

June 15, 2020



Dear Planning Commissioners:

The Old West Austin Neighborhood Association (OWANA) has voted to oppose the rezoning of 1509 Enfield from MF-3-NP to NO-MU-NP.

**OWANA
Steering
Committee**

At our June 2, 2020 General Membership Meeting, Lila Nelson of ATX Permit & Consulting, on behalf of Nalle Custom Homes, presented a proposal to rezone 1509 Enfield for neighborhood office use. The Nalle Brothers intend to purchase the property and renovate the home to use as an office for Nalle Custom Homes. The City staff has recommended mixed use (MU) to be added to the neighborhood office (NO) base district for future use. The Nalle brothers have no current plans to incorporate a residential use of the property.

Ted Barnhill
CHAIR

Renae Alsobrook
TREASURER

Shawn Shilling-
ton
SECRETARY

Members of the OWANA Zoning Committee - who had considered this rezoning proposal, and voted as a committee to recommend opposition - shared the following reasons for opposition:

MEMBERS

Amy Bodle
Cristine Buendel
Sandy Cartwright
Kate Ertle
Adrienne Golds-
berry
Lindsey Heron
Ellen Justice
Marissa Latta
Andrea March
Maureen Met-
teauer

1. The nearby neighbors (both those who attended this meeting and those who have sent emails) have all expressed their opposition to the rezoning. The OWANA membership has historically voted to support the position of nearby neighbors that have shown reasonable justification for their position.

2. OWANA's Neighborhood Plan (NP) has identified the residential neighborhood along Enfield as a boundary of our residential core. OWANA's NP clearly states that this area is to be protected. *"No zoning changes to a more permissive zoning category should be permitted. Preservation of existing older residential structures is strongly encouraged."* The Old West Austin NP made allowance for areas that would allow MU to be added to the base districts. These areas are clearly defined and NOT located along Enfield Road. (See attached OWANA NP Rezoning Proposals) Nearby neighbors of 1509 Enfield have the expectation of their neighborhood being residential under the Old West Austin NP that was added by ordinance to all OWANA base districts. Even the proposed zoning for the Land Development Code (LDC) Revision is only planning residential use for 1509 Enfield.

3. Rezoning from MF-3-NP to NO-MU-NP will create a gateway setting for commercialization of the Enfield corridor and could lead to a West 6th St. scenario (loss of the street's residential use to commercial office use), which could then metastasize into / onto Palma Plaza and

further into the neighborhood.

It is a priority of OWANA to protect its residential homes for affordable housing. It is currently leased to a Christian girls organization that allows female UT students who are a part of their organization to rent there.

4. Members do not believe a home building company office will benefit our residential neighborhood. Nalle Custom homes McMansion style homes may fit the character of other neighborhoods. But even their “traditional” style homes do not reflect the historic character of Old West Austin (<https://www.nallecustomhomes.com/portfolio/> link to Nalle Custom Homes “Traditional” custom homes). Our neighborhood is in the West Line Historic District. Within our district we currently have three local historic districts. Our historic districts are important additions to Austin’s cultural landscape. Preserving and enhancing the unique historic identity of the neighborhood is a top priority. While renovation of the original single family home is welcomed, rezoning this property to NO-MU-NP does not ensure that it cannot be demolished in the future for a new project.

Quote from nearby neighbor: “It is difficult to see how the purposes of this business - a luxury home builder that has bought and demolished many older homes in Tarrytown and replaced them with what is commonly called “McMansions” would serve the neighborhood or be compatible with it, which are criteria for rezoning to NO or NO MU zoning – neighborhood compatibility.”

5. Introducing additional trips to and from businesses on Enfield Road will have a negative impact on traffic and public Safety. Enfield is a 4 lane, 2 way, very narrow street that is becoming busier and more dangerous with increased traffic. The curves and slope of Enfield along some parts of the Old West Austin neighborhood make heavy traffic along with cars traveling at excessive speeds on Enfield more problematic. Enfield Road does not have on street parking in the OWANA neighborhood. There is no apparent opportunity to widen the street.

Enfield is not like 6th St. (3 lanes, all one-way east). 1509 Enfield has poor access and very limited commercial parking capacity, so it is an unfavorable location for a business. It remains to be seen that a home building company’s central office may not result in more traffic ingress/egress events which would make the street more dangerous than it currently is (residential rental x 7 cars). But, the next business that comes along might be client-intensive and not care about the additional dangers to Enfield traffic as a whole caused by substantial additional ingress/egress events from the 1509 Enfield property driveway. Conversely, if they sent their clients to park on Palma or Marshall, then that would further aggravate the existing overflow parking/urbanization problems on these streets. And it seems as if changing from MF-3-NP to NO-MU-NP, does not allow OWANA to oppose future businesses which would affect neighborhood parking and make traveling on Enfield more hazardous.

6. Impervious cover, drainage issues and a sloping site will limit 1509 Enfield's ability to provide significant on-site parking for a business use. Currently the parking at 1509 Enfield is tight. There are four parking spaces at the rear of the property and the u-shaped driveway up front can serve as a tandem parking space. Neighbors on Palma Plaza already have issues with rain water that rushes off driveways from Enfield onto their adjacent properties. According to the City's drainage charge, the impervious cover estimate for 1509 Enfield is 72.16%. It isn't clear whether 1509 Enfield is a single family home or duplex, either way the impervious cover for both uses should be only 45%. The maximum impervious cover for neighborhood office (NO) zoning is 60%.

7. Rezoning would make future residential use unlikely. Compatibility and site factors will limit the size of the structure thus making it difficult to add a significant residential component to the neighborhood office. 1508, 1506, and 1504 Palma Plaza as well as 1400 Marshall Lane are all single family use. The compatibility height of 1509 Enfield will be no more than two stories and 30 feet and the rear setback will be nineteen feet.

In conclusion, we ask members of the Planning Commission to deny the rezoning of 1509 Enfield to NO-MU-NP. OWANA'S Neighborhood Plan clearly states that the properties along its Enfield boundary are in the area defined as the residential core and are to be protected and preserved from rezoning to anything non-residential. Our neighbors have worked hard to put our Neighborhood Plan into ordinance along with continuing to support its provisions. All of the nearby neighbors that weighed in and who are deeply invested in our community strongly oppose the rezoning of 1509 Enfield to NO-MU-NP.

We hope you honor the heartfelt dedication of the Old West Austin neighborhood to our community and its history. Please stand with us in our request to deny the rezoning of 1509 Enfield to neighborhood office.

Sincerely,

A handwritten signature in black ink that reads "Ted C. Barnhill". The signature is written in a cursive, flowing style.

Ted C. Barnhill

Chair, Steering Committee

Old West Austin Neighborhood Association (OWANA)

Old West Austin Neighborhood Plan

Rezoning Proposals: This neighborhood has been under great pressure to accommodate commercial uses within its residential core, and is in danger of being eroded from its edges. This could create a self-fulfilling prophesy of residents leaving and commercial uses moving in, and putting pressure on the next tier of residents.

Any proposed rezonings should be consistent with the land use and zoning proposals of this plan. The boundaries of the districts described below are illustrated in the map "Old West Austin Neighborhood Plan – Neighborhood Districts."

- **Throughout the neighborhood**, no zoning changes on commercially-zoned lots to more permissive zoning should be allowed, except as noted below. Rezoning from any commercial base district to the same base district adding MU shall be supported on W. 6th and W. Lynn if the existing building and character are maintained. Elsewhere, rezoning from any commercial base district to add MU shall be supported subject to other restrictions discussed in the plan.

- **Residential Core** (See the attached Neighborhood District Map, which identifies the Residential Core as the area bounded by Enfield, Newfield, the rear lot line of the first lot on the north side of 6th Street, the rear lot line of the first lot on the west side of Lamar from W. 6th to the alley between 9th and 10th, then continuing on Baylor from the alley between 9th and 10th, to 12th, from the rear lot line of the first lot on the west side of Lamar from 12th to Parkway, from the rear lot line of the first lot on the west side of Parkway from Lamar to Baylor, along Lamar (facing Pease Park) from Parkway to 15th Street (excluding the first 3 southern-most lots of this section), and finally along 15th Street to Enfield): No zoning changes to a more permissive zoning category should be permitted. Preservation of existing older residential structures is strongly encouraged.

- In the **Lamar District**, 6th – 15th Street (lots between the center line of Lamar and the western edge of the residential area, defined above). Allow mixed use development. Heights should be limited to 40 feet. The neighborhood plan recommends rezoning all CS and CS-1 properties on Lamar to allow mixed use development.

- In the **North 6th Street District** (lots along the north side of 6th Street): No zoning changes to a more permissive category. Exceptions:

- If zoned SF-3, allow rezoning to NO-MU-CO, where the CO is: fewer than **40** trips/day, business access through alley is prohibited (though residential access through alley is acceptable), business access through a street with minimum of width of 36' is required, and there shall be a 10' vegetative buffer or a 6' masonry fence that separates the business use (including parking) and adjacent residential property. Owner-occupied is encouraged.

- Existing properties with MF zoning or an MF use on the north side of 6th St. may be rezoned / re-developed to include a commercial component consistent with this plan (a square footage ratio of 3:1, residential to commercial). Any redevelopment must not negatively impact surrounding residences, considering factors including but not limited to height, traffic, visual character, and other compatibility concerns.
 - Rezoning of commercially zoned properties that do not change the base district but add mixed use should be permitted, if the existing building and character are maintained. Preservation of existing single-house structures is strongly encouraged.
- In the area **South of 6th Street** (all lots south of the center line of 6th Street):
 - The neighborhood plan supports property owners' requests to rezone LI properties to W/LO, MF-1 through MF-6, and CS-CO with the Neighborhood Plan Combining District special use category "Neighborhood Mixed Use Building" (for the CO, see list of uses identified as restricted in this plan under item #5).
 - No rezonings to a commercial category more permissive than CS-CO (as specified under item #5) should be permitted, except as noted above for LI properties.
 - On the south side of 6th Street, for the lots fronting on 6th, no zoning changes to a more permissive base district should be permitted. Rezoning that do not change the base district but add mixed use capability should be permitted, if the existing building and character are maintained. Preservation of existing single-house structures is strongly encouraged.

From: [Lisa Doggett](#)
To: [Graham, Mark](#)
Subject: 1509 Endfield Road Case Number: C14-2020-0048
Date: Sunday, June 21, 2020 7:32:01 PM

*** External Email - Exercise Caution ***

Dear Mr. Graham,

As the homeowner at 1309 Marshall Ln, Austin, TX 78703, I wanted to voice my strong objection to the rezoning of 1509 Endfield Road Case Number: C14-2020-0048 from MF-3-NP to NO-MU-NP . The property in question is just over 400 feet from my house, where I have lived with my family since 2008.

I am very concerned that rezoning this property will increase the likelihood that our family-friendly, historic neighborhood will become more congested, more commercial and will no longer be a safe or pleasant place to live. I have two children, and I am concerned about increased traffic and the wellbeing of our family and neighbors. We have expected our neighborhood to remain residential, and this change in zoning threatens the atmosphere and safety of our community.

Thanks for your consideration.

Lisa Doggett, MD
512-731-7552

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PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2020-0048

Contact: Mark Graham, Case Manager, 512-974-3574

Public Hearing: June 23, 2020, Planning Commission

Salomon Rocha

Your Name (please print)

1400 W. Lynn St.

☒ I am in favor
☐ I object

Your address(es) affected by this application

Alvin Hill

Signature

6/16/2020

Date

Daytime Telephone: 512-766-3725

Comments:

If you use this form to comment, it may be returned to:

City of Austin, Planning & Zoning Department

Mark Graham, Case Manager

P. O. Box 1088, Austin, TX 78767-8810

Or email to:

Mark.Graham@austintexas.gov

From: [Roya Johnson](#)
To: [Graham, Mark](#)
Cc: [Sheila Lyon](#); lila@atxpermits.com; [Christine Buendel](#)
Subject: Re: 1509 Enfield Road Case Number: C14-2020-0048
Date: Sunday, June 21, 2020 10:35:15 PM

Hello Mark,

Your comments regarding 1503 and 1501 Enfield Road is puzzling to me since I was there at the hearing. Can you please provide us a copy of the hearing regarding the rezoning of 1501 Enfield Road, exact recommendation and exact comments and condition of approval regarding 1503 Enfield Road. Your comment says 1503 Enfield was permitted to be used as a parking lot and signage storage for real estate office is totally incorrect. Our understanding was that was not the case and not allowed to take place. 1503 Enfield Road only can be used as a residential lot and any other use was prohibited that was one the conditional requirements to allow 1501 Enfield zoning change. We were told the real estate office will be boutique real estate office not more then 12 member, as of today they have over 25 agents plus assistant for each licenced agent plus staff at 1501 Enfield Road - Does city care where they park and officing that many bodies in 3,100 sq.ft. of space? Now you are recommending another office one door down, where those people are going to park?

Also I want the city council members known Enfield Road between Lamar and Mopac is the only area in Austin backs to one the most historical neighborhoods where blacks were allowed to establish and own homes in the 1870's. [Here is the site regarding Clarksville history.](#)

Haven't we had enough gentrification of neighborhoods like Clarksville in Austin? In last 12 years I have watched City of Austin change zoning in every black owned home in East Austin so the developers can destroy the homes and sent all the black families to Boardmore and Cameron Road area or out of town where these families are left to fight drugs, prostitution and many other crimes. When is the city of Austin going to care and stop jentarferfication of every neighborhood with blacks or black history. Your recommendation of this zoning is like stopping the last breath of our only historically black neighborhood to developers.

Please send us all rezoning info for 1501 Enfield Rd, especially the part and down grading of zoning of 1503 Enfield Road as condition for zoning change of 1501 Enfield Road to office. City obviously knew of violation of that zoning and did not do anything about it for months. I like answers.

Please forward these comments to council members for the hearing.

Thank you, Roya Johnson at 1401 Marshall Lane

On Thu, Jun 4, 2020, 11:05 AM Graham, Mark <Mark.Graham@austintexas.gov> wrote:

Roya, Thank you for your comments. They will be forwarded to the Planning Commission for the hearing.

Regards,

Mark Graham, Planner

Mark.Graham@austintexas.gov

512-974-3574

From: Roya Johnson <roya@royarealty.com>
Sent: Tuesday, June 2, 2020 2:15 PM
To: Graham, Mark <Mark.Graham@austintexas.gov>
Subject: 1509 Endfield Road Case Number: C14-2020-0048

*** External Email - Exercise Caution ***

Dear Mark,

My name is Roya Johnson and I live and own 1401 Marshall Lane Austin, Texas 78703. I object to the zoning change request for 1509 Enfield Road Austin Texas 78703 case # C14-2020-0048

Also I noticed there are lots of signage violation on the 1501 Enfield Road property, can you tell me who I need to report that to, currently there are at least 20+ signs on that property, blocking and distracting drives on Enfield and also drivers try to get in and out Marshall Lane.

Please advise and let me know if I need to send a letter

regarding these issues or this email will work. Also can you let me know when the hearing is scheduled for this case on 1509 Enfield Road.

Thank you, Roya

--



Roya Johnson, Broker, CRB

Keller Williams Realty

512.472.1000

roya@royarealty.com

www.royarealty.com

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