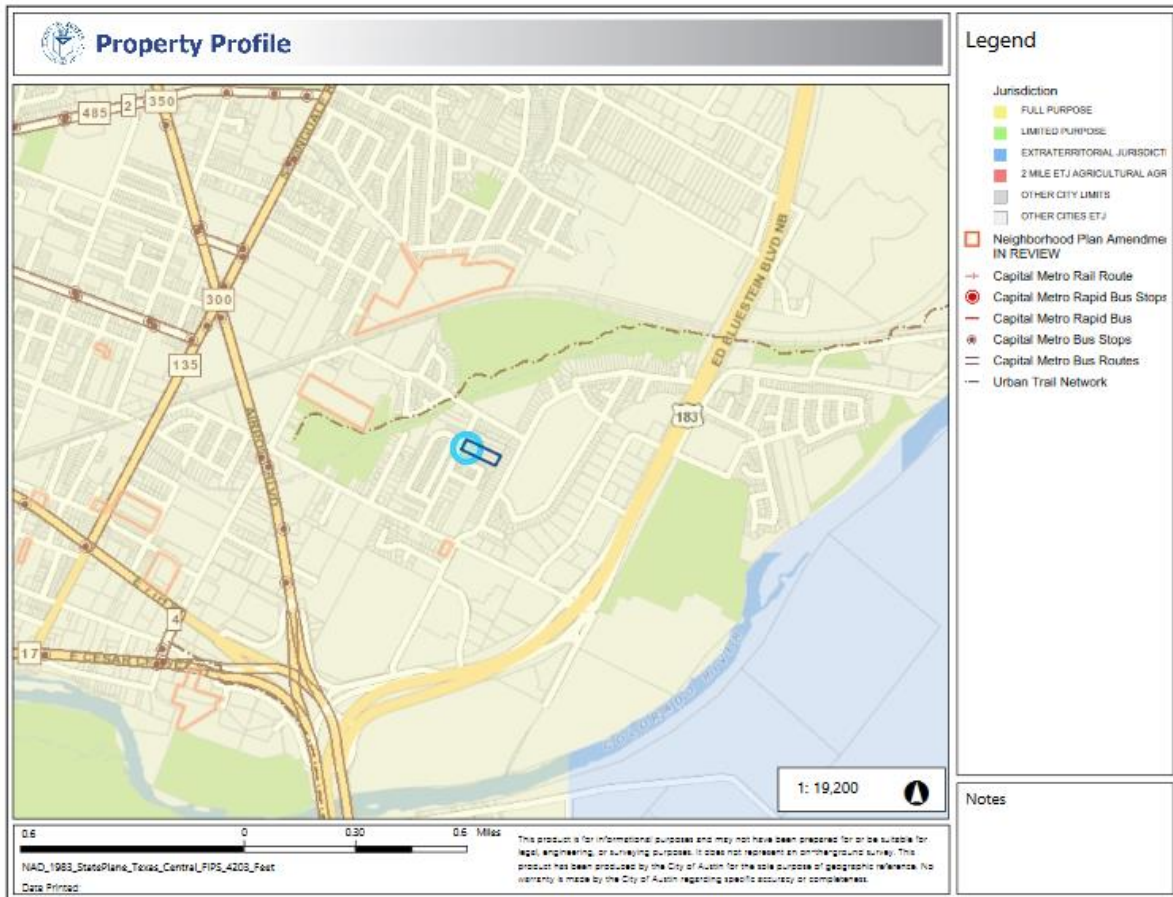
is near Bolm Road and Jain Lane where numerous businesses are located. To the east is Eastside Memorial Early College High School and to the north is Southwest Key Programs.

2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
 - ***The property is approximately one mile from Airport Boulevard and Springdale Station which are designated as an Activity Corridor and an Activity Center as identified on the Growth Concept Map of the Imagine Austin Comprehensive Plan. Multiple bus routes operate along Airport Boulevard.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***Although the property is not located on an activity corridor or within an activity center, it is considered an infill development where infrastructure is already provided.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***The applicant proposes to build small cottage homes on the two acres tract of land that due to the small size could be priced lower and made affordable to people with lower incomes.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***The applicant's request for Higher Density Single Family is an appropriate land use for this area with large lots that could provide an opportunity for residential developments a wider range of housing types than the standard one single family home built on one lot.***
6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
 - ***The property is not located within an environmental sensitive area. The applicant states that the proposed zoning of SF-6 would provide open space on the property for the enjoyment of the people who will live there.***
7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
 - ***Not directly applicable.***
8. Protect, preserve and promote historically and culturally significant areas.
 - ***According to Travis County Appraisal District, the existing home on the property was built in 1935/1937, but as far as staff knows at this time, it is not a historic or culturally significant structure.***

9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
 - *Not directly applicable.*
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - *Not applicable.*
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
 - *In the past there was an outdoor theater and a venue for private events such as weddings, which could have met this goal but these uses were not allowed under the current zoning of SF-3-NP. The proposed zoning of SF-6-NP would not allow those uses as well but would allow more housing to be developed in the planning area and the city.*
12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
 - *Not applicable.*







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The application was filed on July 3, 2018, which is in-cycle for neighborhood planning areas located on the east side of I.H.-35.

The plan amendment application is a request to the future land use map (FLUM) from Single Family to Higher Density Single Family.

The applicant also proposes to change the zoning on the property from SF-3-NP to SF-6-NP to build detached courtyard homes on the property. For more information, please see case report C14-2018-0074.

PUBLIC MEETINGS: The ordinance required community meeting was held on August 16, 2018. Approximately 300 meeting notices were mailed to people who own property or have a utility account within 500 feet of the property, in addition to neighborhood organizations and environmental groups who requested notification for the area through the Community Registry. Thirty-five people signed the attendance sheets. Also in attendance was one staff member, the property owner, Beau Reichert, and the applicant's agent, Matt Lewis.

Matt Lewis, the applicant's agent, said the existing zoning is SF-3-NP and they are proposing to rezone the property to SF-6-NP. He said they are proposing to build about the same number of units that could be built under the existing SF-3-NP zoning, but the proposed units will be small, single-family detached units. He said they will be high-quality units with porches. There will be a central green area with a community garden. The storm water detention will be through rain gardens. The owner will keep the existing 1920's home, the green house and the water fountain. All the units will be built with re-claimed material. The owner's design of the development will add to the unique character of Austin.

After the presentation, the following questions were asked:

Q. Will the houses be different from what is already there? Where will the road have access to surrounding property?

A. We want to provide a variety of housing types for people. There will be a private drive, no one will be able to cut through to access adjacent property.

Q. What will be the size of the units?

A. The largest will be about 1,000 sq. ft. There could be units between 400 sq. ft. to 600 sq. ft. In the 1950's the typical size of the homes were smaller than we have now.

Q. What the prices be?

A. It's too early in the process to know.

Q. Will the units be for rent or for sale?

A. We haven't gotten that far. Maybe Beau can answer that, but he wants retain ownership. To keep the prices low it would be better for the units to be for rent.

Q. The traffic is already bad with school. It's hard to get in and out of the neighborhood.

A. We're trying to stay within the density of SF-3, to limit the impact.

Q. If you can have 15 units per acre with SF-3, why are you asking for SF-6?

A. Because SF-6 would allow for a private drive, but it would not cut through to the community.

Q. The houses you're proposing won't fit in the neighborhood.

A. The front house was built in 1920's and does fit in the neighborhood. The new homes will be located behind the 1920's house and the new homes won't be seen from the street.

Q. So you're proposing a maximum of 30 units?

A. This is a concept layout. We want to be flexible to preserve trees. We plan to meet all site requirements. We plan to stay in character with the neighborhood and have a single family-feel.

Q. The maximum height would be 35 feet?

A. Yes.

Q. How many parking spaces will you provide per unit?

A. We will provide as many as required by the Land Development Code.

Q. The drainage on the property, will they be rain gardens?

A. It could be a blend of both. Staff supports rain gardens, but this will be determined at site plan.

Q. Will these units be condos?

A. This will be a one-lot subdivision where each home would be owned by the property owner and the common areas owned by the condo-regime.

Q. Could someone in Austin afford these homes?

A. Yes, the goal is to provide a variety of housing choices.

Q. Can your development be done in SF-3? Sol Lux was developed under SF-3.

A. Sol Lux was developed under SF-4A. We couldn't develop the property under SF-3 with a private drive that we are proposing.

Q. If you don't get the zoning, the alternative would be a cookie-cutter development, right?

A. Yes, but Beau doesn't want to do that.

Q. Do you plan to conserve the trees?

A. Yes. There are Heritage Trees. There will be a detailed plan that will show the types of trees.

Q. You said the average home size would be 1,000 sq. ft. with some units being between 400 – 600 sq. ft.

A. Yes, that's right. Some units would be one-story and some will be two-story, it would vary with the style. The theater screen will be removed, there will be no more theater.

Q. With the condo regime, how will it protect the structures that Beau built?

A. The HOA maintenance fee would maintain those structures.

Comments:

- I live on Steven's Way. I don't think it doesn't fit the space. I think if this development is built then people will be able to afford to live in the neighborhood.
- I know Beau and he won't build junk in the neighborhood.
- The project is very unique. We should have more of this type of development.

CITY COUNCIL DATE:

November 1, 2018

ACTION: Postponed to December 13, 2018
at the request of staff.

December 13, 2018

ACTION:

Applicant Summary Letter Submitted with the Application

Neighborhood Plan Amendment SUMMARY LETTER

In order to provide a single-family housing type that is consistent with the Vision and Goals of the adopted plan, this plan amendment and a zoning change are required. The subject property is large, but because of its shape is a challenge to develop with single-family homes. It has limited street frontage but is almost 500' deep. This proposal will allow a small-scale infill development that is compatible with the neighborhood. The proposed small courtyard homes meet the adopted goals from the Neighborhood Plan as described below.

Goal 1: Adjacent land uses should be compatible.

The proposed plan amendment and zoning would allow a type of housing that is similar in size and scale with surrounding properties.

Goal 2: Preserve and protect current and future single-family neighborhoods.

Small-scale projects such as this add new neighbors to an area while maintaining the existing character of the neighborhood. The proposal must meet single-family (SF-6) development standards.

Goal 3: Develop a balanced and varied pattern of land use.

The proposal achieves balance by offering a slightly different type of housing than what is currently available in the area but designed to fit in with the neighborhood.

Goal 4: Create and preserve a sense of "human scale" to the built environment of the neighborhood.

The proposal features human-scaled units arranged around an internal courtyard that allows for common use, interaction with neighbors, and ultimately fosters a sense of community among residents.

Goal 5: Maintain an affordable and stable housing stock.

Adding these types of units helps to increase housing options without destabilizing existing housing.

Goal 6: Foster and protect existing neighborhoods.

Allowing for incremental small growth within neighborhoods protects them from massive disruptive changes.

Goal 7: Rehabilitate existing deteriorating housing stock.

An existing structure...

Goal 8: Increase opportunities for people to live in close proximity to daily needs such as shopping and transportation.

The subject property is within walking distance to two bus lines, Eastside Memorial High School, walnut creek trail and numerous employers.

Letter of Recommendation from the Neighborhood Plan
Contact Team (NPCT)

Govalle/Johnston Terrace Neighborhood Plan Contact Team
"Strength Through Unity"

November 12, 2018

TO: City of Austin Planning Commission
City Council
City Planning staff

RE: 1145 Perry Rd. – cases # NPA - 2018 – 0016.01
C14- 2018 - 0074

Please accept this letter on behalf of the Govalle/Johnston Terrace Neighborhood Plan Contact Team. The Contact Team has not supported more than SF4A in the past, but due to the scale, nature and specific character of this project,

And after several meetings and discussions, the Contact Team and the applicant have agreed to the following conditions, to be applied as a Conditional Use overlay to the case:

The Contact Team Supports this specific zoning change from SF3 to SF6 with the following conditions:

1. No more than 22 new units, at 11 units per acre, which is less than what SF4A would permit.
2. Four (4) units to be designated as rental/affordable.
3. New units will be from 400 – 1000sq. foot footprints, one and two story, not to exceed 32' in height. Poarches on the units will be excluded from the primary square footage of each unit.
4. If the project fails, not completed or is sold instead, this agreement is void and the property will revert back to SF3 designation.
5. This agreement will be codified and become part of the application as a **Conditional Use Overlay**.

Please feel free to contact me with any comments or questions concerning this case.

Thank you,



Daniel Llanes, Chair
G/JTNP Contact Team
512-431-9665

Letter to the Govalle/Johnston Terrace NPCT from Matt
Lewis, the applicant's agent

simplecitydesign

1145 Perry Rd. Neighborhood Plan Amendment & Rezoning

September 30, 2018

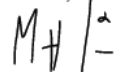
Dear Govalle/ Johnson Terrace Neighborhood Contact Team,

At your May 12th meeting, our team introduced the concept of the 1145 Perry Rd. project. Based the unique project design and your input, we excited about the transition of the Sekrit Theater property. We are confident a series of small houses organized in a garden courtyard setting hold best future for the site and the neighborhood. Beau's creation of Sekrit Theater incorporated amazing buildings on the property. The development plan carries his artistic legacy forward by allowing the existing buildings to become community spaces for the new residents.

The purpose for our request was generated by the allowance for the use of a private drive and the project layout, not to max out the density. However, per our calculations, the SF6 zoning carries the same 12.1 unit per acre (UPA) as the adjacent Sol Subdivision, which is zoned SF4. While we are not seeking to let the UPA guide the project, we understand its importance to the contact team.

Furthermore, we understand the importance of attempting to keep Austin affordable. We are proposing to have a minimum of four affordable artist residency homes on the property. Having diverse income levels and lifestyles enhances the overall quality of life for the residents. We would greatly appreciate a letter of support from the Contact Team for the Neighborhood Plan Amendment case number **NPA-2018-0016.01** and rezoning case number **C14-2018-0074**. Please contact me if you have any additional questions.

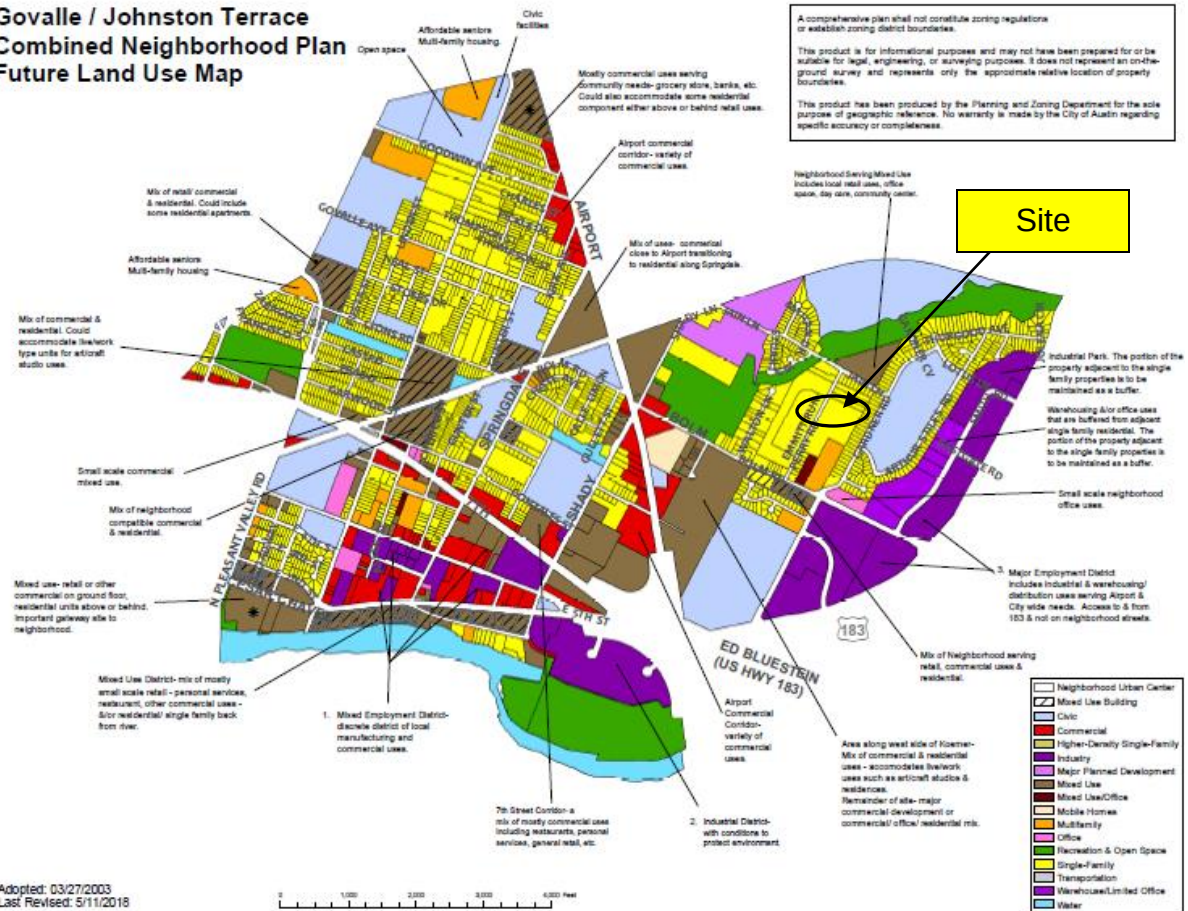
Best,

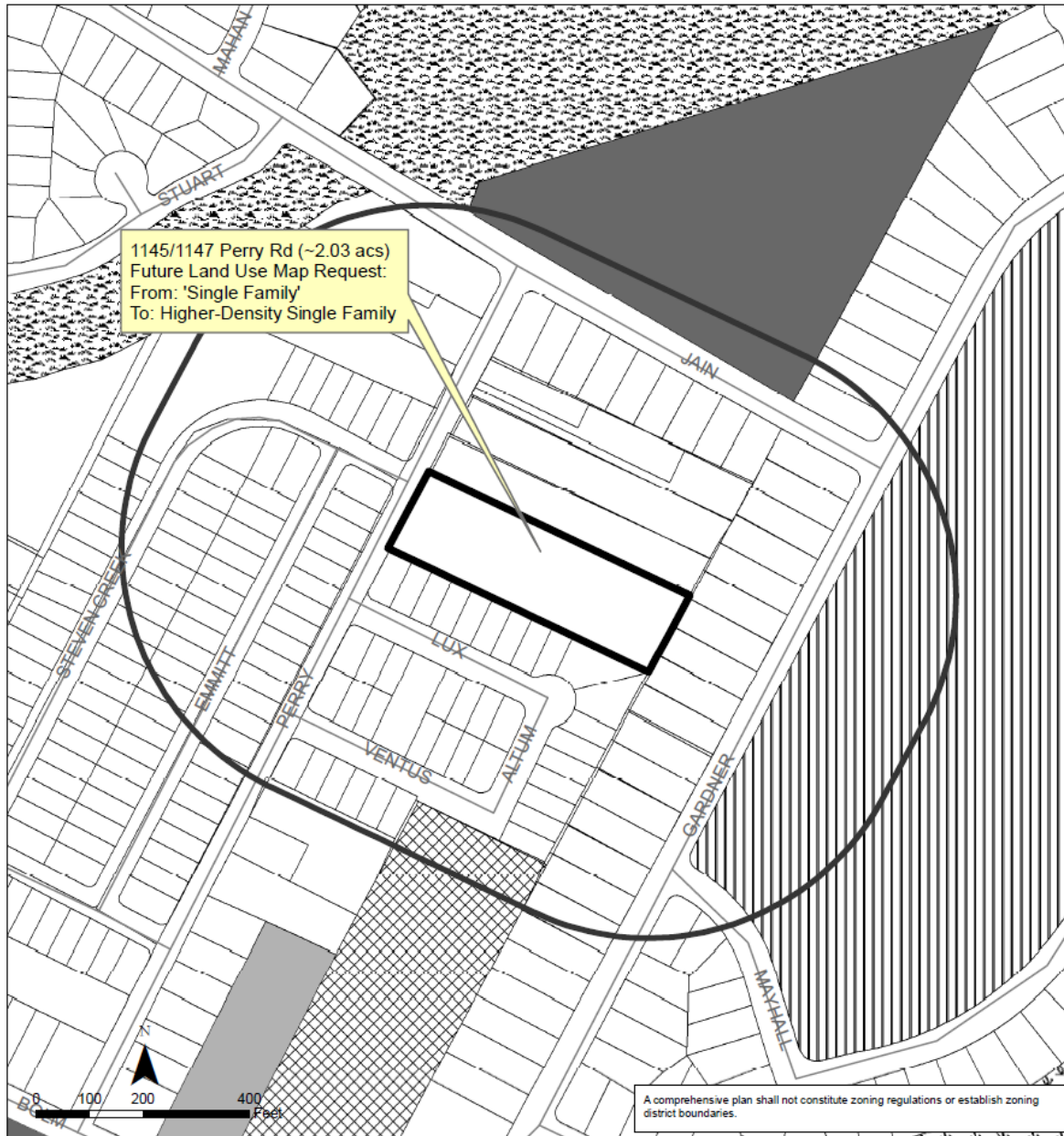


Matt Lewis, CNUa

| t: 512.484.8161 | e: m@simplecity.design | www.simplecity.design |

Govalle / Johnston Terrace Combined Neighborhood Plan Future Land Use Map





Govalle/Johnston Terrace Combined Neighborhood Planning Area NPA-2018-0016.01

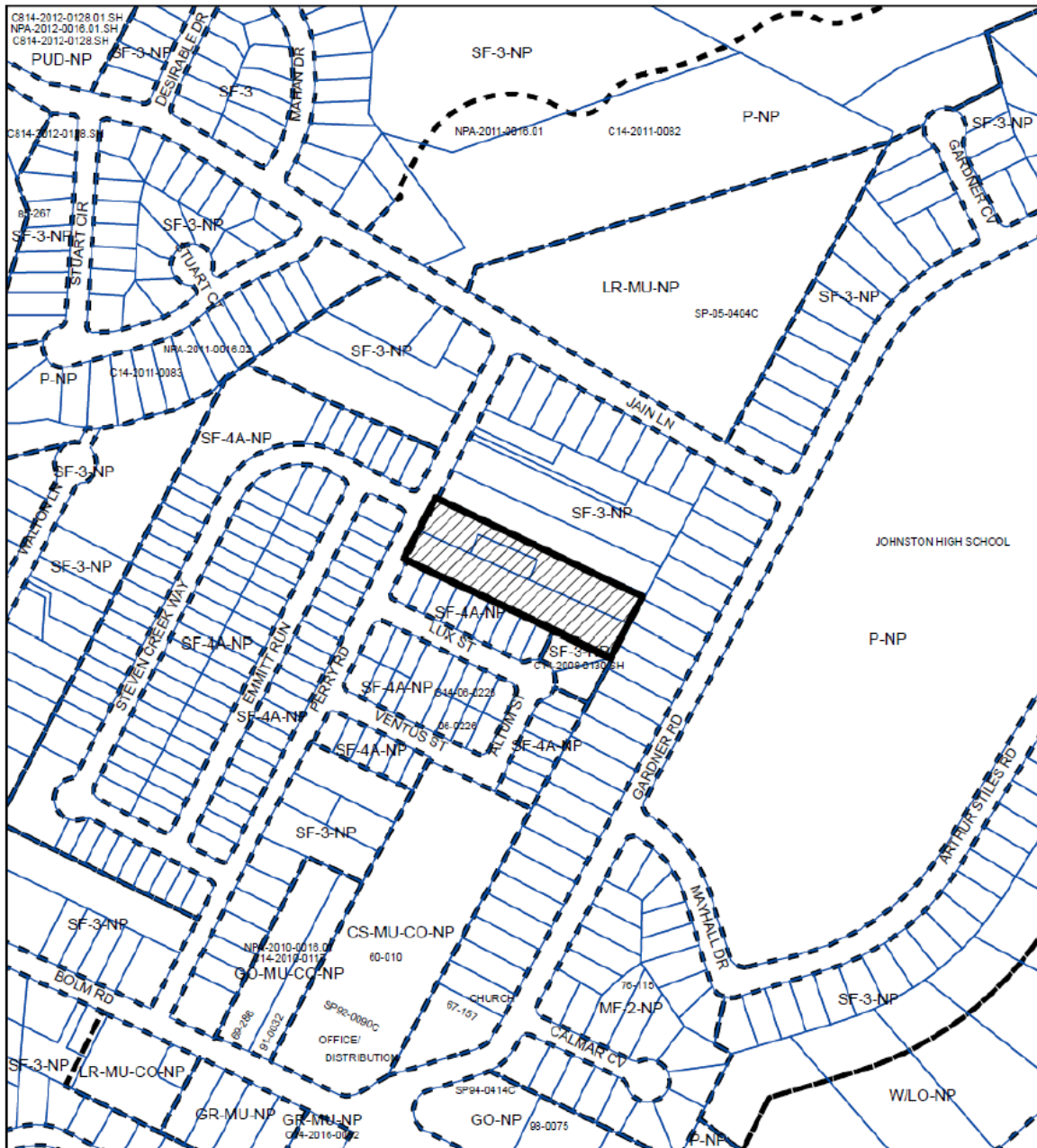
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City of Austin
Planning and Zoning Department
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Future Land Use

500 Ft. Notif. Boundary	Subject Property	Mixed Use/Office
Single-Family	Major Planned Development	
Multi-Family	Industry	
Mixed Use	Civic	
Warehouse/Limited Office	Recreation & Open Space	
Office	Utilities	



1" = 300'

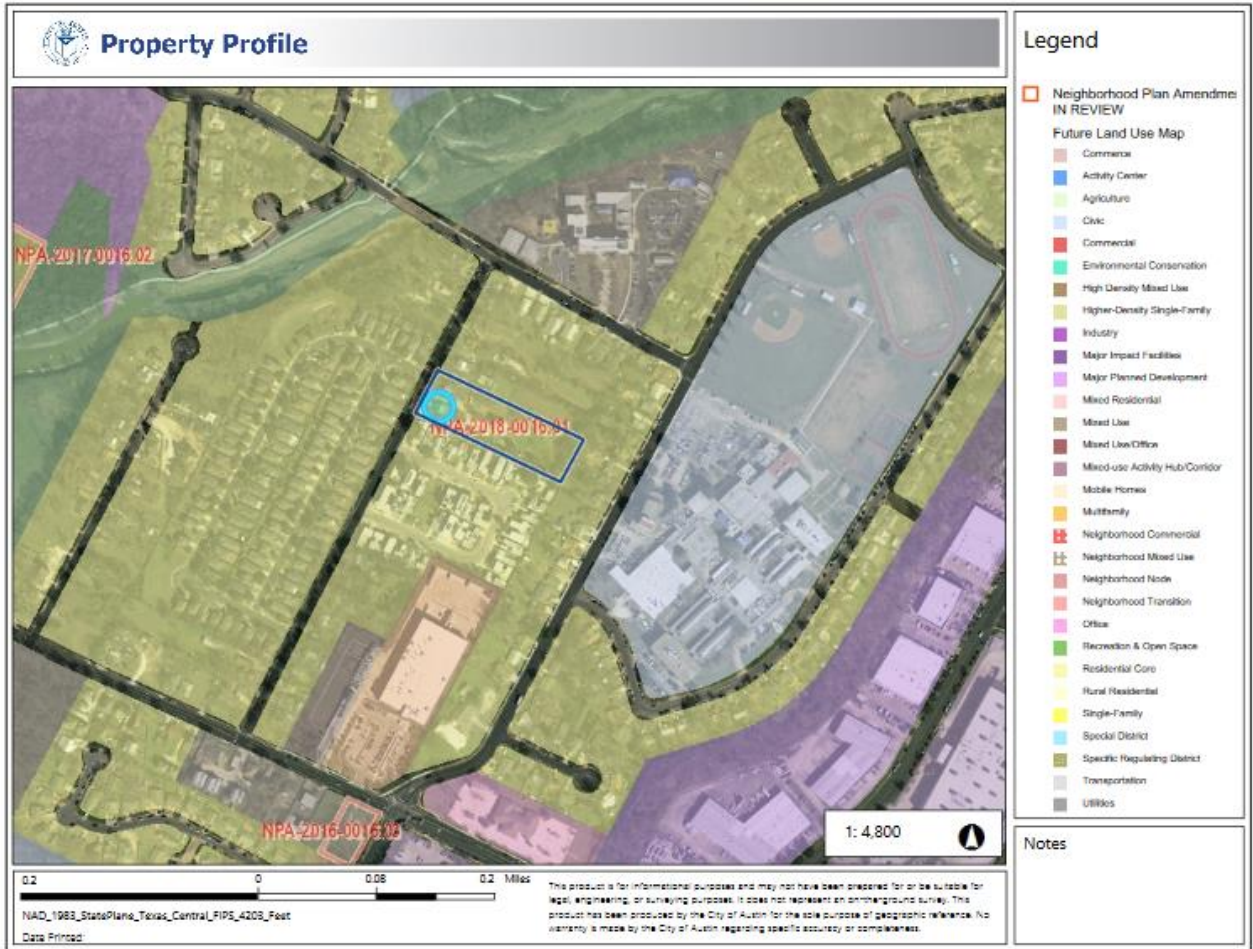
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-  PENDING CASE
-  ZONING BOUNDARY

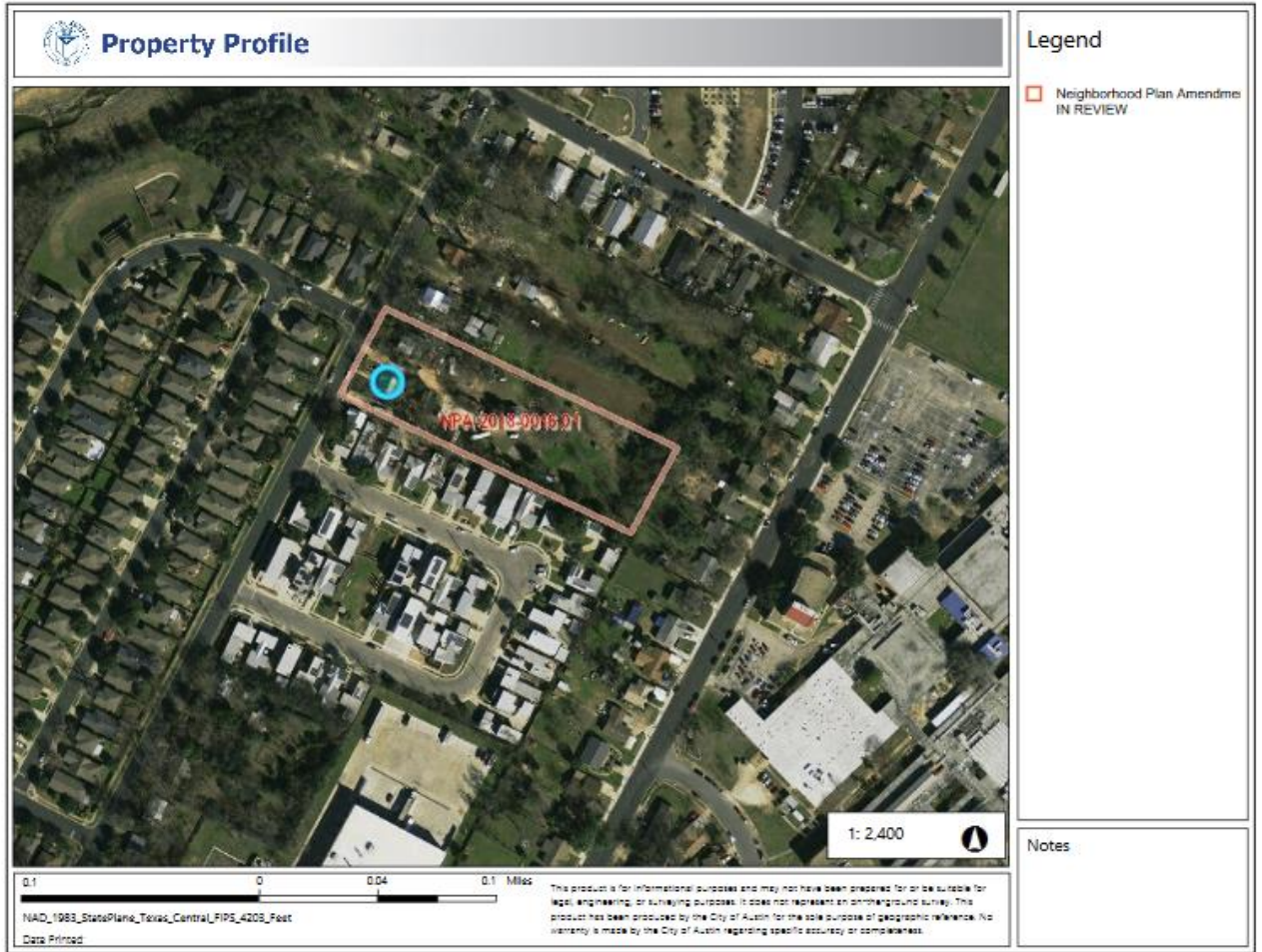
Zoning Case C14-2018-0074

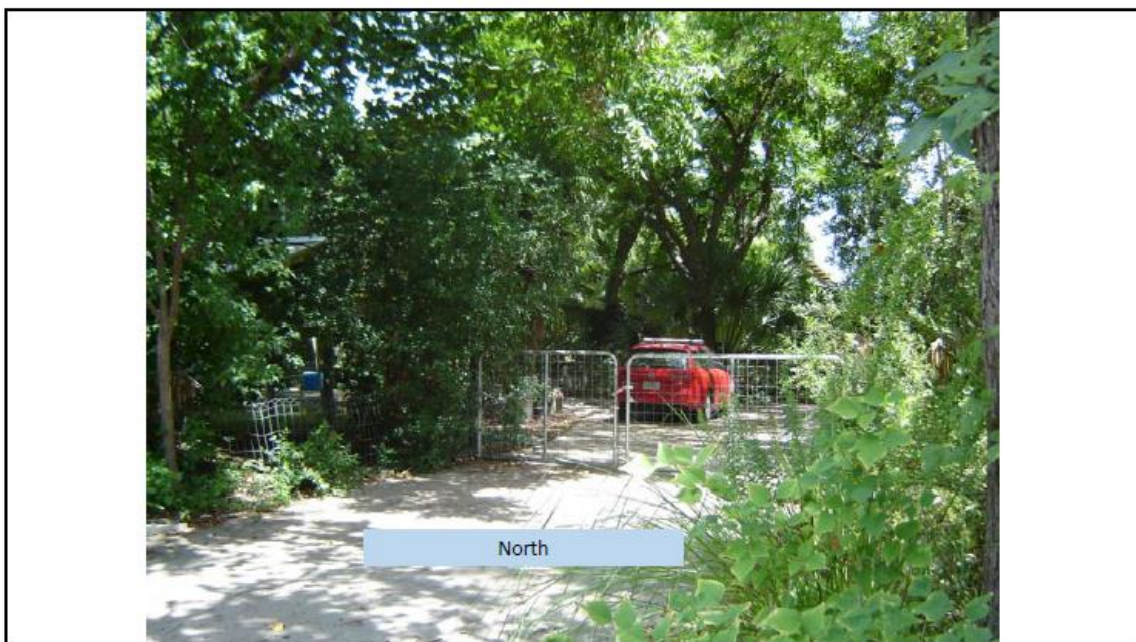
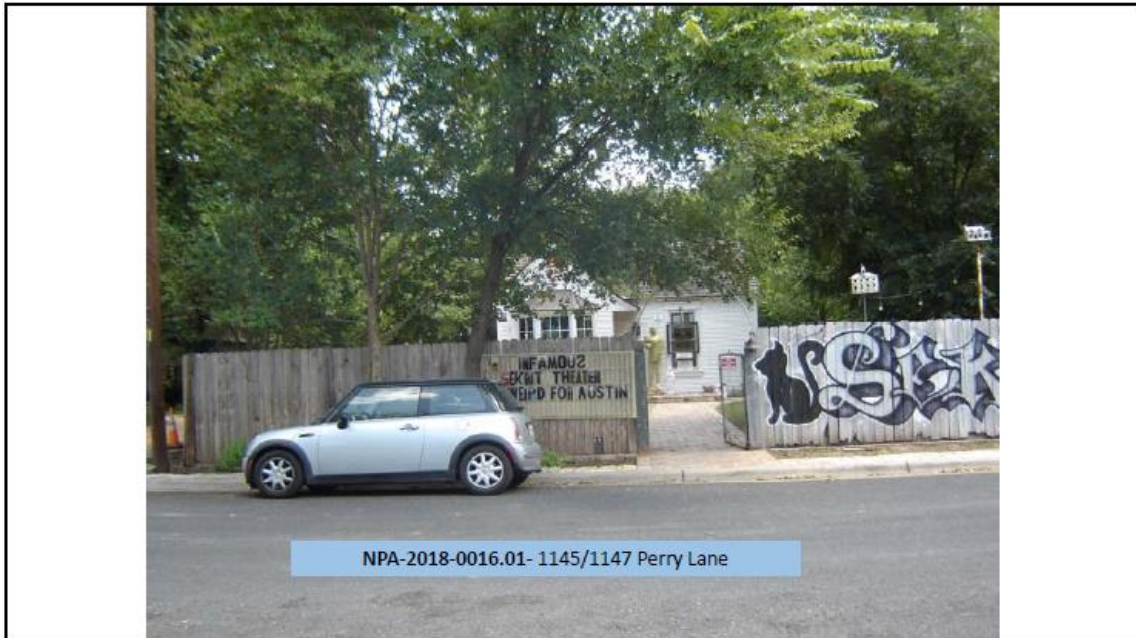


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From: Yahoo
Sent: Monday, August 20, 2018 6:49 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: 1145 Perry Rd

Dear Ms. Meredith,

I am writing in support of Beau Reichert who resides at 1145 Perry Rd. to be able to change zoning on his property to SF-6. (Case #C14-2018-0074.)

Beau is not only an amazing builder who will create something more than superb for the neighborhood, he is also a superior host who truly believes communities should live together in harmony. Beau's talent for building is matched by his talent for attracting fantastic people. Beau is a special individual, a true community leader. His enthusiasm for strong social networks and creative projects is infectious. He's simply inspiring to those around him. Anyone fortunate enough to live in a community he has built is very lucky indeed. I myself am interested in living in a space he creates.

Thank you for your time.

- Dani Bleier
- 512/914-5922

Please don't hesitate to reach out to me.

.....

From: Terry Bleier Paul
Sent: Sunday, August 19, 2018 9:25 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Support for Zoning Case # C14-2018-0074 and Sekrit Theater NPA-2018-0016.01

I'm writing to support the change to the neighborhood plan and rezoning of 1145 Perry Lane. I believe that the proposed project will be the best option for the Johnsonville Terrace neighborhood to deal with this property during the mushrooming development in this East Austin neighborhood. Mr. Reichert's desire to retain the natural beauty of the property and the creative environment for Austin artists will influence his use of the SF-6 designation to come into compliance with Austin code. Both the City of Austin and Mr. Reichert have long sought that solution and working together they can succeed.

.....

Terry Bleier Paul, CPA

12814 John Reynolds Circle
Galveston, TX 77554

Telephone: 409.737.4868
Mobile: 713.410.1347

September 28, 2018

City of Austin, Planning and Zoning Commission and City Council

Meredith, Maureen Maureen.Meredith@austintexas.gov

Subject: Recommendation FOR Approval of Zoning Case # C14-2018-0074 and Sekrit Theater NPA-2018-0016.01

I'm writing to recommend approval of the change to SF-6 for the neighborhood plan and rezoning of 1145 Perry Lane. I've lived in East Austin and South Austin for more than 30 years and experienced the quality of life and benefits from preserving the Austin I know. As a small financial business I'm aware of the financial benefits of development, but I also know that each of us benefit from the diversity and culture of our neighborhood.

I believe that the proposed project will be the best option for the Johnsonville Terrace neighborhood to deal with this property during the mushrooming development in this East Austin neighborhood. Mr. Reichert's desire to retain the natural beauty of the property and the creative environment for Austin artists will influence his use of the SF-6 designation to come into compliance with Austin code. Both the City of Austin and Mr. Reichert have long sought that solution and working together they can succeed.

Thank you for your consideration.

Sincerely,

Terry Bleier Paul, CPA

.....

From: Steve Maschi
Sent: Thursday, August 16, 2018 8:27 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Masha Osoianu
Subject: Feedback: Zoning Case # C14-2018-0074 Sekrit Theater (NPA-2018-0016.01)

Maureen, thank you for hosting and managing the zoning meeting for Sekrit Theater - 1145/1147 Perry Road, that was not an easy meeting to host, thank you for keeping it professional and ontrack.

We (Masha Osoianu and Steve Maschi) live at 5917 Ventus Street, Austin, 78721 in the Sol subdivision and we love the proposed project to bring more people to the Johnsonville Terrace neighborhood in way that will maintain a green-space and the culture of Austin.

We agree with the meeting participants that the unique housing concept like the one proposed tonight would be benefit and add value to the existing community. Beau Reichert has been an inspiration to the vast majority of our Johnsonville Terrace neighbors, always keeping an open door policy, and bringing people together in Austin. Beau and his tenacious community spirit will make this proposed building project a beacon of achievement for the city of Austin and an inspirational "how to" for other US cities.

We respectfully request the city of Austin to strongly consider SF-6-NP zoning for 1145/1147 Perry Road, Zoning Case # C14-2018-0074 to build a better and stronger community within Johnson Terrace and Austin.

Please let us know if there is anything we can do to help move this project forward for the community.

We can make ourselves available anytime to speak with you or city counsel and to write an official statement in support of zoning request C14-2018-0074.

Thank you for your time.

Best regards,

Steve Maschi
m: 512-222-7280

.....
From: scott rothe
Sent: Monday, August 06, 2018 4:15 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Fw: Case # - C14-2018-0074 / 1145 & 1147 Perry Rd

Please see below in regards to the amendment to the neighborhood plan...I'm against the amendment/any kind of change for this property. thx.

----- Forwarded Message -----
From: scott rothe

To: heather.chaffin@austintexas.gov <heather.chaffin@austintexas.gov>
Sent: Monday, August 06, 2018 04:04:44 PM CDT
Subject: Case # - C14-2018-0074 / 1145 & 1147 Perry Rd

I'm a neighbor of the subject property, my name is Scott, and I am a SFR home owner in close proximity to the subject. I do not want the zoning for the subject property to be changed to SF-6 from SF-3. The subject has a long history of being disruptive to our neighborhood. It seems that the property owner has tried to call/designate it a church, historical site, some kind of movie/event venue, museum, never/never land, Jurassic Park East, etc.. This property owner and the "visitors" have parked numerous cars/big trucks/commercial vehicles along Perry Rd, a public street, and thus access and right-of-way sight are always an issue into and out of our neighborhood on Steven Creek Way. For some reason this TWO acre site can not provide any vehicle parking and thus vehicles are always parked on the public street, some of which may not even be currently registered or functional. The latest is the front fence along the public/Perry Street has become a "work of art" / billboard and there is also a lighted sign & lighted cross in the front of the site that is on 24 hours a day. It is, as many other sites in proximity, also a haven for feral cats. Please do not allow this zoning change and maybe enforce the zoning rules that are in place as of now for this site. Thx.

.....

From: Erin Swaney
Sent: Tuesday, August 28, 2018 7:36 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Neighbor comments to be added to Case#C14-2018-0074, Sekrit Theater

Hello Maureen,

I recently attended a Neighborhood Zoning change meeting and would like to make sure that my intended message make it onto the record. I would also like to be kept updated on any future developments related to this neighborhood or property zoning change. Thank you, Erin

Erin Swaney
5932 Ventus St.
Austin, TX 78721

Beau's property at 1145 Perry Road echoes Austin's creative art scene, which needs to be kept alive. He focuses on reusing materials and this is in line with Austin's green vibe, along with preserving the past. One only has to visit and see his space to be blown away by it, because there is truly nothing like it around. It's unfortunate he has to try to pick a zoning regulation, because his property so outside of the standard choices. His proposed project would be an asset to the east side.

Increasing urban density is a desirable to keep sprawl down, and this achieves that in a way that we neighbors are excited for. The only house

visible from the road would be the existing house from the ~1920s (I'm not sure exact decade but it's very old and had been beautifully restored) and it matches the existing neighborhood architecture. As someone who lives in a "community within a community" it's nice to have a communal space to gather for events or impromptu meetings. It connects people.

The proposed parking solution with single road entry is ideal for limiting concrete and impervious cover for flooding concerns. The existing structures on the property should be preserved, as they are architecturally interesting and destruction of existing property is wasteful. This project may have some unspecified aspects currently, but any community of houses built at Beau's property will certainly be an asset to the neighborhood and I fully support this rezoning step of the process.

.....

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

From: Mishka Westell

Sent: Monday, October 01, 2018 3:24 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Sekrit Theater NPA-2018-0016.01

Dear Maureen,

I am writing regarding the recent application from Beau Reichert to change the zoning of his property at 1145 Perry Rd. to SF-6.
(Case number C14-2018-0074)

I am a neighbor whose property backs directly to his and who would be affected by the new proposed development, having discussed at length with Beau I wholeheartedly support his efforts to create a unique, creative living environment of small houses. I am excited about the possibility of sustainable housing, solar, rain catchment, gardens.

Having seen identical, unimaginative housing being constructed on the eastside at a considerable rate in recent years, it would be refreshing to see something more innovative and thoughtful constructed. All architecture should not be the same, it makes for a sterile and bland environment. I believe this development stays true to the values of Austin and it's unique culture.

Thank you for your time and consideration, if there's anything else I can do to help this application please let me know,

Mishka Westell
1054 Gardner Rd
Austin, TX
78721

From: Kim Henkel
Sent: Monday, October 01, 2018 4:38 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Zoning change to 1145/1147 Perry Rd.

Kim Henkel
5920 Lux St.
Austin, TX 78721

October 1, 2018

City of Austin Planning and Zoning Commission and City Council
Maureen Meredith (Maureen.Meredith@austintexas.gov)

Subject: Recommendation FOR approval of Zoning Case # C14-2018-0074 and Sekrit Theater
NPA-2018-0016.01

Maureen:

I'm writing to recommend approval of a zoning change for 1145/1147 Perry Rd. from SF-3 to SF-6. I own a home in the SOL neighborhood which abuts 1145 Perry Rd. The 1145/1147 Perry Rd properties are owned by Mr. Beau Reichert and are known locally as "The Sekrit Theater". Mr. Reichert has been a wonderful neighbor and "The Sekrit Theater" has long been a convivial gathering place for neighbors, and is a tremendous asset to both the immediate neighborhood and the larger community. It is, indeed, a gem, one of those "secret" places that make Austin uniquely Austin, a magical place, a place that charms and delights all who have had the good fortune to walk its grounds. Unfortunately, as Austin grows, preserving such places becomes increasingly difficult.

What Mr. Reichert is proposing, a unique low-density, environmentally conscious community, will be a welcome alternative to high-density apartment complexes such as Think East and others that are going up along Shady Lane and Jain Rd. And it will mean that, although "The Sekrit Theater" itself may be gone, the property will retain much of that spirit that brought it into being.

Finally, selfishly, my house directly abuts "The Secret Theater", and I much prefer to have an enchanted garden in my backyard than a McMansion or a hulking condominium complex.

Thank you for your consideration,

Kim Henkel

From: Tiffany Hamburger

Sent: Monday, October 01, 2018 2:17 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Recommendation FOR Approval of Zoning Case # C14-2018-0074 and Sekrit Theatre NPA-2018-0016.01

Jason and Tiffany Becker
5816 Steven Creek Way
Austin, TX 78721

October 1, 2018

City of Austin, Planning and Zoning Commission and City Council

Maureen Meredith, Maureen.Meredith@austintexas.gov

Subject: Recommendation FOR Approval of Zoning Case # C14-2018-0074 and Sekrit Theatre
NPA-2018-0016.01

As longtime homeowners whose property is adjacent to this property, we are writing to enthusiastically recommend approval of the change to SF-6 for the neighborhood plan and rezoning of 1145 Perry Lane. We've been residents of the Johnston Terrace Neighborhood since 2006 and have lived in Austin since 2000. Over the last 18 years, we have enjoyed the definitive and quirky sense of *place* that sets Austin apart from other cities both in Texas and in other states in which we have lived. However, we feel that sense of place is threatened by an onslaught of forces that seek to control or forbid individual expression.

It is our belief that the project as proposed by Mr. Reichert is the best possible option for the land he owns. His desire to preserve a unique vision, a sense of place, an appreciation for art and the work of craftspeople and to find an amenable solution for his property's use will influence his development of the SF-6 designation to both express his vision and come into compliance with the city's requests. We admire Mr. Reichert's artistic vision and he has always been a good neighbor to us. We believe that his proposed development will be a win-win-win for him, for the neighborhood, and for Austin.

Thank you for your time and consideration of this recommendation.

Sincerely,

Jason and Tiffany Becker

.....

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
 City of Austin
 Planning and Zoning Department
 Maureen Meredith
 P. O. Box 1088
 Austin, TX 78767-8810

RECEIVED
 10/13/18

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2018-0016.01
 Contact: Maureen Meredith, Ph: 512-974-2695
 Public Hearings: October 09, 2018, Planning Commission
 November 01, 2018, City Council

☐ I am in favor
☒ I object

Your Name (please print)
 S. ROTH
 5712 STEVEN CREEK

Your address(es) affected by this application
 5712 STEVEN CREEK

Signature
 S.R.

Date
 11/20/2018

Comments:
 Extra structure will not
 support change. leave it stay
 what would you do if you lived
 by it?

10/29/18

City of Austin
Zoning Department
PO Box 1088
Austin TX 78767

Case #NPA-2018-00161.01

Dear Maureen Meredith,

I am writing to express my complete support of Beau Reichart and his plan to turn his property into a group of tiny houses. I wholeheartedly support the rezoning and appreciate all that he has done to build a space of community. I have lived in my house at **5713 Steven Creek Way, 78721** since 2009 and watched him apply for the permits needed to build his creative space and space for our neighbors to enjoy. All in the community have been able to watch movies, have childrens' birthday parties, conduct community meetings and fundraise for the local non profits. Some of my neighbors have even gotten married there! He has never asked for money and I've enjoyed watching him grow with the property.

The city has repeatedly harassed him along with people who live in the Sol subdivision who do not state their names on their complaints. I looked up and can see the repeated complaints of noise but every time that the police have come to investigate, never find it loud enough to give a ticket. Beau has been careful to not go above the sound ordinance. I know because I've helped him test it.

I wish that he could stay in Austin and keep his creativity here in our neighborhood. Please allow him to move forward with the zoning plans as he has requested!

Thank you,



Stephanie Hoffman

Applicant Criteria Worksheet

Provide this information with your plan amendment application.

Taken From: Article 16: Neighborhood Plan Amendment Ordinance

§ 25-1-810 - RECOMMENDATION CRITERIA.

(A) The director may not recommend approval of a neighborhood plan amendment unless the requirements of Subsections (B) and (C) are satisfied.

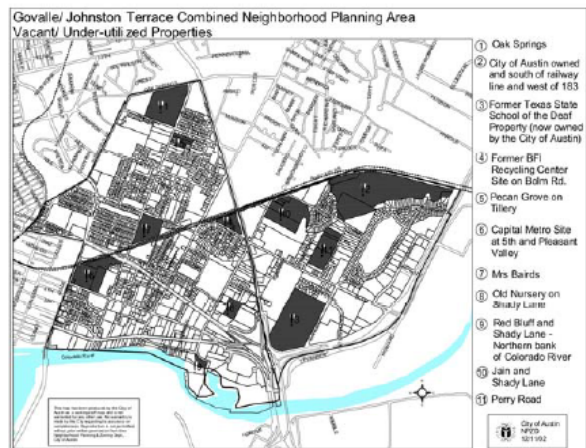
(B) The applicant must demonstrate that:

- (1) the proposed amendment is appropriate because of a mapping or textual error or omission made when the original plan was adopted or during subsequent amendments;

Does this criterion apply to your proposed plan amendment application? X Yes No

If there was a mapping error, explain here and provide documentation:

The subject tract is identified in the Govalle/ Johnston Terrace Neighborhood Plan as an underutilized tract. The plan states, "This area is recommended as smaller lot residential development. High quality design standards are encouraged for this site with styles that are reflective of local housing including front porches and houses that address the street." The existing zoning does not provide the ability to achieve the desired results of the plan in the most appropriate manner for the neighborhood or the longterm build out of the site. We believe the zoning change would allow the property to be built in a manner meeting the exact intent of the plan. Due to the small frontage and deep the lot depth, this zoning change would provide the ability for a series of small detached houses to be constructed in a manner similar to the lots adjacent to the property.



- (2) the denial of the proposed amendment would jeopardize public health, safety, or welfare;

Does this criterion apply to your application? Yes X No

If this condition applies, explain here _____

- (3) the proposed amendment is appropriate:

- (a) because of a material change in circumstances since the adoption of the plan; and
- (b) denial would result in a hardship to the applicant;

Does this criteria apply to your application? X Yes ___ No

If yes, explain here The plan has not been updated since and there has been a su

Rapid growth in the area brings the desire for new housing. This area has already receives a large increase in population. As growth pressures occur it is imperative the plan and land use tools guild the development patterns to be in the best interest of the community. We believe our project will deliver the high quality housing typer called for in the plan and make the best use of the lot configuration without negitally impacting the small scale residential feel at the street edge.

(4) the proposed project:

- (a) provides environmental protection that is superior to the protection that would otherwise be achieved under existing zoning and development regulations;

Does this criterion apply to your application? X Yes ___ No

If yes, explain here:

The project is proposing to use the natural land patterns to inform the buildings placement, the stormwater systems and the overall development layout. The use of rain-gardens will be integrated to treat and clean the water before it leaves the site. Trees will be integrated into the site to provide shade to the structures keeping energy cost low. The current zoning would not allow for the innovative configuration of building placements or design.

or

- (b) promotes the recruitment or retention of an employment center with 100 or more employees;

Does either one of these criterion apply to your application? ___ Yes X No

If yes, explain here _____

(5) the proposed amendment is consistent with the goals and objectives of the neighborhood plan;

List the goals and objectives from the plan that you feel support your plan amendment request, along with your rationale for why it meets these goals/objectives. Use separate document if necessary:

The proposal is to build a small detached units compatible with the neighborhood and meeting the goals of the plan. 1145 Perry Road is identified as a tract of land in the neighborhood plan targeted toward smaller lot residential development. High quality design standards are encouraged for this site with styles that are reflective of local housing including front porches and houses that address the street. The project proposal will be meeting the targeted goals as identified in the plan. The SF3 zoning designation makes building to the goals of the plan unattainable.

Goal 1: Adjacent land uses should be compatible.

The proposed plan amendment and zoning would allow a type of housing that is similar in size and scale with surrounding properties. The internal nature of the project would allow for a residential street edge with a residential internal feel for people living within the project.

Goal 2: Preserve and protect current and future single-family neighborhoods.

Small-scale projects such as this add new neighbors to an area while maintaining the existing character of the neighborhood. The proposal will meet single-family (SF-6) development standards through a series of detached units, on

Goal 3: Develop a balanced and varied pattern of land use.

The proposal achieves balance by offering a different type of housing than what is currently available in the area but designed to fit in with the neighborhood.

Goal 4: Create and preserve a sense of "human scale" to the built environment of the neighborhood.

The proposal features human-scaled units arranged around an internal courtyard that allows for common use, front porches, interaction with neighbors, and ultimately fosters a true sense of community among residents.

Goal 5: Maintain an affordable and stable housing stock.

Adding these types of units helps to increase housing options without destabilizing existing housing and utilizes land currently under utilized.

Goal 6: Foster and protect existing neighborhoods.

Allowing for incremental small growth within neighborhoods protects them from massive disruptive changes.

Goal 8: Increase opportunities for people to live in close proximity to daily needs such as shopping and transportation.

The subject property is within walking distance to two bus lines, Eastside Memorial High School, walnut creek trail, numerous parks and employers. As this area grows new services are being added to this area.

(You can find the plan document here: <http://austintexas.gov/page/adopted-neighborhood-planning-areas-0>)

or

(6) the proposed amendment promotes additional S.M.A.R.T. Housing opportunities.

Is this a S.M.A.R.T. Housing project? ____ Yes __x__ No

If yes, explain here and provide the letter from Neighborhood Housing and Community Development _____

(C) The applicant must demonstrate that:

- (1) the proposed amendment complies with applicable regulations and standards established by Title 25 (Land Development), the objectives of Chapter 25-2 (Zoning), and the purposes of the zoning district proposed for the subject property;
https://www.municode.com/library/tx/austin/codes/code_of_ordinances?nodeId=TIT25LADE

The project will comply with all regulations and standards as identified in chapter 25-2. The purpose of the zoning is to create orderly development patterns. SF6 allows for the best layout of the land based on the configuration of the site for a series of small detached homes laid out in a manner where vehicles will not disrupt the common spaces and allow for a private drive allowing for the best case development pattern with the land. The private drive will be located adjacent to the homes and will provide a series of small parking facilities to handle the orderly ingress and egress from the project.

and

- (2) the proposed amendment is consistent with sound planning principles. (See attached)

LAND USE PLANNING PRINCIPLES

You can find the Guide to Land Use Standards here:

<http://www.austintexas.gov/department/neighborhood-planning-resources>

Please **DESCRIBE** how your proposed plan amendment request will meet these principles. If you believe a principle does not apply to your proposed plan amendment application, write "Not applicable".

1. Ensure that the decision will not create an arbitrary development pattern;

Provide your analysis here: The project will create an orderly pattern of development by creating a series of small detached units organized around a central green. We believe the development pattern we are recommending could be a great product type for the area and will preserve the small scale residential patterns already present in the area.

2. Ensure an adequate and diverse supply of housing for all income levels;

Provide your analysis here: Due to the small-scale and variety of house sizes the project is proposing, we believe, will allow for the 1920's house scale to return to the neighborhood. We believe the project provide the residents adequate outdoor and community space, so much so they are willing to buy smaller units intern keeping the overall cost of construction down.

3. Minimize negative effects between incompatible land uses;

Provide your analysis here: The project will fit right in with the land uses and will not have negative effect.

4. Recognize suitable areas for public uses, such as hospitals and schools that will minimize the impacts to residential areas;

Provide your analysis here: N/A

5. Discourage intense uses within or adjacent to residential areas;

Provide your analysis here: N/A

6. Ensure neighborhood businesses are planned to minimize adverse effects to the neighborhood;

Provide your analysis here: N/A

7. Minimize development in floodplains and environmentally sensitive areas;

Provide your analysis here: N/A

8. Promote goals that provide additional environmental protection;

Provide your analysis here: As noted above, we anticipate using rain gardens and other low impact development standards to help retain the natural element of the existing landscape. The existing trees are valuable infrastructure on the property and we plan on working around as many as possible to retain them on the land.

9. Consider regulations that address public safety as they pertain to future developments (e.g. overlay zones, pipeline ordinances that limit residential development);

Provide your analysis here: N/A

10. Ensure adequate transition between adjacent land uses and development intensities;

Provide your analysis here: We believe the project is a perfect scale transition and will allow for a very small-scale residential feel from the street edge and internally.

11. Protect and promote historically and culturally significant areas;

Provide your analysis here: East Austin is going through a rapid transformation. We feel the project will add a new housing type that emulates many of the features present in the Govalle/Johnson Terrace neighborhood from front porches to the scale of houses planned for the project.

12. Recognize current City Council priorities; (Look at the Imagine Austin Comprehensive Plan Document found here: <http://austintexas.gov/department/imagine-austin-download-center>. Appendix E. Framework for Decision Making, pages A-57 through A-58.)

Provide your analysis here: This project represents many of the principals of Imagine Austin. This project is a prefect example of building a compact and connected site. It is an investment in supporting the creative economy. Sekrit Theater is a Austin icon and the preservation of some of its key characteristics provide a creative environment for residents to create and thrive. The use of Low Impact Development standards meet AI priority 4. And this unique housing style promotes growing Austin's creative economy. Based on the outdated lands polices on the books we believe this zoning classification provides the project the best ability to work together creatively to achieve Imagine Austin on this particular parcel of land.

13. Avoid creating undesirable precedents;

Provide your analysis here: We believe, the City of Austin should amend its zoning and land use regulations to support this type of development in all residential districts.

14. Promote expansion of the economic base and create job opportunities;

Provide your analysis here: N/A

15. Ensure similar treatment of land use decisions on similar properties;

Provide your analysis here: The configuration of this lot is similar to many in the area. The layout of the project could be used as a template for the area to add housing without losing the small residential feel of Austin's neighborhoods.

16. Balance individual property rights with community interests and goals;

Provide your analysis here: The project achieves the balance of both of these interest and achieves the goals of the neighborhood plan and Imagine Austin.

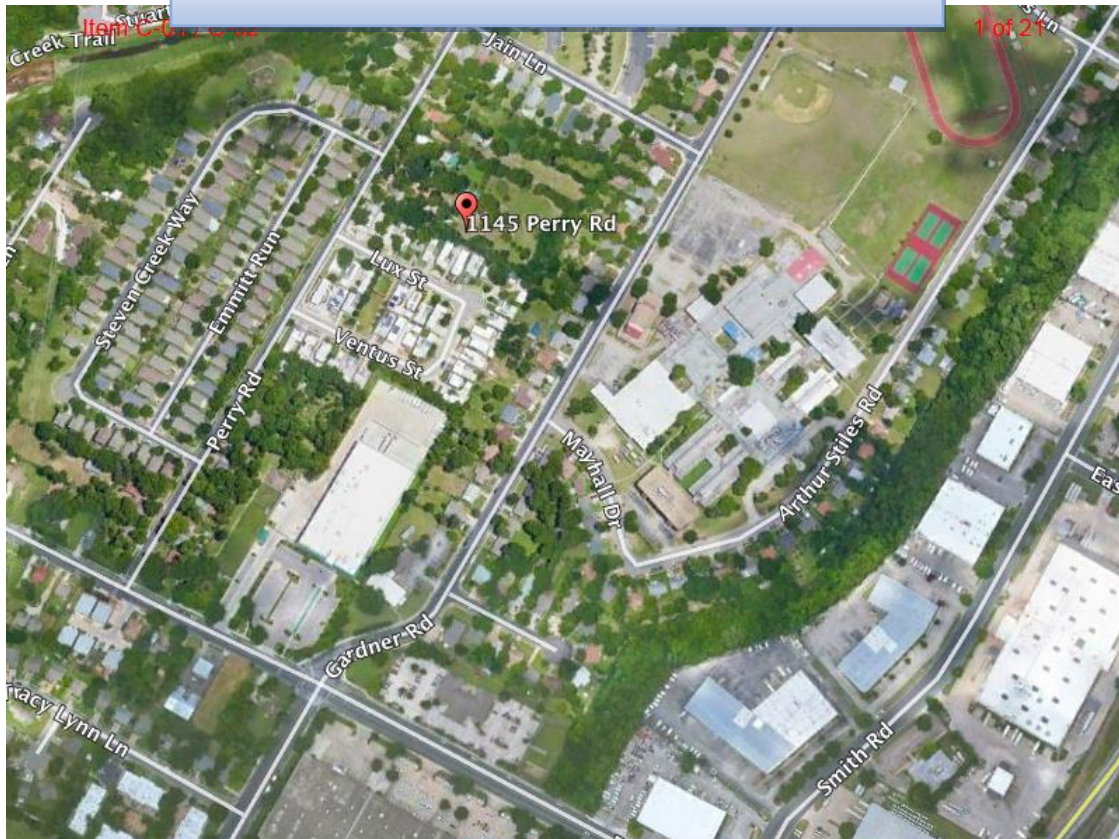
17. Consider infrastructure when making land use decisions;

Provide your analysis here: Infill development is the most effective way to utilize existing infrastructure and we believe this project achieves these goals.

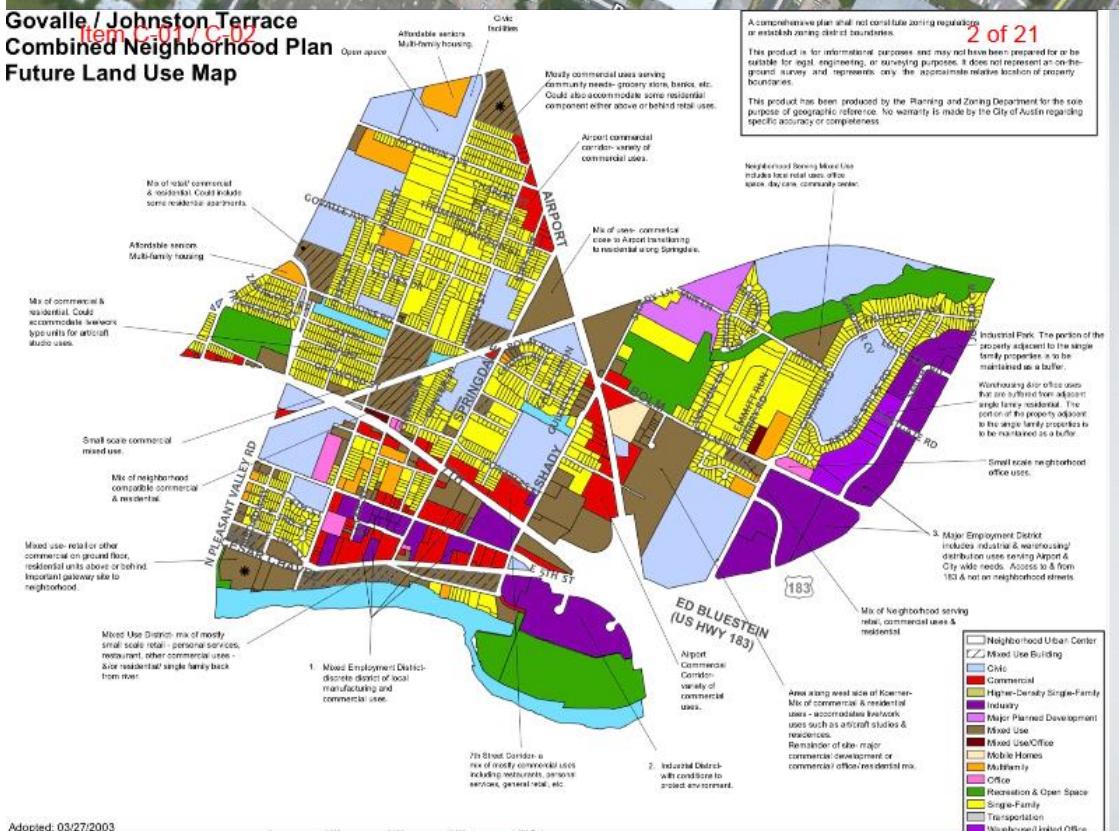
18. Promote development that serves the needs of a diverse population.

Provide your analysis here: Due to the unique style of house and the variety of house sizes the project is inviting to diverse population. The project focus is to enhance the neighborhood, build with the natural environment all while being a small infill project.

Applicant's Nov. 13, 2018 PC Hearing Presentation



Govalle / Johnston Terrace
Combined Neighborhood Plan
Future Land Use Map



Item C-01 / C-02

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1145 PERRY ROAD

Plan Amendment

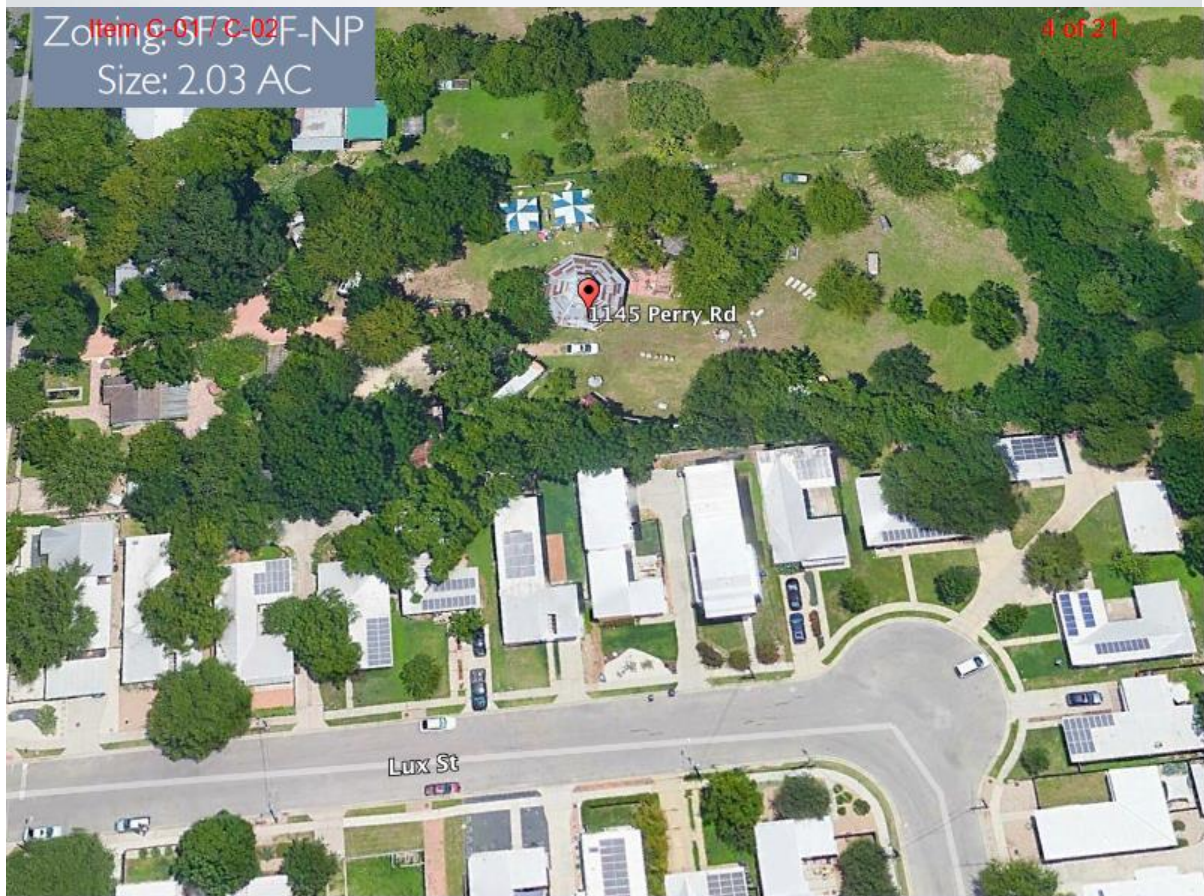
Current Land Use: Single Family

Proposed: Higher Density Single Family

Rezoning

Current Zoning: SF-3

Proposed Zoning: SF-6



Item C-01 / C-02

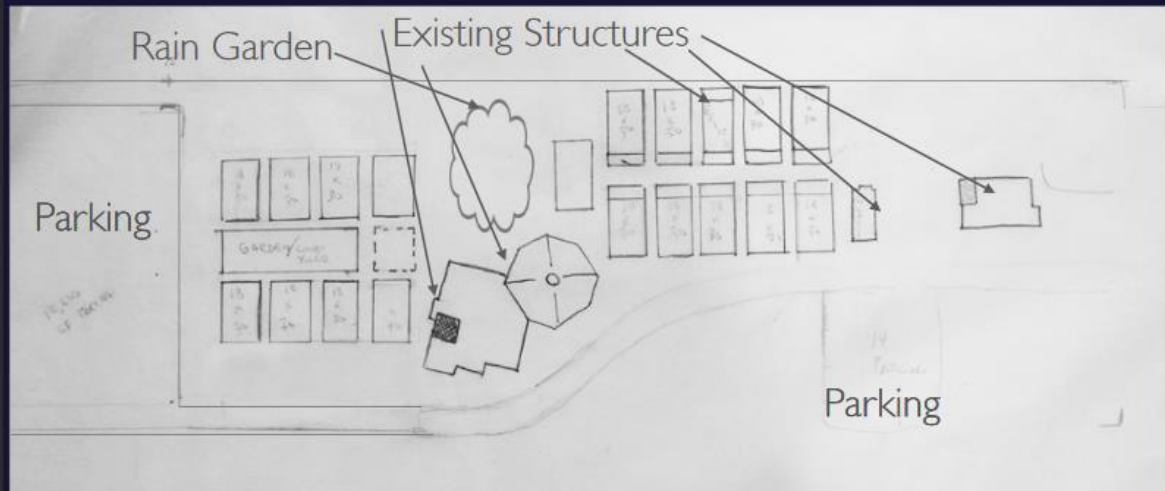
Concept Sketch

Courtyard Neighborhood
Single Family Detached Homes
Retaining Existing Buildings
On Site Parking

Features

Unique Housing Option
Green Infrastructure
Community Garden/Green
Private Drive

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Item C-01 / C-02

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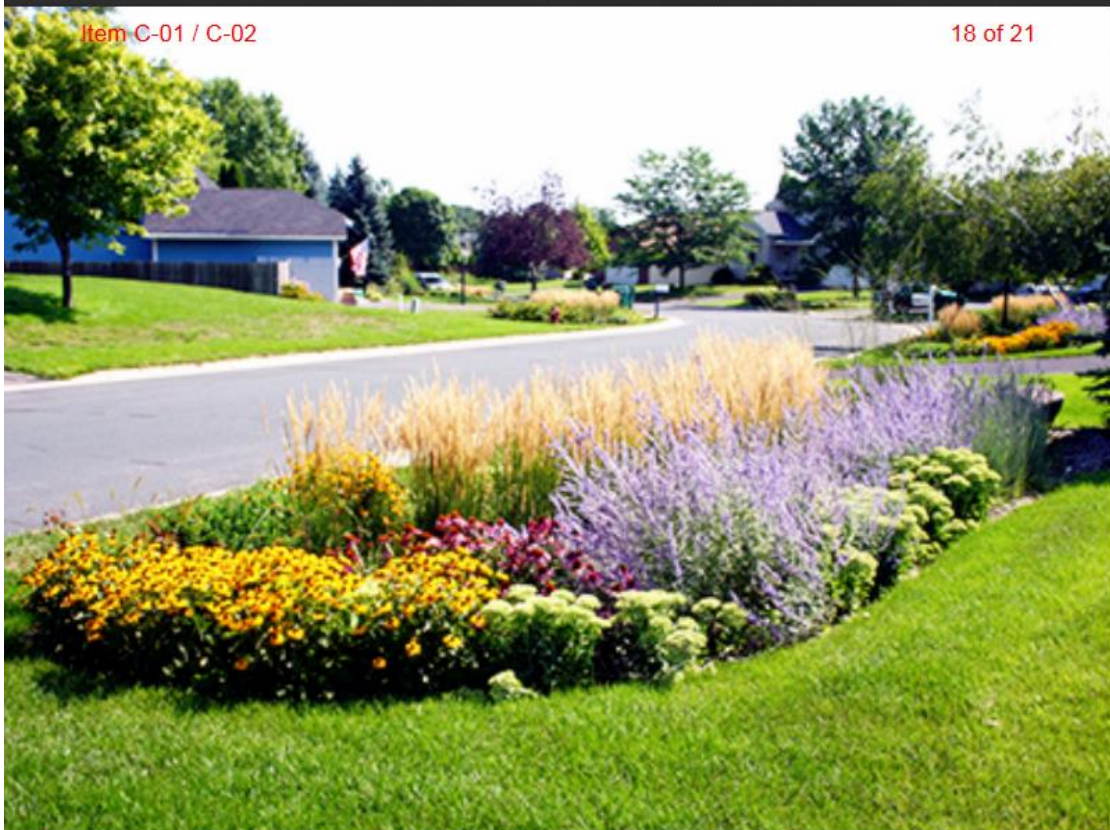












Govalle/ Johnston Terrace Combined Neighborhood Planning Area
Vacant/ Under-utilized Properties

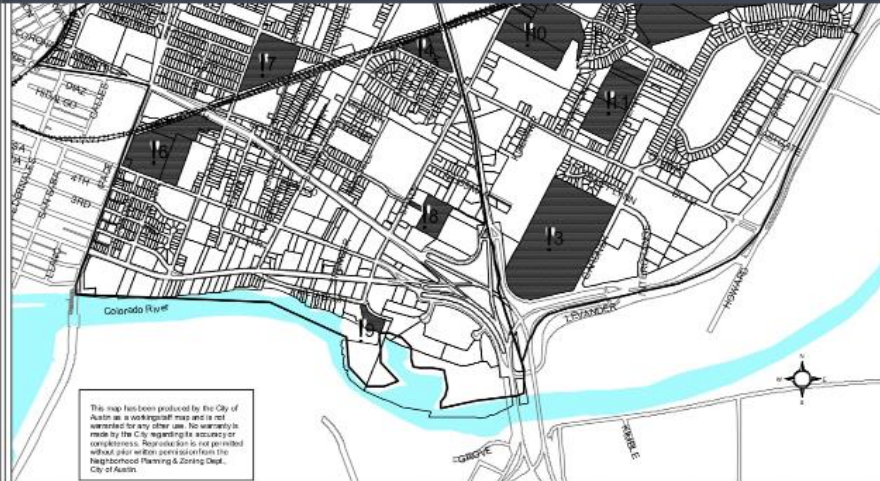
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- ① Oak Springs
- ② City of Austin owned

Perry Road

This area is recommended as smaller lot residential development. High quality design standards are encouraged for this site with styles that are reflective of local housing including front porches and houses that address the street.



- ③ Oak Springs on Tillery
- ④ Capital Metro Site at 5th and Pleasant Valley
- ⑤ Mrs Bairds
- ⑥ Old Nursery on Shady Lane
- ⑦ Red Bluff and Shady Lane - Northern bank of Colorado River
- ⑧ Jain and Shady Lane
- ⑨ Perry Road

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City of Austin
NPZD
12/11/02

Item C-01 / C-02

Concept Sketch

Courtyard Neighborhood
Single Family Detached Homes
Retaining Existing Buildings
On Site Parking

Features

20 of 21

Unique Housing Option
Green Infrastructure
Community Garden/Green
Private Drive



Item C-01 / C-02

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Comments or Questions?