NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: South Congress Combined (East Congress)

CASE#: NPA-2021-0020.01 **DATE FILED**: February 2, 2021 (In-cycle)

PROJECT NAME: Shelby Lane Residences

PC DATE: November 9, 2021
August 24, 2021
July 13, 2021
May 25, 2021

ADDRESS/ES: 4700 Weidemar Lane

DISTRICT AREA: 3

SITE AREA: 8 acres

OWNER/APPLICANT: Shelby Lane Development, LLC (Cass Brewer)

AGENT: Alice Glasco Consulting (Alice Glasco)

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

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Commercial **To:** Multifamily Residential

Base District Zoning Change

Related Zoning Case: C14-2021-0015
From: CS-CO-NP **To:** MF-6-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 18, 2005

PLANNING COMMISSION RECOMMENDATION:

November 9, 2021- [pending]

August 24, 2021 – Approved on the consent agenda staff's request for an indefinite postponement. [C. Hempel – 1st; R. Schneider – 2nd] Vote: 11-0 [Y. Flores and J. Shieh absent].

July 13, 2021 – Postponed to August 24, 2021 on the consent agenda at the request of staff. [C. Hempel – 1st; Y. Flores – 2nd] Vote: 8-0 [A. Azhar, J. Howard, S. Praxis, C. Llanes Pulido and R. Schneider absent].

May 25, 2021 – Postponed to July 13, 2021 on the consent agenda at the request of the applicant. [G. Cox – 1st; C. Hempel -2nd] Vote: 10-0 [J.P. Connolly, Y. Flores, C. Llanes Pulido absent].

STAFF RECOMMENDATION: Staff supports the applicant's request for Multifamily Residential land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Multifamily Residential land use because this will provide a buffer between the commercial uses along I.H.-35 and the single-family residential uses to the west of the property. The proposed apartment could provide additional housing choices for people in Austin.

GOAL ONE

Enhance the existing single-family neighborhoods and retain the affordability of these neighborhoods.

Residential Character

The single-family neighborhoods of the South Congress Combined Neighborhood Planning Area (SCCNPA) represent several periods of housing construction in the Austin area. The majority of the neighborhoods in SCCNPA are best characterized as typical suburban developments built during the mid-1960s through the mid-1970s. In addition, there are several smaller neighborhoods developed from the1920s through the 1950s. During the 1980s and early 2000s, several apartment complexes—some very large—and townhouse projects were built throughout the planning area and reflect the first of two current residential housing trends in the area. The second more recent trend is the development of new single-family housing projects. During the planning process, two such projects, containing 104 and 34 houses respectively, entered the development process.

Objective 1.1

New development should be compatibly scaled when adjacent to residential uses.

From the beginning of the planning process in SCCNPA, a strong consensus emerged. The large undeveloped tracts and larger, more readily redevelopable

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parcels, particularly along South Congress Avenue, should become more pedestrian-friendly, mixed-use places. However, the size of the parcels indicates they could be *large* and *dense* developments. Many of these sites abut single-family neighborhoods and as they develop or redevelop, adjacent neighborhoods should be afforded increased buffering.

Recommendation 1 Establish generous setbacks between commercial, multi-family or mixed-use development and adjacent, single-family neighborhoods.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Commercial -Lots or parcels containing retail sales, services, hotel/motels and all recreational services that are predominantly privately owned and operated for profit (for example, theaters and bowling alleys). Included are private institutional uses (convalescent homes and rest homes in which medical or surgical services are not a main function of the institution), but not hospitals.

Purpose

1. Encourage employment centers, commercial activities, and other non- residential development to locate along major thoroughfares; and
2. Reserve limited areas for intense, auto-oriented commercial uses that are generally not compatible with residential or mixed use environments.

Application

1. Focus the highest intensity commercial and industrial activities along freeways and major highways; and
2. Should be used in areas with good transportation access such as frontage roads and arterial roadways, which are generally not suitable for residential development.

PROPOSED LAND USE ON THE PROPERTY

Multifamily Residential - Higher-density housing with 3 or more units on one lot.

Purpose

1. Preserve existing multifamily and affordable housing;
2. Maintain and create affordable, safe, and well-managed rental housing; and
3. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.

4. Applied to existing or proposed mobile home parks.

Application

1. Existing apartments should be designated as multifamily unless designated as mixed use;
2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and
3. Changing other land uses to multifamily should be encouraged on a case-by-case basis.

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 proposed residential development will increase the variety of housing choices in Austin. The property is approximately one mile from South Congress Avenue that has public transportation services and commercial services.***
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 not located directly on an activity corridor or within an activity center but is approximately one mile from South Congress Avenue which is an activity corridor.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
    - ***The appropriate intensity of the multifamily development will be determined by the zoning staff's zoning recommendation.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
    - ***The proposed for-sale condos and multifamily apartments will expand the number and variety of housing choices in the planning area and the city.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.
    - ***The multifamily land use will provide a transition between the commercial land use along I.H.-35 to the east and the residential uses to the west.***
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 with the Drinking Water Protection Zone, but is located within the Desired Development Zone.***

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.

    - ***To the best of staff's knowledge, there is no historic or cultural significance to the property.***

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.***

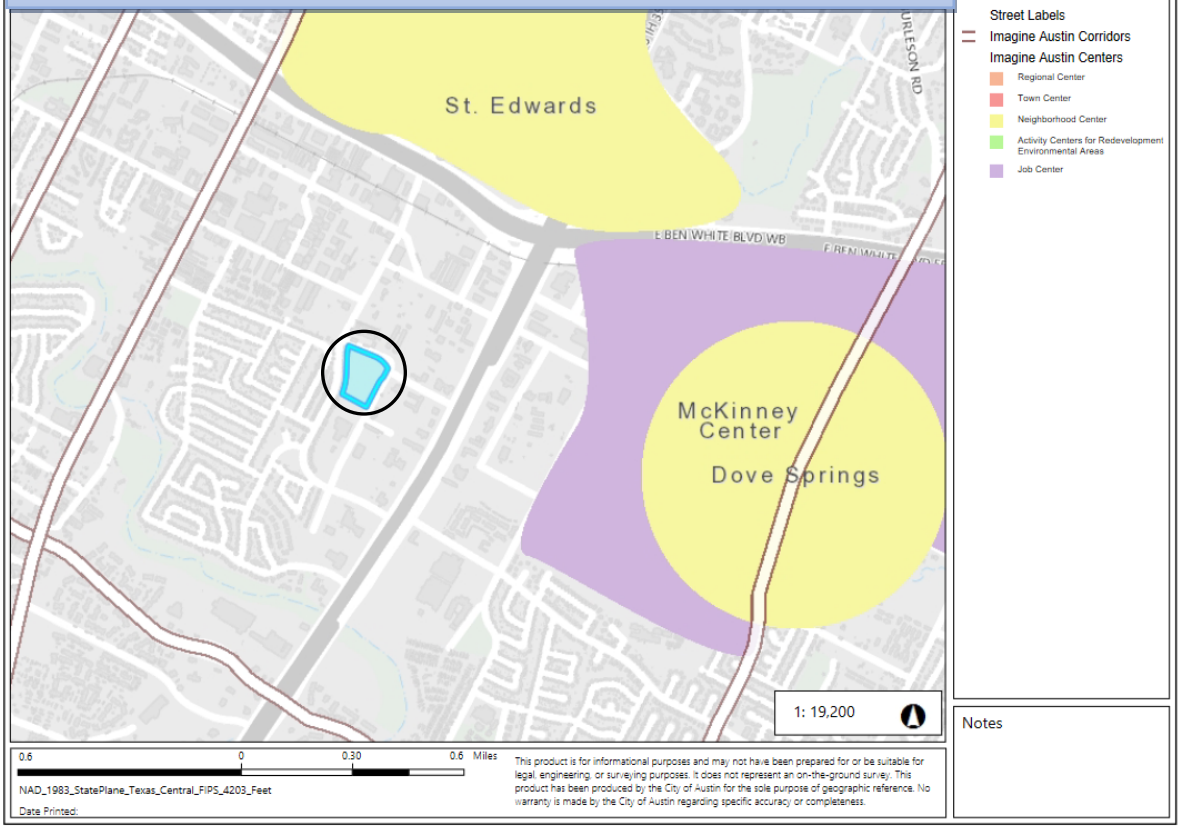
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.

    - ***Not directly applicable, but the proposed residential development could provide patrons to Austin's various art forums.***

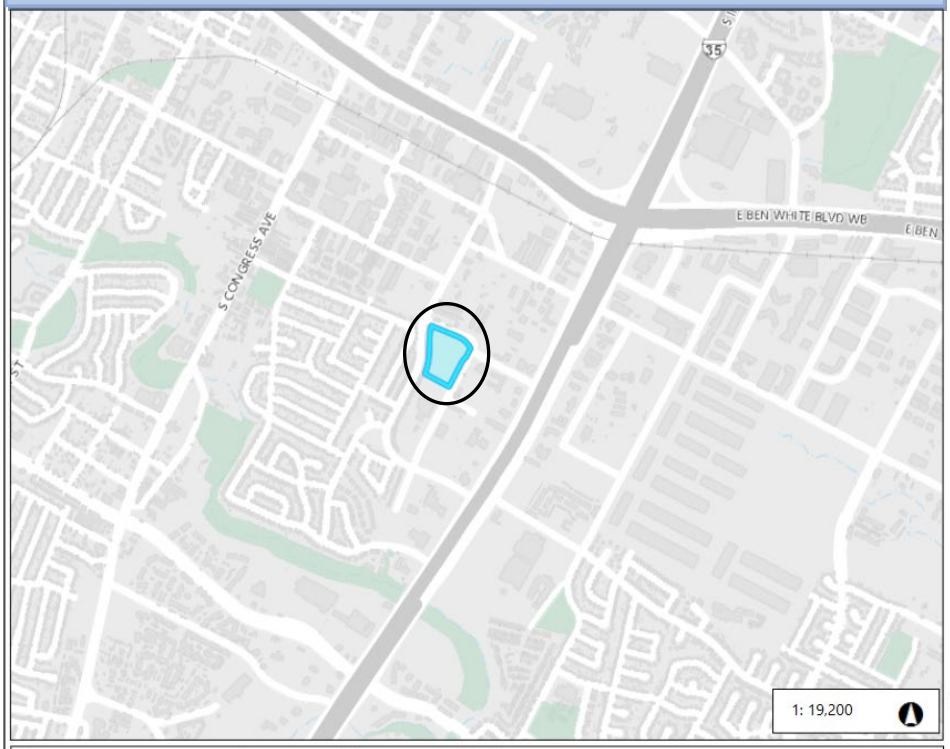
12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.

    - ***Not applicable.***

Proximity to Imagine Austin Activity Centers and Corridors



Proximity to Park Facilities



0.6 0 0.30 0.6 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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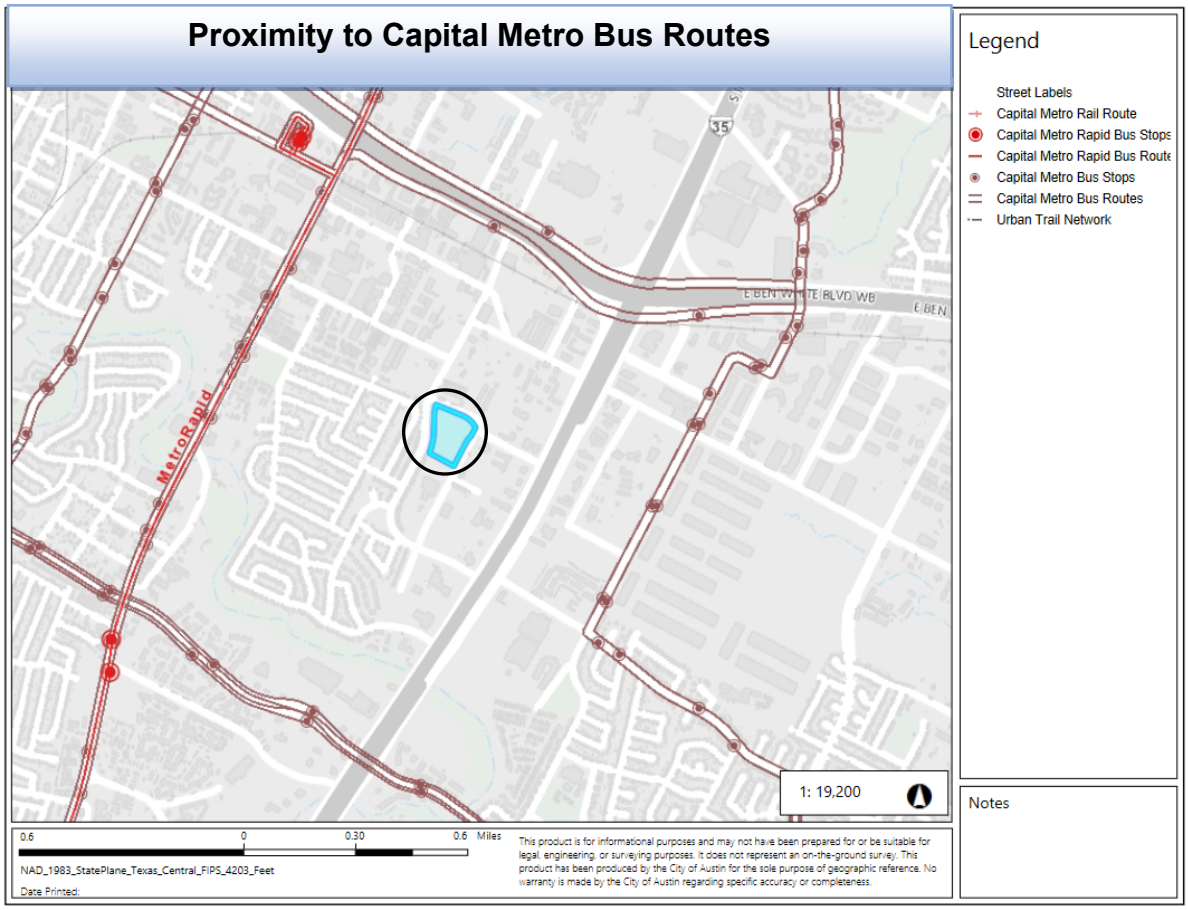
Legend

- Street Labels
- City of Austin Parks
- Travis County Parks
- Texas State Parks

Notes



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 plan amendment application was filed on February 2, 2021 which is in-cycle for neighborhood planning areas located on the west side of I.H.-35.

The property is located within the South Congress Combined (East Congress) Neighborhood Planning area. The applicant proposes to change the future land use map from Commercial to Multifamily land use.

The applicant proposes to change the zoning on the property from CS-CO-NP (General Commercial Services district – Conditional Overlay – Neighborhood Plan) to MF-6-NP (Multifamily Highest Density district – Neighborhood Plan) for a multifamily development. For more information on the proposed zoning, please see case report for C14-2021-0015.

PUBLIC MEETINGS: The ordinance-required community meeting was held virtually on March 11, 2021. Approximately 151 meeting notices were mailed to people who rent or own property within 500 feet of the property, in addition to neighborhood organizations and environmental groups who requested notification for the area. Two staff members attended the meeting, in addition Alice Glasco, the applicant's agent and Cass Brewer (property owner), Paul Shepard, Bailey Harrington, and Mark Odom who are also associated with project. Six people from the neighborhood attended the meeting.

After staff gave a brief presentation, Alice Glasco gave the following presentation. After her presentation attendees asked a series of questions.

Alice Glasco said the subject tract is 8 acres and is currently zoned CS-CO. The CS-CO zoning allows a maximum building height of 60 feet and the condition overlay was put on the property when the South Congress Combined Neighborhood Plan was created. The CO requires a 30-foot buffer when adjacent to single family.

Here are some highlights of Alice Glasco's presentation are:

- The applicant is asking for MF-6 zoning because they need 70 feet building height and CS zoning only allows for 60 feet.
- The property will have to comply with the Compatibility Standards, which requires a 25-foot no-build area adjacent to single family use; however South Congress Neighborhood Plan requires a 30-foot no-build set back.
- The site plan shows a proposed building with 150 for-sale condominiums and a 400-unit multifamily building in a six or seven story building.
- It will be a wrap-around development shown in white on the site plan with the parking garage shown in gray.
- MF-6 allows for a building height of 90 feet, but we only need 70 feet.
- There will be water quality detention pond on the property.
- We will be required to build sidewalks along the boundary of the property, which will be along Weidemar Lane and along Shelby Lane.
- A Traffic Impact Analysis will be required at site plan stage. Transportation Staff will tell us what traffic mitigation is required, including potential dedication of right-of-way easement and other multimodal improvements would happen at time of site plan.
- The applicant would like to voluntarily participate in the S.M.A.R.T. Housing program.
    - We would volunteer 10% of the multifamily units to be affordable at 60% MFI.
    - For the residential units to be sold, 5% of the for-sale units to be offered at 80% MFI and would be affordable for 99 years.

  - Also 5% of the for-sale units will be offered at 100% MFI and be affordable for 99 years.
  - The multifamily affordable units would remain affordable for 40 years.
- The unit mix will be efficiencies, 1-, 2-, and 3-bedroom units, so the development will have family-oriented units for people with children.

Q: Are the southern and western ends of Building Two (150 condo unit) going to be stepped to follow the City required setbacks?
A: The development will comply with the Compatibility Standards.

Q: Are there plans to include a dog park?
A: We have room for a dog park, dog run, dog areas, but we haven't finalized the amenities. Dog parks are an amenity that residents want. This site plan is preliminary, so it's not shown on this site plan but dog parks are a common amenity, it's just not shown on this preliminary site plan.

Q: Any plans for an outdoor music venue or outdoor amplified music?
A: No, it's not something we have in our developments.

Q: I would request a dog park and no amplified music be included in a restrictive covenant. Yes or no?
A: We are making a list of these requests, but we are subject to the noise ordinance just like all the residential development. You cannot have noise and under compatibility standard. We cannot exceed 70 decibels at the property line so I don't know what you would be getting by putting this in a restrictive covenant.

Q: You said Shelby Lane and Wiedemar Lane will have sidewalk improvements and mentioned parking along the curbs and sidewalks. Correct?
A: If the City allows it. The development will be fully parked on-site, but we will see what the City of Austin allows. There are safety issues with site distance concerning the curve in the road and the width of the road all this will need to be further coordinated with site plan, so any on-street parking has not been nailed down.

Q: We bought our homes with the understanding that a was commercial property and that the gas line would make it unlikely for the property to be developed because of the cost and the danger associated with moving the gas line. What are the plans are to move the gas line and what are your plans around safety for that to happen?
A: Our civil engineering group has reached out to the gas company and they have allowed us to relocate the gas line. The gas line will be moved parallel to Weidemar and Shelby Lane as you can see on the site plan. All safety measures will be adhered to. The gas line was once a high-pressure Valero pipeline but was decommissioned in the 1980's or 90's. What replaced it was a12" Texas Gas natural gas pipeline that serves mostly homes. We got permission from Texas Gas to move it to along the roads which will make it easier for them to maintain it.

Q: This wooded area is a natural bird habitat and a migration stop for different types of birds. Decimating the area is really going to impact that and there's going to be a very clear and obvious environmental impact. Have you studied the migration pattern of birds in this area and what are your plans to resolve or address any environment environmental impacts that may result?
A: Most of those trees are Cedar trees. The City had a code requirement for tree mitigation and tree plantings that the future landscape architect for the project will have to incorporate into the site to meet those requirements. The trees in the no-build area will be maintained. The City does not require a bird migration study. However, the birds that are protected by the Federal Government is the Golden-Cheeked Warbler and the Black Capped Vireo which migrate in the Hill Country.

Q: Will I be able to see your building from my backyard and will people in the building on your property see into my backyard?
A: The site plan shows a line where the buildings could not be more than 30 feet or two-stories. The zoning on your property allows a building height of 35 feet. We can do a cross-section to see what it might look like and we can look at new trees or vegetation that could be planted to shield some of those backyard views.

Q: The open areas by the condos could be an opportunity for parties and gatherings, so I have concerns about noise. Also concerned about the removal of the trees which will increase the noise for IH-35 and the also the noise from construction. I have you taken that into account?
A: There will be a 30-foot no building line so there is no need to remove the existing trees so that will provide a noise buffer.

Q: What will be the prices on the condos?
A: The condos will be approximately $175,000 to $560,000 depending on size. The rents for the multifamily will be approximately $750 to $2100, but that's based on what we know That could change depending on when the development is actually completed and what the prices will be at that time.

Q: When is construction slated to begin on this property?
A: It won't be another year or so. We must get a subdivision approved, and there's the TIA. We're looking at about 18 months from now.

Q: Having the woods behind me is a selling point to my home for both renters and potential buyers. Do you have any comments about putting up a development knowing that it's going to negatively impact the property values of the neighbors in the existing area?
A: From the perspective of the Travis County appraisal the appraisal will be based on what the price point of homes around. I expected the development will enhance it because we put up landscaping at a much higher level versus a commercial use that you might see representative the Toyota shop.

Q: Will the land be cleared, or will any trees be saved?

A: Most of the trees are cedar trees, which from the City's perspective is not like Heritage Trees. We will keep the trees in the no-build area. The rest of the trees will be removed and either mitigated either through fee-in-lieu to the City's Tree Fund or new trees planted on-site with Red Oaks or Pecan Trees, for example. The remainder of the trees will be removed.

Q: What about the wildlife that currently lives right. Will you relocate them to an area that would be their natural habitat?
A: In my eight years working on projects in the city of Austin, I have not seen something like that for urban projects in the core of the City. When you get into the Edwards Aquifer you have the Golden Cheek Warblers, that is where you have to do mitigation efforts.

Q: Will the lights be shielded? The lights at the Toyota Service Center meet the City's Code requirements, but they are still very bright. We want to work with the developer on this and not the city.
A: The compatibility standards require that all lighting should be shielded away from single family use zoning. Toyota has lighting for a commercial use; this will be a residential use. You will get a chance during the site plan stage you will be notified so you can provide more input on this, but we can work with you directly because we want to be good neighbors.

Q: For the affordable units, both rental and ownership, will a housing partner be employed to ensure fairness and equity when vetting tenants and buyers?
A: This will be overseen by the Housing Department staff to certify that each person that is renting at the affordable rent qualifies and meets the affordability requirement for income level.

Q: Is there a way for Building 2 to not go beyond that 100-foot setback?
A: That is within the two-story setback line. This is a very preliminary plan so we can make every intention so limit that or try to minimize it as much as possible.

Q: What have you build in the past? Do you have one similar in this price range?
A: I'm an Austinite and I care about reputation and type of communities we build. Legacy Communities. On our webpage you can look at different projects we're building. We're building in West Austin, Lakeway, East Austin and South. We have one called Gravity ATX. That's the only one I have under construction that is similar to this right now. This is a Type A, $30 million structure.

Q: Will you use the new flood plain info, Atlas 14?
A: Yes, we will, but technically there are no flood plain in this area. But for liability concerns we want to make sure we get it right and there are no adverse impacts.

Q: If this zoning request is denied, what would the project look like?
A: It could be a six-story office building with no residential.

Q: It sounds like most of our concerns won't be addressed until site plan stage. Is this correct?

A: Staff will be able to review it for transportation, etc. during site plan stage when they have more information.

Q: Will the neighborhood get a notice when the site plan is submitted?
A: Yes.

Comments:

- My two-story home has my bedroom and bathroom window facing the condominiums so I will have no privacy. People can look in. I have big windows.
- I feel like this is a done deal. Its sounds like we had no choice in it because you've already had these plans the number of people sitting in on this meeting. I just got notified a week or two ago from the city.
- The roads and streets in the neighborhood are extremely narrow. They are heavily congested at peak hours and there is no way they can accommodate the flow of traffic this complex will need and use as well as the traffic from the existing neighborhood. With this in mind, there are many children that play, ride bikes, and are outside during the day. I am concerned the increase in traffic will cause safety issues**.**
- I am extremely concerned about the rerouting of the gas line and the hazards that can occur from this move.
- My backyard will be several feet from the condominiums. I will have zero privacy. My bathroom window faces the proposed location and tenants will have a direct view inside both my bedroom and bathroom.
- The area is home to many native Texas wildlife and plants. I often see a family of red fox, horned toads, green anole lizards, blue jays, cardinals, mockingbirds, dove, and many other small tree animals.
- I am extremely concerned about my property value decreasing.

CITY COUNCIL DATE: **ACTION:**

To be scheduled

Applicant Summary Letter from Application

ALICE GLASCO CONSULTING

January 19, 2021

Rosie Truelove, Director
Housing and Planning Department
505 Barton Spring Road, Suite 500
Austin, Texas 78704

RE: South Congress Combined Neighborhood Plan Amendment and rezoning for 4700 Weidemar Lane

Dear Rosie:

I represent Shelby Lane Development, LLC, the entity that owns the subject property in a request to amend the Future Land Use Map (FLUM) of the South Congress Combined Neighborhood Plan and associated rezoning. The proposed zoning and FLUM (Future Land Use Map) changes are as follows:

Current FLUM Land Use: Commercial

Proposed FLUM Land Use: Multifamily

Current Zoning: CS-CO-NP (General Commercial Services District)

Proposed Zoning: MF-6-NP(Multifamily Highest Density District)

Site area: 8 acres

JUSTIFICATION FOR A PLAN AMENDMENT AND REZONING

1. **The proposed change** to the FLUM and associated rezoning are consistent with the surrounding land use pattern. The proposed development will add a diversity of housing– condos and multifamily - in this planning area.
2. **The property owner would** like to provide affordable housing as prescribed under ordinance # 20080131-132, section 25-2-567 – an ordinance amending Chapter 25-2 of the City Code to provide development regulation incentives for affordable housing.

Rosie Truelove: South Congress Combined Neighborhood Plan Amendment and rezoning for 4700 Weidemar Lane

We look forward to a positive staff recommendation. Please let me know if you have any questions or need additional information.

Sincerely,

Alice Glasco

Alice Glasco, President
Alice Glasco Consulting

Cc: Maureen Meredith, Neighborhood Planner
Wendy Rhoades, Zoning Planner

Letter of Recommendation from the South Congress Combined NPCT

DATE: May 17, 2021

TO: City of Austin City Planning Commissioners

CC: District-3 City Council Member, Pio Renteria – Pio.Renteria@austintexas.gov
Maureen Meredith - maureen.meredith@austintexas.gov
Wendy Rhoades - Wendy.Rhoades@austintexas.gov
Case file

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

Re: 4700 Weidemar Lane
Plan Amendment Case #: NPA-2021-0020.01
Zoning Case #: C14-2021-0015

Dear City Planning Commissioners,

We, the South Congress Combined Neighborhood Plan Contact Team (SCCNPCT), would like to state our concerns about the request by the developer for the property mentioned above to change the South Congress Combined Neighborhood Plan future land use map (FLUM) and current zoning, from Commercial (CS-CO-NP) to multi-family (MF-6-NP) to build a mix of multi-family rental apartments and owned condos.

In alignment with neighbors, **we do not support a change to the current FLUM, and we do not support rezoning** from CS-CO-NP to MF-6-NP. If this case is brought up before a City Council meeting, we urge you to please vote **against** the requested to change the current FLUM and rezoning.

Rather, we wish to keep the property zoned as is for commercial use vs. multi-family due to the increased height of the planned buildings (60 ft vs. 90 ft) towering over existing neighbors in the Colonial Trails sub-division, AND the fact that a selling point for these neighbors at the time of their home purchases was that this tract would never be developed because of a high capacity gas pipeline which runs through the middle of the lot.

The FLUM amendment would be inconsistent with the surrounding land uses, as well as our Neighborhood Plan future land use map. With a planned development like this in a dense commercial area, it will certainly bring a substantial increase in traffic to/from residences 24/7 vs. the existing commercial traffic which is typically minimized only during working hours and on week days.

Furthermore, we understand the gas pipeline will need to be moved, which is quite atypical in a FLUM/zoning case. The developer reported on plans to move the existing pipeline, yet the pipeline owner has not, thus far, even heard of these plans. This will be the first time that a FLUM amendment within the SCCNPCT area will include moving and adjusting gas line(s). A change like this means individuals would live 24/7 365 days a year within very close proximity to this gas line vs. if left as commercial zoning where less individuals would come and go and more so only during typical work days/hours.

It is another important concern that the closest metro station is more than half mile away, with very narrow substandard roads with no sidewalks or shoulders, making it very unsafe for pedestrian use and cyclists.

The neighbors and stakeholders of the SCCNPCT area remain focused on the key issues and priorities specifically spelled out in the neighborhood plan, and this planned development is in stark contrast to these explicit goals:

- Limit the effects of industrial and commercial uses on adjacent neighborhoods

- Prevent commercial incursion into neighborhoods
- Preserve the **character** of single-family neighborhoods
- Improve pedestrian connections throughout the area
- New development should be compatibly scaled when adjacent to residential uses
- Public open spaces and natural areas should be preserved as places for wildlife and where people can enjoy nature in the middle of the city
- **Tree-lined** neighborhood streets should allow residents to safely travel by any means
- **Preserve** and enhance the existing single-family neighborhoods, and **retain the affordability of these neighborhoods**

The Colonial Trails neighborhood has been in contact with area residents, which have unanimously expressed the desire to keep the current commercial zoning in place per the Future Land Use Map (FLUM), and strongly urge you and your colleagues to ***deny* the FLUM amendment - AND - *deny* rezoning this property.**

Thank you,
Mario Cantu, Keena Miller, Gwen Jewiss
SCCNPCT

Nov. 9 PC hearing - Postponement Request from Neighborhood

DATE: November 2, 2021

TO: Case Manager: Wendy Rhodes Wendy.Rhoades@austintexas.gov

CC: Applicant: Alice Glasco

Case File: Planning Commission 4700 Weidemar NPA-2021-0020.01 - C14-2020-0015 District-3.

FROM: Colonial Trails Neighborhood – SCCNPCT supports the neighborhoods postponement request

Re: Requesting Postponement Planning Commission Meeting November 9, 2021 to December 14, 2021

Re: From: CS-CO-NP
To: MF-6-NP

Dear Wendy Rhodes,

We, the Colonial Trails Neighborhood are requesting postponement November 09, 2021 Planning Commission to December 14, 2021 Planning Commission. We the SCCNPCT will need time to communicate with the neighborhood regarding case number: C14-2021-0015 4700 Weidemar Lane. Staff recommendations were pending for this case which initiated several postponements by the applicant and staff for this case number.

We prepared as best as we could ahead of time because we knew when this case would be presented to Planning Commission. The Colonial Trails Neighborhood & SCCNPCT arranged to meet with Alice Glasco on 27-SEP-2021per her request for an update. At the end of that meeting neighbors requested information and had several questions that needed to be addressed regarding the gas pipeline as an issue and concern, including mobility which was a new addition that was not included/presented at the Virtual Community Meeting Date March 11, 2021 Time: 6:00 – 7:30pm Plan Amendment Case #: NPA-2021-0020.01 Zoning Case #: C14-2021-0015 Property address: 4700 Weidemar Ln (8 acs). We would like to meet with Alice Glasco because at this time the updated and current information for this development is on the table, which is different from the initial Virtual Community Meeting. On August 16, 2021 staff requested an indefinite postponement of the above-referenced neighborhood plan amendment and rezoning cases. Renotification of both cases will be required.

- The neighborhood feels they did not have sufficient notification.
- Neighborhood & SCCNPCT would like to meet with Alice Glasco prior to a Planning Commission Meeting for new updated and pending information.
- Answer neighborhood questions to the 27-SEP-2021meeting that have not be answered.
- Changes to the proposed development have been made to the initial Virtual Neighborhood Meeting that took place on March 11, 2021 Time: 6:00 – 7:30pm.
- We Colonial Trails Neighborhood **request postponement for the November 9, 2021 Planning Commission Meeting to December 14, 2021 Planning Commission meeting**.

Thank you,

Dacey, George, Lynn, Angela,

From: Dacey Long
Sent: Monday, November 1, 2021 9:00 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: The NPA and zoning case (C14-2021-0015) for 4700 Weidemar Lane

*** External Email - Exercise Caution ***

DATE: October 29, 2021

TO: Case Manager: Wendy Rhodes Wendy.Rhoades@austintexas.gov

CC: Applicant: Alice Glasco

Case File: Planning Commission 4700 Weidemar C14-2020-0015 District-3.

FROM: Dacey Long and the Colonial Trails Neighborhood

Re: Requesting Postponement Planning Commission Meeting for December 7th, 2021

Re: From: CS-CO-NP

To: MF-6-NP - Staff Rec: Recommendation of GR-MU-V-CO-NP

To the Zoning and Planning Board, City of Austin

On behalf of the Colonial Trails Neighborhood, we are requesting a postponement for the NPA and zoning case (C14-2021-0015) for 4700 Weidemar Lane from November 9th, 2021 to December 7th 2021. The South Congress Combined Neighborhood Plan Contact Team is also asking for postponement and has sent an additional request for the postponement.

Although correspondence was dated October 28th, the residents of Colonial Trails did not receive notification of the hearing date until October 30th. We were given a deadline of November 2nd for any paperwork to be completed for the hearing. Given we have four days to prepare before the November 2nd deadline, I request to postpone the hearing date to December 7th.

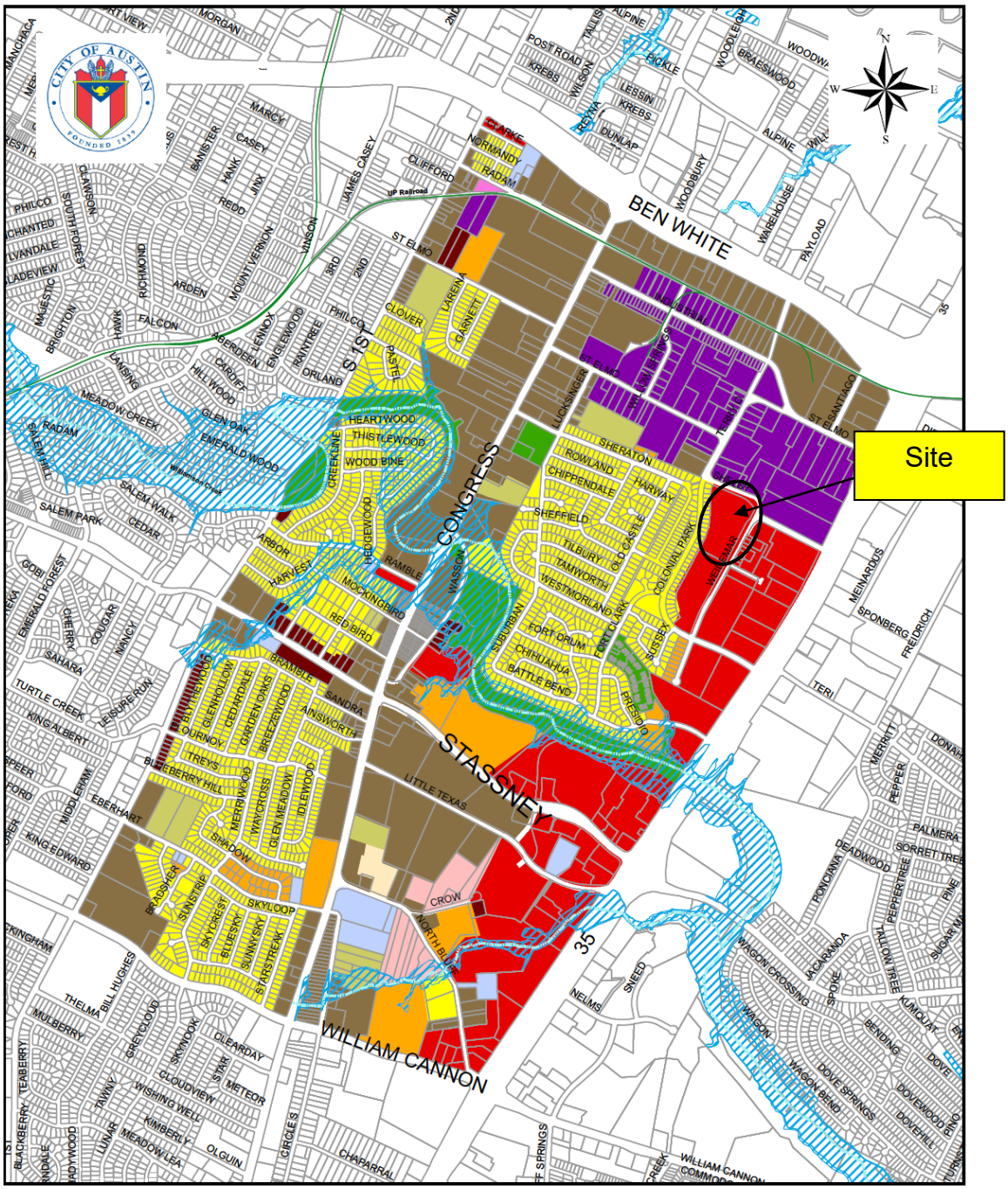
Members in our neighborhood met with Alice Glasco and the developers on September 27th to discuss the proposed zone change and development plans. During the meeting, Ms. Glasco as well as the developers agreed to have another meeting with members of our neighborhood before the planning zone hearing but we have not met nor have we been contacted to schedule the follow-up meeting.

The September 27th meeting was recorded so we can verify this agreement if needed. This is an additional factor for the postponement request.

Finally, an elderly resident in the neighborhood who wanted to speak during the hea ring had surgery today on November 1st. Due to his heart condition (heart arrhythmia) and internal bleeding that will occur after his prostate surgery, he will not be able to speak at the November 9th hearing. His cardiologist orders are not to be exposed to any type of stress or physical exertion for at least three weeks after the surgery.

Please let me know if you have any questions or need additional information for the postponement.

Sincerely,
Dacey Long
The Residents of Colonial Trails Neighborhood



South Congress Combined Neighborhood Planning Area: Future Land Use Map

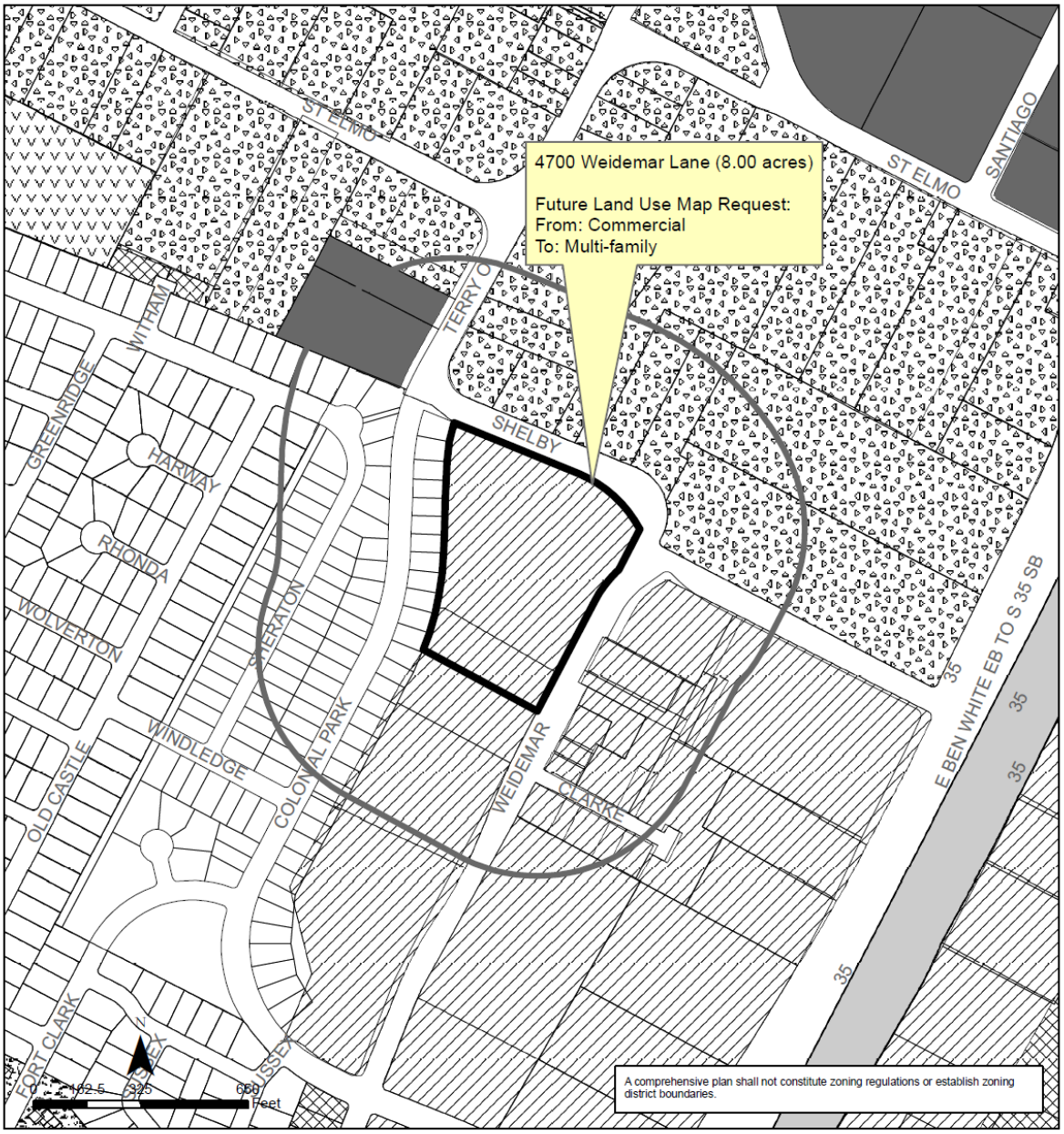
Produced by the City of Austin
Planning and Zoning Department
Adopted August 18, 2005
Updated February 28, 2020

This map has been produced by the City of Austin Planning & Zoning Department for the sole purpose of aiding neighborhood planning decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

2,000 1,000 0 2,000 Feet

Legend

- Civic
- Commercial
- Higher-Density Single-Family
- Industry
- Mixed Residential
- Mixed Use
- Mixed Use/Office
- Mobile Homes
- Multifamily
- Office
- Recreation & Open Space
- Residential Core
- Rural Residential
- Single-Family
- 100-year Flood Plain
- Creeks



South Congress Combined (East Congress) Neighborhood Planning Area
NPA-2021-0020.01

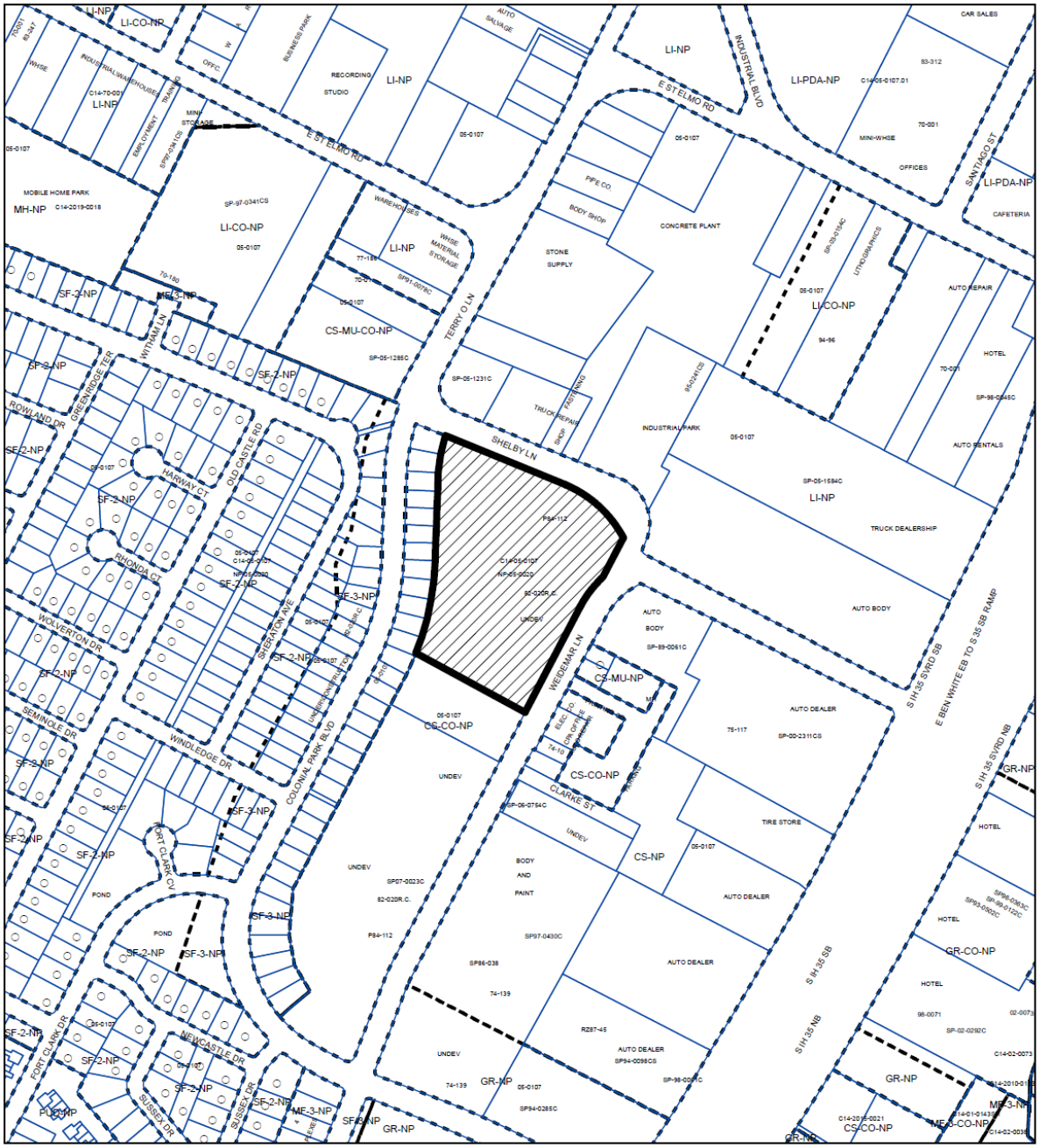
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

City of Austin
Housing and Planning Department
Created on 2/24/2021, by: MeeksS

Future Land Use

- 500 ft. notif. boundary
- Subject Tract
- Commercial
- Higher-Density Single-Family
- Industry
- Mixed Use
- Multi-Family
- Recreation & Open Space
- Single-Family
- Transportation



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING

ZONING CASE#: C14-2021-0015

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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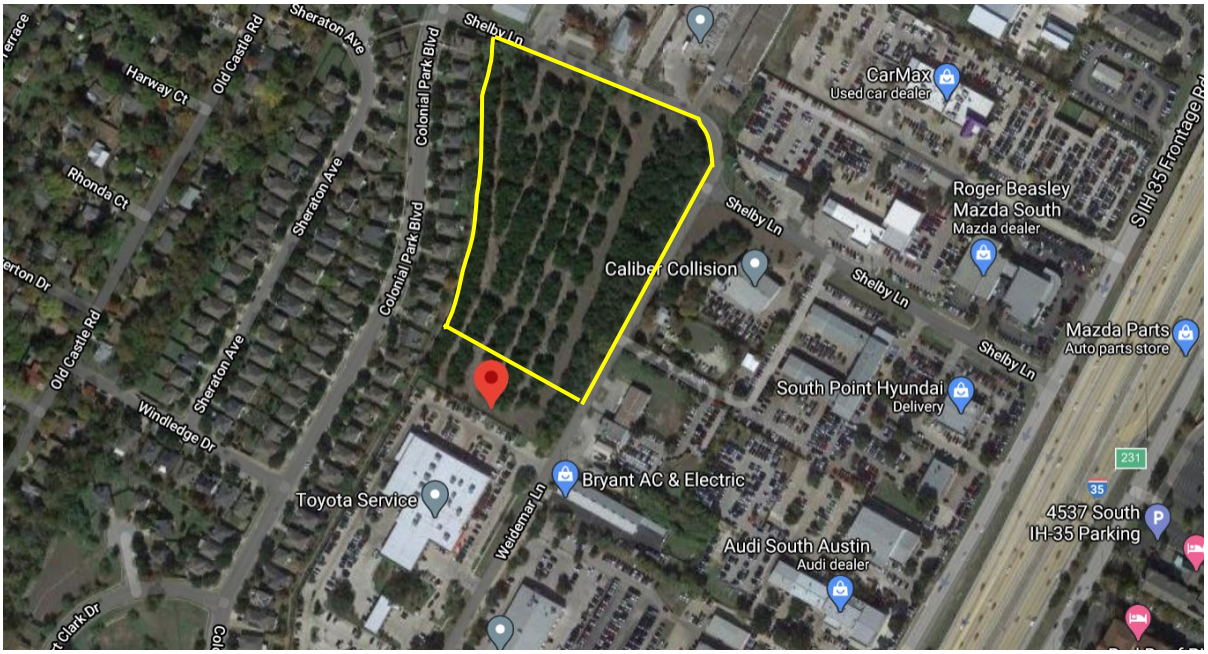
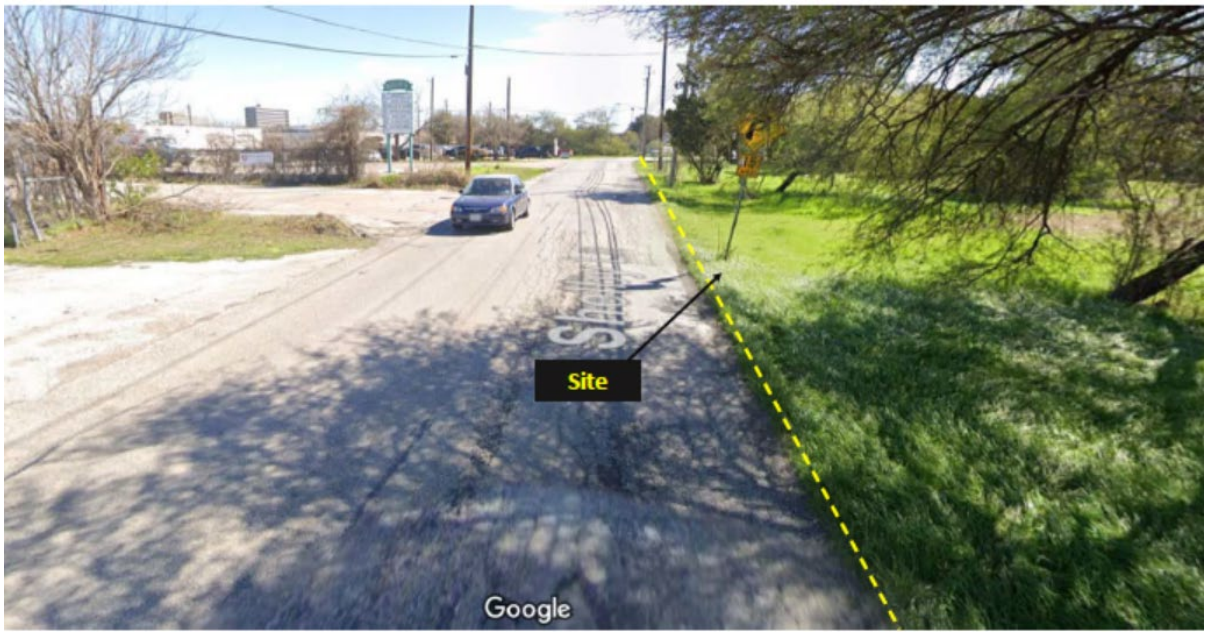
Created: 2/12/2021


Harway Ct
Old Castle Rd
Sheraton Ave
Colonial Park Blvd
Shelby Ln
Rhonda Ct
Windledge Dr
Weldemar Ln
CarMax
Used car dealer
Roger Beasley
Mazda South
Mazda dealer
S IH 35 Frontage Rd
Caliber Collision
Mazda Parts
Auto parts store
South Point Hyundai
Delivery
Bryant AC & Electric
Toyota Service
Audi South Austin
Audi dealer
4537 South
IH-35 Parking
231
35

Site

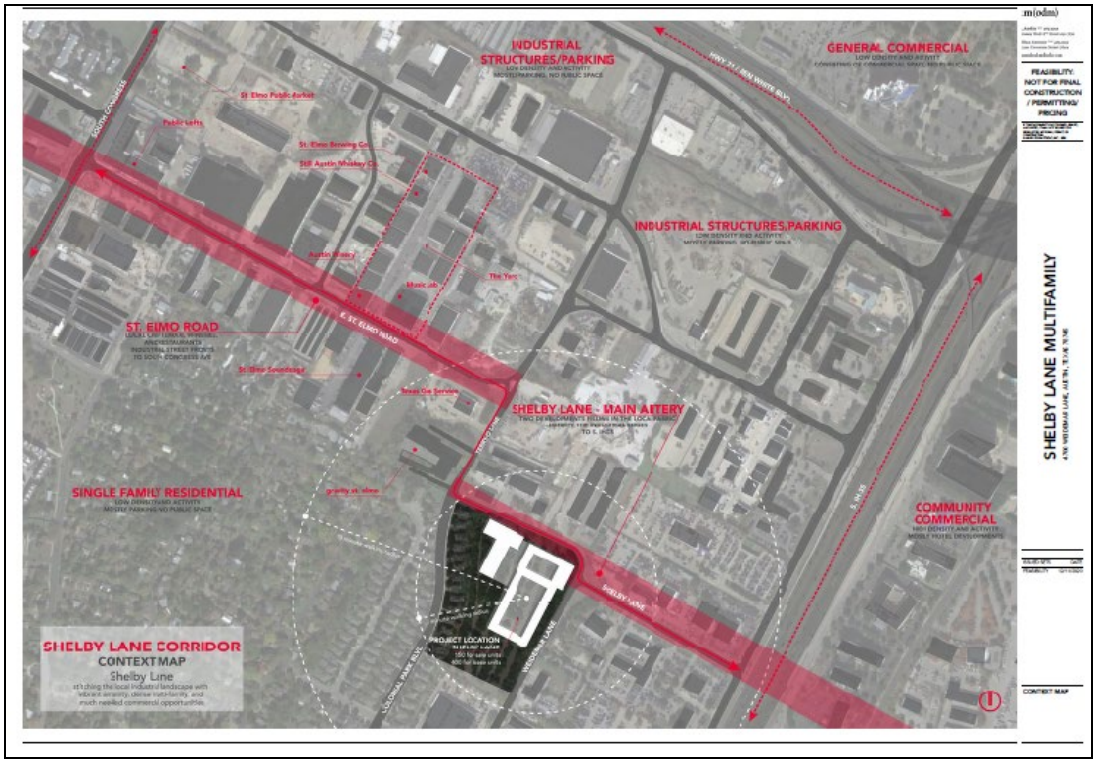
Site
Google

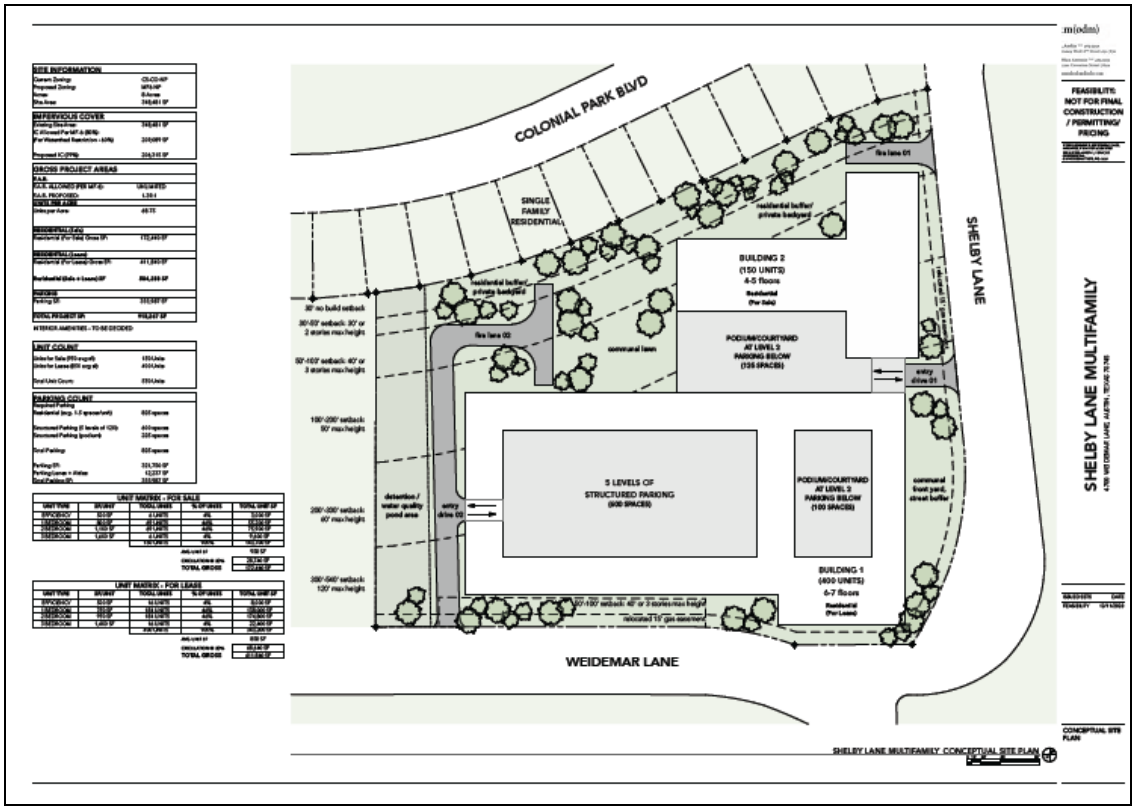
Site
Google


Site
Google

Homes along Colonial Park Blvd

Applicant's Presentation at the March 11, 2021 Community Meeting




SITE INFORMATION
IMPERVIOUS COVER
GROSS PROJECT AREAS
UNIT COUNT
PARKING COUNT
UNIT MATRIX - FOR SALE
UNIT MATRIX - FOR LEASE
COLONIAL PARK BLVD
SINGLE FAMILY RESIDENTIAL
SHELBY LANE
WEIDEMAR LANE
BUILDING 2 (150 UNITS) 4-5 floors
PODIUM/COURTYARD AT LEVEL 2 PARKING BELOW (125 SPACES)
5 LEVELS OF STRUCTURED PARKING (500 SPACES)
PODIUM/COURTYARD AT LEVEL 2 PARKING BELOW (100 SPACES)
BUILDING 1 (400 UNITS) 6-7 floors
FEASIBILITY: NOT FOR FINAL CONSTRUCTION / PERMITTING/ PRICING
SHELBY LANE MULTIFAMILY
CONCEPTUAL SITE PLAN
SHELBY LANE MULTIFAMILY CONCEPTUAL SITE PLAN

-----Original Message-----
From: Lynn Davis
Sent: Thursday, March 04, 2021 8:01 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Concerns about 4700 Shelby Lane

*** External Email - Exercise Caution ***

Hi, I'm a homeowner at 408 Colonial Park Blvd and when I bought my home, I was promised that nothing could be developed in the wooded site behind my house, because there is a gas line there. This project seeks to ruin the natural habitat behind my house, ruin my view and lower my property value. The noise will be unbearable. There isn't enough room on the roads to handle the traffic. I vehemently oppose and want to know all my rights and about all I can do to band together with my neighbors to oppose this. Can you help?

Thanks,
Lynn Stepanenko
202-999-9907

From: Alice Glasco [mailto:alice@agconsultingcompany.com]
Sent: Tuesday, May 11, 2021 10:52 AM
To: ljsallop@
Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: FW: Plan Amendment Case number NPA-2021-0020.01 and Zoning Case #c14-2021-0015 - Reply to Lori

Dear Lori Sallop,

I apologize profusely for assuming that you were going to participate in the city staff- sponsored community meeting held on March 11th , 2021 where some of your questions were asked and answered. Nonetheless, please see my responses below in **red.**
==========
Alice Glasco, President
Alice Glasco Consulting
512-231-8110 W
512-626-4461 C
Email: alice@agconsultingcompany.com

From: Alice Glasco
Sent: Monday, May 10, 2021 5:29 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: RE: Plan Amendment Case number NPA-2021-0020.01 and Zoning Case #c14-2021-0015

Maureen,

I apologize profusely. I assumed that Lori Sallop was going to participate int the city -sponsored meeting you hosted where we addressed/answered question from neighbors. I will solo-up with Lori – it was not my intent to ignore her. Thank you!

==========
Alice Glasco, President
Alice Glasco Consulting
512-231-8110 W
512-626-4461 C
Email: alice@agconsultingcompany.com

From: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Sent: Monday, May 10, 2021 5:22 PM
To: Alice Glasco <alice@agconsultingcompany.com>
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: FW: Plan Amendment Case number NPA-2021-0020.01 and Zoning Case #c14-2021-0015

Alice:
Here is the original email from Lori Sallop where she asks questions (see below). I forwarded it to you on March 9. Lori's email from today said she never received a response.

Maureen

From: Lori Sallop
Sent: Monday, March 08, 2021 10:13 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Lori Sallop
Subject: Plan Amendment Case number NPA-2021-0020.01 and Zoning Case #c14-2021-0015

*** External Email - Exercise Caution ***

Hi Maureen and Wendy

I am writing as a property owner with several concerns around the proposed neighborhood plan amendments and zoning changes.

1. Schools - the schools in this area are already underfunded and overcrowded. The proposed changes will significantly increase the numbers of students and add more burden to already challenged schools. What is the developer's plan to assist the schools? **Applicant response: once the subject property is developed, the school district will benefit from an increase in property taxes that will be generated from the property, and the bulk of the property taxes which will go to the school district.**

2. Power Grid - as last month showed, the city's power grid is not adequate for the current power consumption. The proposed development will add significant added

usage and will likely lead to more demand that the supply. What is the developer's plan so that the existing residents don't lose power? What guarantees can they provide around ensuring that power rates are not increased based on these proposed changes and that power outages will not occur? **Applicant response: property owners do not control or regulate the cost of utilities – the rates, in the city of Austin are set by the City Council and the developer will pay their fair share of the fees that are applicable by law. The adequacy of power to all residents of Austin – residential or commercial – falls upon the City and State regulations (ERCOT).**

3. Proposed building height - the proposed changes have a significant increase in how tall buildings can be built. This will significantly reduce privacy and provide safety concerns for money current homeowners **Applicant response: The allowed height under the current zoning of CS is 60 feet or 5 stories - closer to Weidemar Lane in compliance with compatibility standards setbacks. The same compatibility standards setbacks apply to any development that occurs on this site with or without a zoning change (which includes the possibility of a 1,000-room convention hotel under the current CS zoning). At this point of the project design, the proposed building height close to Weidemar Lane will not exceed 65 feet or 5 stories.**

4. Roads - this brings up several concerns. The current roads are very narrow. Who is going to fund widening the roads? **Applicant response: The City's Transportation Department will require a traffic impact analysis at the time of site plan submittal and the staff will identify what improvements the developer is responsible for, including any traffic impact fees that must be paid.**

5. Traffic - traffic and speed has already been such a concern that there are currently speed bumps. The proposed amendment would be a huge increase in the traffic in this neighborhood and bring safety concerns for the children and families. There have already been incidents where drunk drivers have literally driven into people's houses. The huge increase in people from the development as well as the additional cars that would bring would increase the probability of more of these accidents. What is the developer's plan to protect the residents? **Applicant response: whether the property is developed with a 1,000-room convention hotel under the current CS zoning or with housing under the proposed multifamily zoning, during site plan and traffic impact analysis review for the site, city transportation staff will identify what improvements the developer needs to make to address safety concerns.**

6. Gas - my understanding is that based on the current gas line infrastructure there will likely need to move gas lines. What's the plan on HOW the gas lines will be moved? What's the guarantee that there will not be gas issues going forward from the developer? **Applicant response: The gas company has given the developer permission to relocate the gas line so that it runs under Weidemar and Shelby**

Lanes. The developer will comply with all safety regulations for relocating the gas line.

7. Flooding - with some much additional concrete and infrastructure from the proposed changes, what's the plan to ensure there won't be flooding and drainage issues? What's the guarantee from the developer for future issues that this development will create? **Applicant response: The city's watershed department requires an on-site detention and water quality pond to control flooding. City watershed review staff will ensure that a detention and water quality pond is on the site plan for any proposed development when they review the site plan for development.**

8. Area security - in addition to the traffic safety concerns, that many additional people in the area bring up overall safety concerns - more break-ins and other crimes. The city has defunded the Austin police $150M as well as canceled several new police academy classes. Austin's overall crime rates are increasing. Huge increase of people and few police offices does not seem like a good math equation for resident safety. What's the developer's plan and guarantee around funds for police, preventing increase in crime activity? **Applicant response: The city will benefit from the from the increased appraisal of the development of the property through an increase in property taxes, and, the taxes can assist in funding the police department – whether the property is developed with a 1,000-room convention hotel under the current CS zoning or with housing under the proposed multifamily zoning.**

As you can tell, I have several concerns for the proposed changes.

Thanks!
Lori

From: Rhoades, Wendy
Sent: Monday, March 15, 2021 11:17 AM
To: George <
Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: RE: Questions about fee-in-lieu payments

George,
I don't believe that fee-in-lieu payments will be required as part of the rezoning case, but it is possible that this issue will arise during review of the subsequent subdivision and site plan applications. Regarding fees-in-lieu for parkland, you could check with Thomas Rowlinson from the Parks and Recreation Department. He can be reached at 512-974-9372.
At the time of construction the developer will likely be required to build sidewalks along the street frontages of the rezoning area (Shelby Lane and Weidemar Lane), but you could confirm this with Amber Mitchell, 512-974-5646.

Below is a FAQ sheet regarding sidewalk fees-in-lieu.
http://austintexas.gov/page/frequently-asked-questions-about-sidewalk-fee-lieu
At the time of subdivision or site plan, the Austin Transportation Department will determine if fees-in-lieu will be required for bike lanes or other transportation-related improvements. If the Applicant proposes to build less than the required number of parking spaces by Code, then that would be handled as a variance at the time of site plan (Amber Mitchell is also a good resource for these questions – she will return to the office on Monday, March 22nd).
Wendy

From: George < >
Sent: Sunday, March 14, 2021 11:41 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Questions about fee-in-lieu payments

*** External Email - Exercise Caution ***

Maureen and/or Wendy,

During the virtual meeting Thursday evening with Legacy MCS and Alice Glasco, someone mentioned "fee-in-lieu payments." How can I find out more information about the fee-in-lieu payments? Are they held in escrow? What is the transparency on the disbursement? Can I access how the funds are disbursed?
Who determines how the fees are used and where? Can the City use the money anywhere for anything within the City? Can the neighborhood advocate that the developer be required to actually build sidewalks, bike lanes, and parking spots instead of fee-in-lieu payments?

Respectfully,
George Krabe

From: Daniel
Sent: Tuesday, March 02, 2021 1:42 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: C14-2021-0015

*** External Email - Exercise Caution ***

Hi Wendy,

My name is Daniel Sullivan, and I am a resident who lives within 500 feet of the property whose rezoning is proposed - at 812 Sheraton Ave.

I wanted to register my support for the rezoning and multifamily development of 4700 Weidemar Ln. I believe that increased housing density is a benefit for our

neighborhood and Austin more broadly, especially with the future rail line that will be running down S Congress Ave.

Thanks,
Daniel Sullivan

*** External Email - Exercise Caution ***

DATE: November 2, 2021
TO: Planning Commission, City of Austin
CC: Maureen Meredith - Maureen.meredith@austintexas.gov
Wendy Rhoades - Wendy.Rhoades@austintexas.gov
FROM: George Kraber, property owner and resident of Colonial Trails subdivision
Re: 4700 Weidemar Ln, Plan Amendment Case # NPA-2021-0020.01 Zoning Case #: C14-2021-0015

Dear Planning Commissioners,

I have several concerns with the proposed change to amend the Future Land Use Map (FLUM) of the South Congress Neighborhood Plan from Commercial to Multifamily land use. The applicant proposes to change the zoning from CS-CO-NP (General Commercial Service - Conditional Overlay - Neighborhood Plan) to MF-6-NP (Multifamily Highest Density - Neighborhood Plan) for multifamily and condos. I am **against any change to the current FLUM and rezoning** because the change conflicts with the recommendations in the South Congress Combined Neighborhood Plan. The proposed change to the FLUM and associated rezoning is not consistent with the surrounding land use pattern. In fact, most of the diversity of housing, condos and multifamily residences, are located on the South Congress Corridor away from the single family residential areas.

Another concern I have about the proposed development is the safety concerns as they relate to the relocation of the buried high pressure gas pipeline that currently exists beneath the property. The Developer has proposed that the pipeline be moved to facilitate construction of the complex at 4700 Weidemar Lane.

Also, the City places great emphasis on mobility, yet the closest bus station is .7 miles away from the proposed development. According to Imagine Austin, households are to be "within ¼ and ½ mile distance of transit and high capacity transit." (IACP_2018.pdf - page 241-242)

Once again, I ask that the Planning Commissioners vote to **deny the request** to amend the future land use map and request for rezoning. The changes are contrary to the South Congress Neighborhood Plan's priorities and objectives:

- **Preserve the character**
- of single-family neighborhoods

- New development should be
- **compatible scaled**
- when adjacent to residential uses.
- Preserve and enhance the existing single-family neighborhoods and retain the
- **affordability of our neighborhoods**.
- **Preserve and enhance**
- the existing single-family
- Tree-lined neighborhood streets should allow residents to
- **safely travel by foot, bicycle, or car.**

Respectfully,
George Kraber
702 Colonial Park Blvd.
Austin, TX 78745

From: George <
Sent: Tuesday, November 2, 2021 2:48 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Dacey Long < >; Lynn Stepanenko < >; Mario Cantu - SCCNPCT <mariocantu@ >
Subject: Planning Commission: please include in staff reports for Nov 9, 2021

*** External Email - Exercise Caution ***

TO: Planning Commissioners, City of Austin
CC: Maureen Meredith - (maureen.meredith@austintexas.gov), Wendy Rhoades - (Wendy.Rhoades@austintexas.gov) Case file
FROM: George Kraber, property owner and resident of Colonial Trails subdivision
Re: 4700 Weidemar Ln, Plan Amendment Case # NPA-2021-0020.01 Zoning Case #: C14-2021-0015

The following is the property owners rebuttal of Applicant's Responses to Article 16: Neighborhood Plan Amendment Ordinance 25-1-810 by Alice Glasco and the Developer, Legacy MCS.

LAND USE PLANNING PRINCIPLES

The Applicant's responses below are copied from the Applicants: Article 16: Neighborhood Plan Amendment Ordinance § 25-1-810 - RECOMMENDATION CRITERIA.

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

Applicant's Response: The decision to rezone the site from CS-CO-NP to MF-6-NP will not create an arbitrary development pattern.

Rebuttal: The request for rezoning from CS-CO-NP to MF-6-NP is an example of **spot zoning.** As noted in the chart below, the current zoning of properties adjacent to and beyond the planned development are as follows: CS, LI, GR, SF-2, SF-3, and CS-MU-CO-NP. Please see the chart below.

Note: The closest multistory buildings are on the South Congress Corridor over a half mile away. Currently, there are plans to build The Stations of St Elmo at 4510 St. Elmo (CS-MU-CO-NP) which the site plans indicate an approximate height of forty-eight.

	ZONING	LAND USES
Site	CS-CO-NP	undeveloped
North	LI-NP	Electronic Industrial Distributor Wholesale Distributors and Warehouses Manufacturing/Mechanical/Mining, Transportation/Logistics, Construction/Facilities/Trades
South	CS-CO-NP	Auto Repair
East	LI-NP CS-CO-NP CS-MU-NP CS-NP GR-NP CS-NP	HVAC Contractor Electrical Repair Shop Accountant & Tax Return Preparation Car Rental

West	SF-3-NP SF-2-NP SF-3-NP CS-MU-CO-NP	Single family homes One property northwest of the proposed site is zoned CS-MU-CO-NP has not been constructed as of March 2021. Although the location has plans to build condominiums in the facility, the development will be used for residential and will house office spaces, commercial retail, and a fitness center. The property website describes the appearance of the proposed development as: *"architecture designed for modern-day functionality with rich industrial-style finishes"* which is consistent with the commercial surroundings of the neighborhood located north, south, and east of the property.

3. Minimize negative effects between incompatible land uses:

Applicant's Response: The proposed multifamily and condo development will be compatible with surrounding land uses.

Rebuttal: As you can see from the photos below, the proposed 4700 Weidemar Lane development is NOT compatible with the surrounding land use both in terms of the current Neighborhood Plan and existing property and structures.

1st Photo: As the drone is flying over the north end of the 4700 Weidemar Lane property the camera is facing slightly southwest. The white building at the top of the photo is AutoNations Service Center with Colonial Trails subdivision to the right. The straight line grassy area with tire tracks is the high pressure pipeline transecting the property.

2nd Photo: The drone camera is facing towards the west and you can see the houses on Colonial Park Blvd. Shelby Lane is just visible to the left in the picture.

3rd Photo: The drone camera is facing north. Small businesses and the CenTex Plant are visible. Note Shelby Lane bottom of photo. It is an unimproved country type road.

As you might notice all the buildings in this general area are one story. There are no other structures compatible with what is being proposed. At this time, the closest multi-family structures are .7 miles away on the South Congress Corridor.

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

Applicant's Response: The proposed multifamily and condo development will be compatible with the existing residential development west of the subject site.

Rebuttal: The construction of 150 condo units and 304 apartment units will actually encourage more intense use of the substandard road adjacent to the development and increase traffic throughout the Colonial Tails subdivision (CT). This increased use will impact safety and emergency vehicle access throughout CT and the adjacent neighborhoods.

13. Avoid creating undesirable precedents.

The Applicants Response: The proposed MF-6-NP zoning will not create any undesirable precedents

Rebuttal: As noted in item 1, the rezoning of 4700 Weidemar Lane from CS-CO-NP to MF-6 with create undesirable precedents for the adjacent neighborhoods with increased traffic causing safety concerns for emergency vehicles access, school bus stops, and pedestrian traffic

17. Consider infrastructure when making land use decisions.

The Applicant's Response: There is adequate infrastructure to accommodate housing on the subject site.

Rebuttal: Currently there is NOT adequate infrastructure to support this development, either in the construction phase or upon completion. The pictures are of Shelby Lane and St Elmo Lane, are asphalt base and in bad condition. Weidemar Lane which was recently resurfaced but still has an inadequate subbase. The Traffic Impact Analysis stated, “Shelby Lane and Weidemar Lane are currently classified as substandard streets.”

Photos below: 1.Shelby Lane eastward
2.Shelby Lane eastward
3.Intersection of Shelby Lane westward,Colonial Park Blvd (to the left) and St. Elmo Lane (to the right)
4. Weidemar Lane southward after recent repaving but subbase was not replaced

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

The Applicant's Response: The requested FLUM change and rezoning will, indeed, promote development that will serve the community.

Rebuttal: It is uncertain that the FLUM change and rezoning will serve the needs of a diverse population. It is my understanding that The Station St. Elmo at 4510 St Elmo was sold out before it was even advertised to local buyers. One concern expressed by property owners is the development of 304 apartment units. Typically, individuals who lease apartments for a year or two are not invested in the area and there is concern of their impact on the residential area.

Thank you for taking the time to read my rebuttals. I hope it is helpful in your decision to **vote against** the proposed Future Land Use Map and rezoning case.

Respectfully,
George Kraber
702 Colonial Park Blvd
Austin, TX 78745

November 1, 2021
Re: **Neighborhood Plan Amendment Case No. NPA-2021-0020-.01 (4700 Weidemar Ln (8 acres) Plan Amendment Case # C14-2021-0015**

To the City of Austin Zoning and Planning Board:

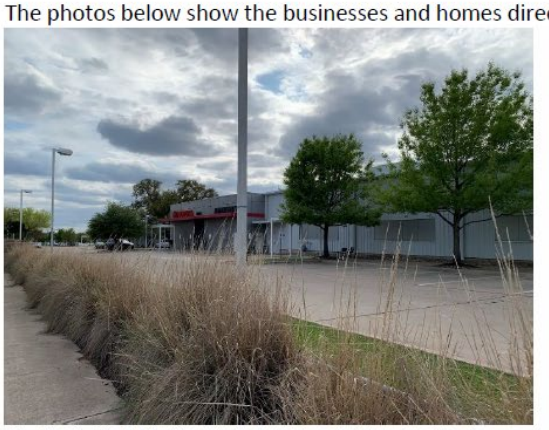
I am a resident of the Colonial Trails Neighbord and my property at 404 Colonial Park Blvd. is adjacent to the 4700 Weidemar Lane site. I oppose the zone change from CS-CO-NP to MF-6-NP for the following reasons listed below in highlighted text.

The applicant's justification for the amendment includes the following:

1. The proposed change to the FLUM and associated rezoning are consistent with the surrounding land use pattern. The proposed development will add a diversity of housing- condos and multifamily - in this planning area.
   This is simply not true because the surrounding land use pattern is zoned for commercial and industrial use and single family. Please see the table below which lists the zoning adjacent to 4700 Weidemar Lane, the site of the proposed development.

	ZONING	LAND USES
Site	CS-CO-NP	undeveloped
North	LI-NP	Electronic Industrial Distributor Wholesale Distributors and Warehouses Manufacturing/Mechanical/Mining, Transportation/Logistics, Construction/Facilities/Trades
South	CS-CO-NP	Auto Repair
East	LI-NP CS-CO-NP CS-MU-NP CS-NP GR-NP CS-NP	HVAC Contractor Electrical Repair Shop Accountant & Tax Return Preparation Car Rental
West	SF-3-NP SF-2-NP SF-3-NP CS-MU-CO-NP	Single family homes One property northwest of the proposed site is zoned CS-MU-CO-NP has not been constructed as of March 2021. Although the location has plans to build condominiums in the facility, the development will be used for residential and will house office spaces, commercial retail, and a fitness center. The property website describes the appearance of the proposed development as: *"architecture designed for modern-day functionality with rich industrial-style finishes"* which is consistent with the commercial surroundings of the neighborhood located north, south, and east of the property.

The photos below show the businesses and homes directly adjacent to 4700 Weidemar Lane.



South of 4700 Weidemar Lane: Toyota Service Center, AutoNation4800 S IH 35 Frontage Rd Suite 1

Southeast of 4700 Weidemar Lane: Collision Center, 4901 Weidemar Lane

East of 4700 Weidemar Lane: Elk Electric, 4704 Weidemar Lane

East of 4700 Weidemar Lane: Bryant Electric, 4825 Weidemar Ln STE 600

Northeast of 4700 Weidemar Lane: Various Warehouses with commercial and industrial businesses, 900 Shelby Lane and 820 Shelby Lane

North of 4700 Weidemar Lane: Back entrance to Centex Materials, Inc. This entrance is frequented by cement trucks, delivery trucks, and dump trucks transporting heavy rocks. This entrance is approximately 30 feet from the proposed development.

North of 4700 Weidemar Lane: Various warehouses and industrial businesses, 712 Shelby Lane

West of 4700 Weidemar Lane: Single family homes along Colonial Park Blvd.

The proposed rezoning amendment to construct the "Multifamily Residence" Shelby Lane complex is in direct conflict to the following goals and priorities found in the Imagine Austin plan.

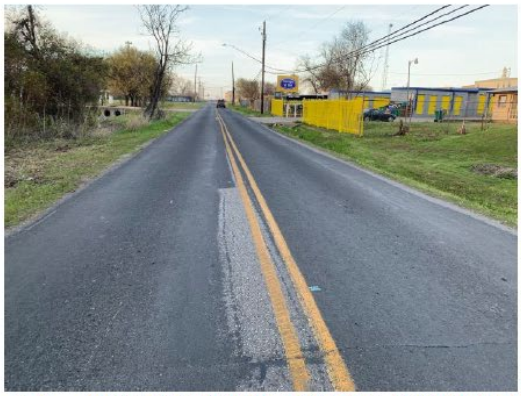
IMAGINE AUSTIN PLANNING PRINCIPLES:

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. B-9 3 of 25 Planning Commission: June 23, 2020

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 located on Weidemar Lane and is **not along the South Congress corridor but is along the South IH-35 corridor**. The property is **not** located along an Activity Corridor as defined in the Imagine Austin Comprehensive Plan. The location is located .7 miles from the South Congress corridor. **This is outside of the .5 mile criteria metric for access to high capacity transit stops found in Imagine Ausitn.** Furthermore, there are no bikelines to the transit stops and sidewalks are almost non-existent. In fact, most of the walking route is limited to the edge of narrow roads, drainage ditches, parking lots, embankments, a three way intersection that does not have a cross walk and is not pedestrian friendly. This intersection has the entrance to the Centex cement plant where cement trucks, dump trucks, and tractor trailers are used frequently during the weekdays and weekends. The property is 1,000 feet from the IH-35 corridor and with a six story parking garage onsite, residents are much more likely to use a vehicle to commute, considering the alternative public transportation with a 1.5 (round trip) walking distance via unsafe pedestrian or cycling routes. The goal of Imagine Austin is to increase public transportation use/decrease single vehicular use and the proposed zone change of a multi-family contradicts this goal. We realize the development has plans to build a sidewalk surrounding the property at 4700 Weidemar and sidewalks are planned to be installed at The Station at St. Elmo but roughly even after these are installed, 60% of the walk to the South Congress transit stop will not have sidewalks. Furthermore, according to the Austin Mobility Map for future transportation needs, **Shelby Lane has a "Low" priority** rating for sidewalk improvement and the **"Low"** priority status continues on the route that would be used by pedestrians to get to the future high capactiy stop .7 miles away on South Congress. According to the "Roadway Capacity Projects Map", **there are no future plans to improve the roadways on any part of the route** nor in any part of the existing neighborhood. In fact, the City of Austin has given Terry-O Lane a **"Substandard Street"** rating and there are no future plans to improve the road conditions. See photos below to view the journey a pedestrian or cyclist would make to the South Congress transit stop and/or nearby businessess.

1. *Current road of Weidemar Lane. The development would be on the right side of this photo. This road would be used to enter the north side of the proposed development. As you can see from this photo, the condition nor the size of the road does not support the future traffic for any type of development nor does it accommodate pedestrians or cyclists. Pedestrians would be walking in the grassy area that is also used for drainage and retention after rainfall.*



2-3. Current road on Terry-O Lane. This would be used by pedestrians and cyclists to get to the transit stop on South Congress. This is not accessible for pedestrians and cyclists. The narrow two lane road does not have a shoulder or sidewalks. There is limited visibility as well because the ground is uneven. You have to step in the drainage ditch when walking this route.

4. Pedestrians and cyclists have to use this three way intersection where St. Elmo Road and Terry-O Lane meet to access South Congress. There are no crosswalks or traffic lights but a yield sign and stop sign. The visibility is limited due to a sharp curve that is left of this photo. The rock wall pictured is the entrance to Centex Cement Company. Weekdays and sometimes weekends, you will find 20-30 cement trucks and dumptrucks exiting and entering through these gates. The entrance of this business is also where the "Y" of the road forks so again there is limited visibility for drivers.

5. *After crossing the "Y" intersection, pedestrians have to use St. Elmo Rd. to access South Congress. There are no sidewalks but only drainage ditches, embankments, and parking lots.*

6. *This is the view from the east side of the 4700 Weidemar Lane where the entrance to the five story, 600 space parking garage will be located. IH-35 is approximately 1,000 feet from the entrance/exit to this parking garage. This encourages single vehicular traffic instead of high capacity transit stops.*

The proposed rezoning amendment to construct the "Multifamily Residence" Shelby Lane complex is in direct conflict to the following goals and priorities found in the South Congress Combined Neighborhood Plan.

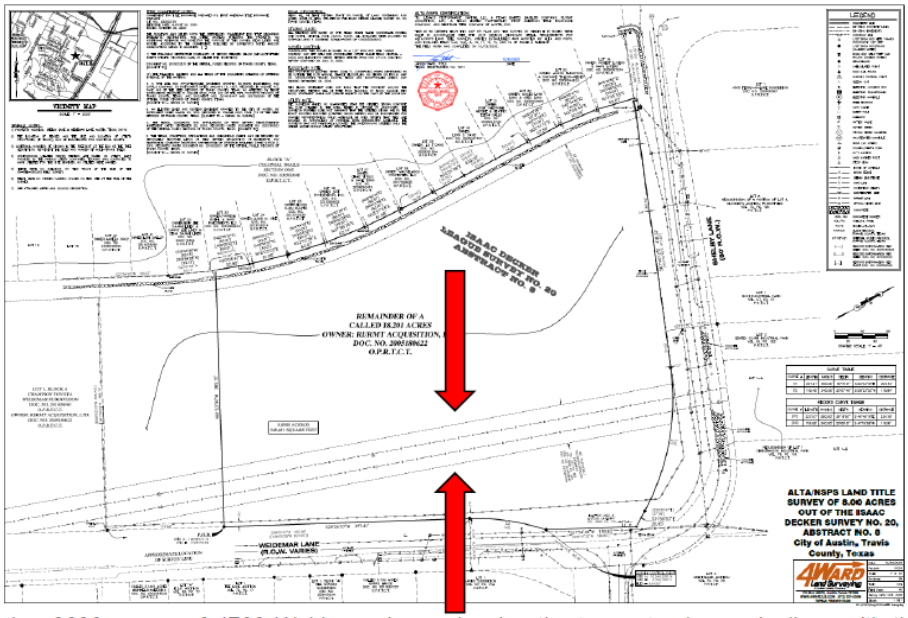
1. **Goal One: Preserve and enhance the existing single-family neighborhoods and retain the affordability of these neighborhoods.** With similar (Public) and future developments (4411 SoCo, St. Elmo Station) in this area, homeowners have seen an increase in property taxes within the last three years due to increased property value from the sale of condominiums close to the neighborhood. Within the last five years, property taxes for homeowners have had a 40% increase. Despite wanting to stay in this location due to work proximity, many residents have been displaced and have moved to temporary housing or to areas outside of Austin.

   Objective 1.1 New development should be compatibly scaled when adjacent to residential uses.
   The proposed development with the zone change will include a four to five story structure of 150 residential condominiums and a six to seven floor structure with 400 apartments for lease or rent. The multifamily development is not compatible with the single family one and two story homes in the current neighborhood and will look oddly out of place. Furthermore, the height of the condominiums and apartments along with only a 30 foot setback will provide direct access and view of not only the backyards but to the bedrooms and bathrooms of the current homeowners. The neighborhood recognizes that this developer is building another property, The Station at St. Elmo, 4510 Terry-O Lane, Austin, TX 78745, however, this property didn't require a zoning change from commercial to multifamily. Our neighborhood didn't contest this property because it will be multi-use and contain various businesses along with condominiums and will be a maximum height of four stories with only 136 units. Furthermore, the mixed use building Station at St. Elmo will not be thirty feet from the backyards of fifteen houses as would the 4700 Weidemar Lane development. Due to the height and mixed-use status, this will make a nice transition from the industrial part of this area to the single-family homes.

   Objective 3.12
   The St. Elmo Industrial District should be preserved and enhanced where appropriate.
   The Applicant proposes to rezone the property to MF and condominiums and apartments that will have no commercial oriented businesses onsite. The proposed multifamily unit is in vast contrast to the commercial businesses located south, east, and north of the proposed site and are not in accordance with preserving and utilizing this area as a commercial and industrial district as it is stated on the South Congress Neighborhood Plan. As Austin grows, more multifamily and mixed use developments are encroaching on commercial zones and forcing out successful and established commercial businesses from their area. Not only that but if this zone change is approved and the developer is allowed to build the multi-family housing unit, the construction phase and rerouting of the gas pipeline and distribution line, will cause year long closures to the only roads accessible to the established businesses.

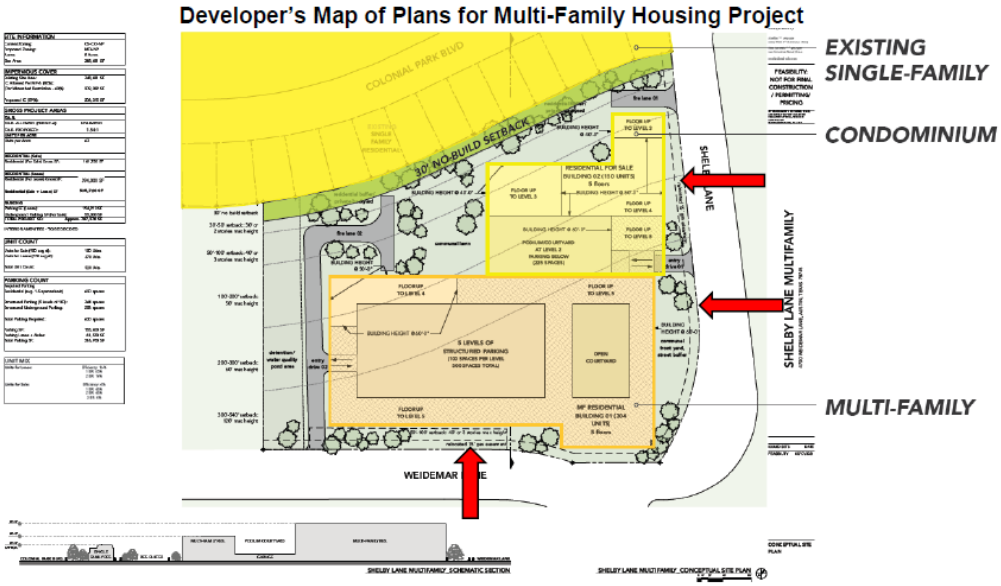
The proposed development site and future building plans pose safety risks for current and future residents due to unsafe easements for a high-pressured natural gas pipeline and distribution line as well as the rerouting the said gas lines that will be necessary to build on this property. (See photos and reports below).

Easements: There are two gas lines that run parallel on the east end of the property and continue 1,200 feet to a depressurization facility located on East St. Elmo. One pipeline is a high-pressured intrastate transmission line (800-1200 psi) with a 12" diameter and the other is a distribution line (200 psi). They run parallel to one another and a 60 foot easement is required for the two. According to the development plans, there is a 15 foot easement with only one pipeline running next to an apartment building with 400 units, condominiums with 150 units, and several homes with families in the Colonial Trails neighborhood, again with a 15 foot easement. It is uncertain if the one pipeline depicted on the devloper's plans is referring to the transmission line or the distribution line.



November 2020 survey of 4700 Weidemar Lane showing the two natural gas pipelines with the 60 foot required easement. The red arrow shows the current loaction of the pipeline and distribution gas lines with the 60 foot easement included.

Developer's Map of Plans for Multi-Family Housing Project



Map of proposed development indicating a 15 foot easement for the natural gas pipeline. It is uncertain if the distribution line or the transmission line will be located in the 15 foot easement. Both types of lines require a 50 foot easement and 60 foot when running parallel to one another. The red arrow shows where the developer plans to reroute only one gas line with a 15 foot easement.

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Sign at the corner of Weidemar Lane and the south end of Colonial Park Blvd. This is where the pipeline veers from IH-35 and cuts across the property on Weidemar Lane and onto the depressurization facility located north of Weidemar Lane on St. Elmo Rd.

Warning sign for high pressure pipeline on 4700 Weidemar Lane. At this time, there is a 60 foot easement for the two lines that run parallel through this property. The closest homes are about 250 feet from the pipelines.

Rerouting of pipeline: The developer will have to reroute both the pipeline and distribution line and while doing so, there are seven businesses located 200-800 feet of 4700 Weidemar that house hazardous materials. 70% of pipeline and gas line incidents occur due to new construction without the presence of combustible liquids or hazardous materials. Who will be responsible for lives and property if an incident such as destruction of property, injury/bodily harm, and loss of life occur? Please see the report from the Austin Fire Department concerning hazardous materials stored adjacent to the property.

Zoning Change C14-2021-0015 4700 Weidemar Lane

LOCATION	BUSINESS NAME	HMP Type	Hazardous Materials of Concern	Quantity	Distance to Site
4901 Weidemar Ln	Auto Nation Champion Toyota Collision (	B	Flammable liquids, industrial gas	< MAQ	527 Ft.
4825 Weidemar Ln	Areil Materials	C	Industrial gases	< MAQ	232 Ft.
4433 Terry-O Ln	Custom-Crete	B	Flammable liquids, industrial gas	< MAQ	468 Ft.
4315 Terry-O Ln	Tebben Co. Inc., LP	B	Flammable gas	< MAQ	814 Ft.
1009 Shelby Ln	Caliber Collision	B	Flammable liquids, industrial gas	< MAQ	213 Ft.
4400 S. IH 35 SB SR	CarMax #7190	A	Gasoline	4,000 Gal.	566 Ft.
4506 S. IH 35 SB SR	Roger Beasley Mazda South	B	LP-Gas, Petroleum naptha	9,215 Cu.Ft	657 Ft.

Abbreviations and Terms

Distance to Site: The distrance from the nearest property line of the site storing the hazardous material to the closest exposure property line. For sites with a permanent aboveground storage tank or pressure vessel, AFD measures from the potential source of the release to the closest exposure property line.

HMP Type: Category of a AFD Aboveground Hazardous Materials permit. Permits are assigned based on the relative fire, explosion or toxicity risks of the hazardous materials to the community. Type A represent the greatest risk, Type B represents a modest risk and Type C represents a low risk.

MAQ (Maximum Allowable Quantity per Control Area): The maximum amount of a hazardous material allowed to be stored or used within a control area inside a building or an outdoor control area. The maximum allowable quantity per control area is based on the material state (solid, liquid or gas) and the material storage or use conditions.

Prepared By: Scott Stookey - Fire Marshal's Office
Report Date: February 28, 2021

In summary, I urge you to deny the zone change request because the proposed development is NOT compatible with the surrounding area or businesses, it is NOT compatible with Imagine Austin's Comprehensive Plan, the plans for the development do not have adequate easements and setbacks for a natural gas high-pressured pipeline and a natural gas distribution line, and rerouting both the pipeline and distribution line is unsafe.

Sincerely,
Dacey Long
Resident of Colonial Trails Neighborhood

From: Lynn Davis
Sent: Wednesday, November 3, 2021 4:34 PM
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Mario Cantu - SCCNPCT <mariocantu@
Subject: Planning Commission: please include in staff reports for Nov 9, 2021

*** External Email - Exercise Caution ***

Dear Austin City Planning Commissioners,

As an original homeowner at 408 Colonial Park Blvd, Austin, TX 78745 in the Colonial Trails Neighborhood, I humbly ask that the Austin City Planning Commission **deny the request** to amend the South Congress Neighborhood Plan future land use map (FLUM) and current zoning, from Commercial (CS-CO-NP) to multi-family (MF-6-NP) to build a mix of multi-family rental apartments, first floor businesses and owned condos at 4700 Weidemar Lane.

There are several reasons I ask that you deny this request, below:

1. Inconsistent neighborhood character. The proposed height of the buildings, 90 ft, is both out of scope for the current FLUM, which calls for affordable, single-family homes, and is out of character for the current design of the neighborhood.

2. Two existing gas lines. It is my understanding that there are two high-capacity gas lines that run through the property. We were told upon purchase that the development of this land area was unlikely due to the danger and cost of moving the pipelines. The builder has not conducted due diligence to determine the seriousness, safety, impact or even feasibility of moving these gas lines, and I strongly believe that this is a dangerous development to pursue on this property.

3. Traffic and safety. The scale of the proposed development and number of full-time residents is not supported by road development, nor public transportation plans.

4. Lack of affordability. This development is not consistent with current city affordable housing goals.

5. Inconsistency with current FLUM. The current FLUM is clear in that it includes the following goals, a departure from the plans outlined for the 4700 Weidemar development. The current FLUM calls to:

- Preserve the character of single-family neighborhoods
- Improve pedestrian connections throughout the area
- New development should be compatibly scaled when adjacent to residential uses
- Public open spaces and natural areas should be preserved as places for wildlife and where people can enjoy nature in the middle of the city
- Tree-lined neighborhood streets should allow residents to safely travel by any means
- Preserve and enhance the existing single-family neighborhoods, and retain the affordability of these neighborhoods

Thank you for considering my opinion as an active and engaged Austinite and member of the Colonial Trails community.

Best,
Lynn Davis
Owner
408 Colonial Park Blvd, Austin, TX 78745