

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 06/24/2004
PAGE: 1 of 1**

SUBJECT: C14-04-0015 - 51st Street Mixed Use - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin Code by rezoning property locally known as 100-104 East 51st Street and 0 East 51st Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To forward to Council without a recommendation. Applicant: Northfield Design Associates (Don Smith). Agent: Northfield Design Associates (Don Smith). City Staff: Glenn Rhoades, 974-2775. Note: A valid petition has been filed by property owners within 200 feet of the site.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0015

P.C. DATE: March 9, 2004

April 13, 2004

May 11, 2004

C.C. DATE: June 24, 2004

ADDRESS: 100-104 East 51st Street

OWNER/AGENT: Northfield Design Association
(Don Smith)

ZONING FROM: SF-3-NP

TO: LR-MU-CO-NP
Amended to SF-5-CO
on June 17, 2004.

AREA: .95 acres

SUMMARY STAFF RECOMMENDATION:

Staff's alternate recommendation is SF-5-NP, Urban Family Residence-Neighborhood Plan district zoning.

PLANNING COMMISSION RECOMMENDATION:

March 9, 2004 – Postponed to April 13, 2004 by staff (Vote: 8-0).

April 13, 2004 – Postponed to May 11, 2004 by staff (Vote: 8-0).

May 11, 2004 – Two motions were made. The first was to approve staff recommendation with three additional conditions; 1) additional 10 foot set back on the east and north property lines, 2) height restricted to 30 feet, 3) 3 bedrooms per unit if developed as duplexes (Vote: 4-3, N. Spelman, M. Armstrong, J. Cortez and D. Sullivan – yes, C. Riley, M. Moore and C. Galindo – no). The first motion failed for lack of a quorum. The second motion was to approve the applicant's request (Vote: C. Riley, M. Moore and C. Galindo – yes, N. Spelman, M. Armstrong, J. Cortez and D. Sullivan – no). Due to a lack of a quorum, the case is being sent forward to Council without a recommendation.

ISSUES:

The applicant wishes to postpone this case until the July 29th City Council hearing. It will give the property owner time to complete an agreement with the neighborhood and it will give staff time to request an ordinance from the Legal Department.

The applicant and property owner have come to an agreement for SF-5-CO-NP, subject to the following conditions (some of the conditions cannot be placed in a conditional overlay and must be placed into a private agreement. Those items are noted):

1. Height limited to 35 feet.
2. The 3rd floor is limited to 600 square feet and there are to be no balconies on the third floor for units facing the north and east side (must be private agreement).
3. A 15-foot set back on the north and east side

4. No duplex units.
5. No secondary apartments
6. Property shall be limited to 4 bedrooms per unit (must be private agreement).

The parking requirement for a townhouse residential use that contains two or more bedrooms is one space per bedroom.

The property is located within the North Loop Neighborhood Plan boundaries. At present, the Future Land Use Map (FLUM) designates the tract as single-family. Therefore, the proposed zoning requires a Plan Amendment that is to be heard concurrently with this case (case NPA-04-0011.01).

The owner of the subject tract filed a zoning case for this property on July 10, 2002 (case C14-02-0113). The request was for LR-MU zoning and was scheduled for Commission consideration on October 23, 2002, but was withdrawn by the applicant before the public hearing due to neighborhood opposition. The neighborhood, at the time submitted a petition that was validated at 30.17%. In addition, close to 200 signatures were collected from nearby residents.

With this case, the neighborhood has submitted a new petition in opposition to the proposed zoning case and plan amendment, that has been calculated at 43.54% (see attached). Also, an additional 200 signatures have been collected from residents in the immediate vicinity.

The North Loop Planning Team is in support of the proposed change (see attached letter).

If the zoning is granted, staff requests that Commission impose a conditional overlay that would limit vehicle trips to 2,000 per day.

DEPARTMENT COMMENTS:

The subject tract is within the North Loop Neighborhood Plan Combining District (NLNPCD) boundaries. The NLNPCD was approved by this Commission on March 13, 2002 and by City council on May 23, 2002. The NLNPCD future land use map designates the property seeking the zoning change and plan amendment as single family. The FLUM does not distinguish among the various single-family districts (SF-1 through SF-6) and only states that the property is designated for single family uses. The SF-5 zoning district allows for duplexes, townhouses, condominiums and single-family houses. Staff estimates that approximately 10 units could be built on the property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Duplexes
<i>North</i>	SF-3-NP	Duplexes
<i>South</i>	SF-3 UNZ	Single Family Vehicle Storage
<i>East</i>	SF-3-NP	Single Family
<i>West</i>	SF-3-NP	Cemetery

AREA STUDY: North Loop Neighborhood Plan

TIA: N/A

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

#034 – Hyde Park Neighborhood Association
#283 – North Austin Neighborhood Alliance
#511 – Austin neighborhoods Council
#603 – Mueller Neighborhoods Coalition
#631 – Alliance to Save Hyde Park
#687 – North Loop Neighborhood Planning Team
#941 – Northfield Neighborhood Association

CASE HISTORIES:

There have been no recent zoning cases in the immediate vicinity.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
51 st Street	60'	Varies	Arterial	N/A

CITY COUNCIL DATE: June 24, 2004

ACTION:

ORDINANCE READINGS: 1st

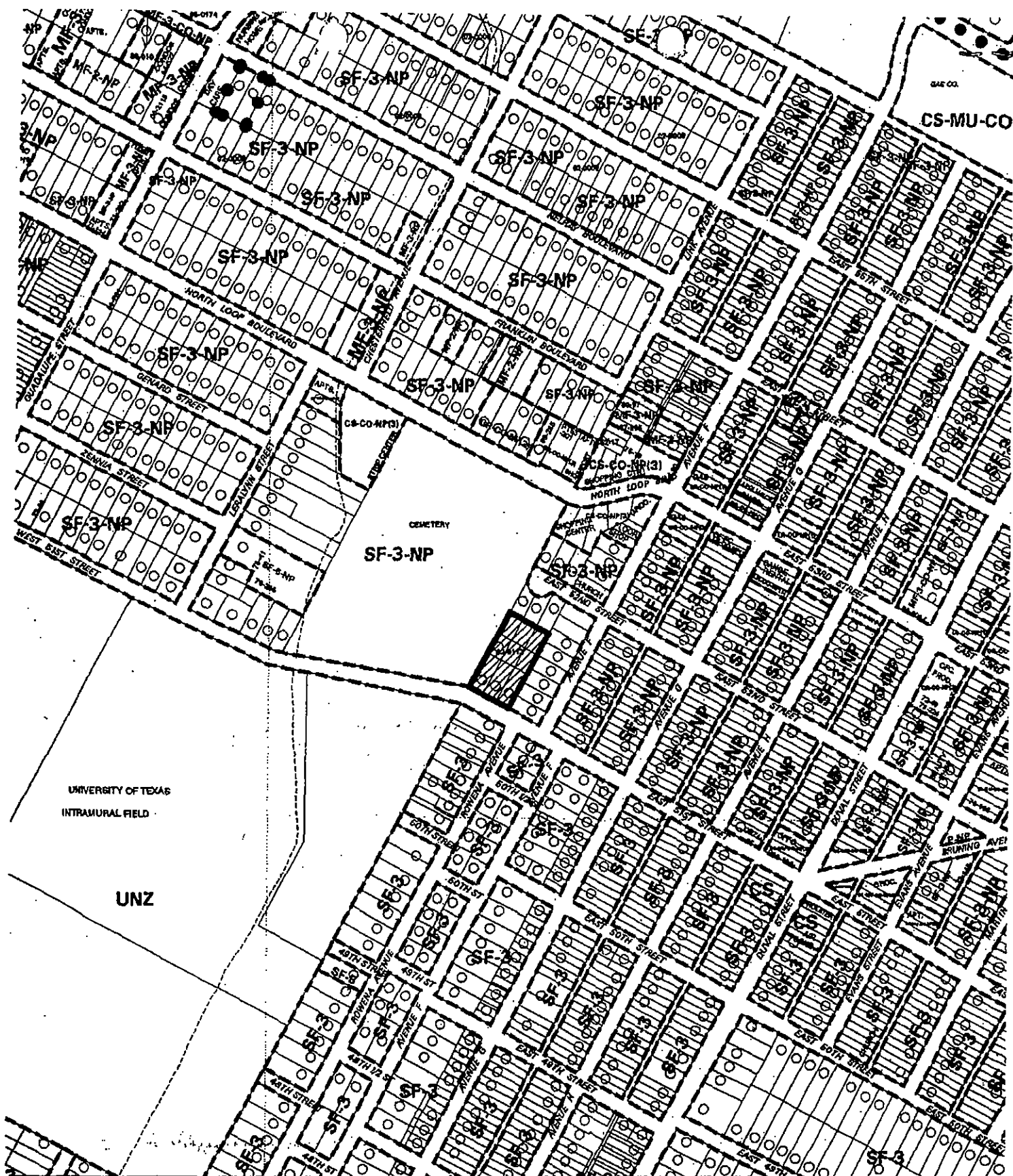
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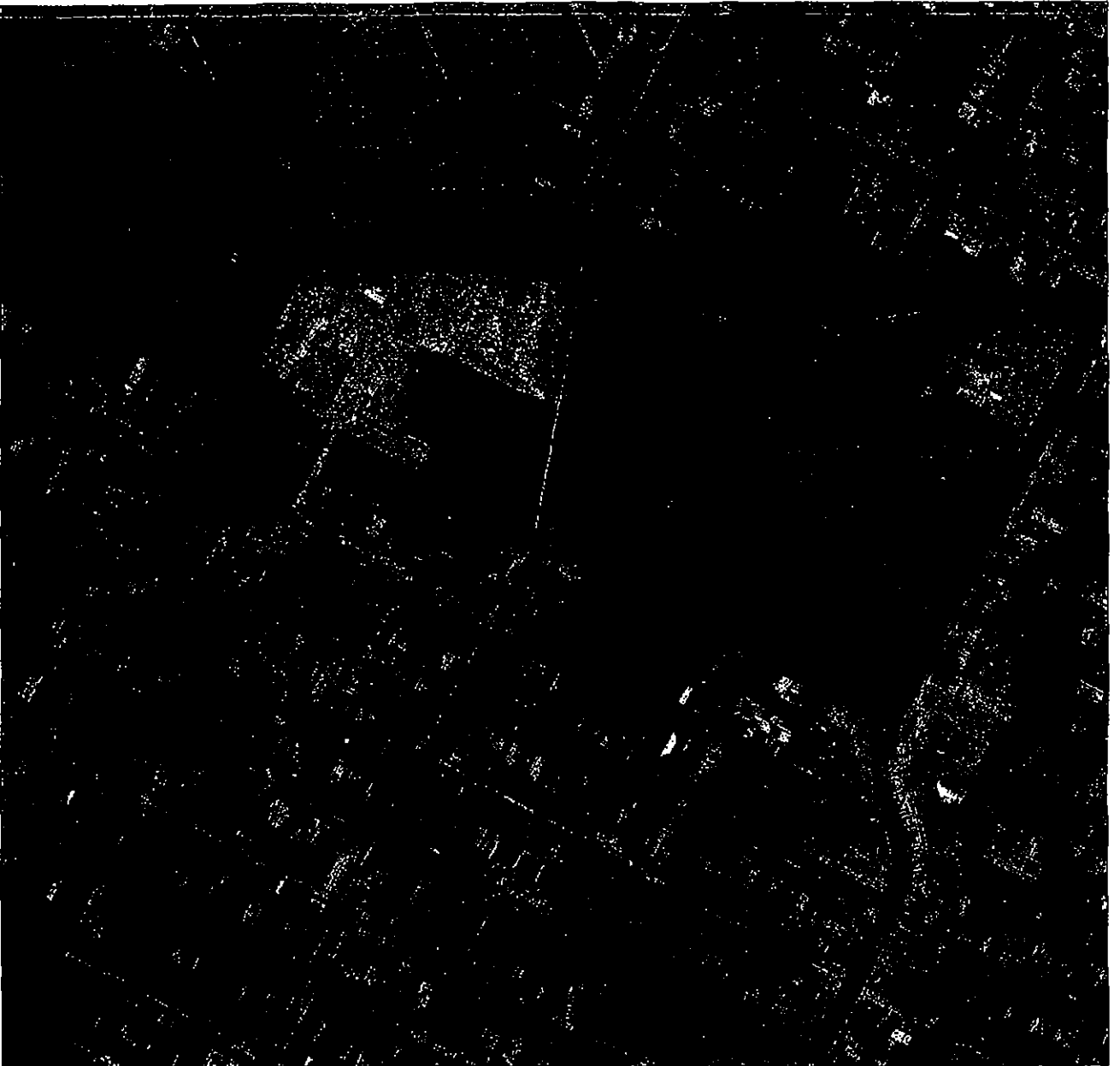
ORDINANCE NUMBER:

CASE MANAGER: Glenn Rhoades

PHONE: 974-2775



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: G. RHOADES	ZONING CASE #: C14-04-0015 AND NPA-04-0011.01 ADDRESS: E 51ST STREET SUBJECT AREA (acres): 0.950	CITY GRID REFERENCE NUMBER K28
	DATE: 04-01	INTLS: SM	



**City of Austin
Infrastructure
Support Services**



Case C14-04-0015

Base
Subdivision



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STAFF RECOMMENDATION

Staff's alternate recommendation is SF-5-NP, Urban Family Residence-Neighborhood Plan district zoning

BASIS FOR RECOMMENDATION

First, the LR-MU district is not recommended because it does not conform to the adopted North Loop Neighborhood Plan. In addition, it is unlikely staff would have recommended the proposal even if the property were not in a neighborhood planning area due to the location of the property. After determining the applicant's proposal did not match the plan, we looked at the site to determine what type of zoning staff would find appropriate at this location. While staff does not believe that commercial zoning is appropriate at this location, we also do not believe that SF-3 fronting an arterial roadway would be appropriate either. Staff's alternate recommendation is SF-5, which would allow for a town home development with no more than 10 units. Below are our reasons for the alternate recommendation.

SF-5 – Urban Family Residence is the designation for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. A duplex, two-family, townhouse or condominium residential use is permitted in an SF-5 district under development standards that maintain single-family neighborhood characteristics. This district is appropriate in a centrally located area of the City and can be used as a transition between single-family and more intense uses or zonings.

The subject tract meets the purpose statement set forth in the Land Development Code. It is centrally located near employment centers and could be considered a buffer between the cemetery to the west and the Texas Parks and Wildlife facility and University of Texas athletic fields to the southwest.

The property is currently occupied with duplexes and is bordered to the north with 3 additional duplex structures. SF-5, with a projected maximum of 10 units would be compatible with the surrounding neighborhood.

If the current zoning of SF-3 remains, given the size of the lot, the applicant would be able to build 5 duplexes and achieve 10 living units. However, SF-5 would allow the applicant to locate the units on a single lot with a town home style development and allow for more impervious cover in order to provide adequate parking and drives. Also, by allowing a town home development, the units could be built closer together, potentially pulling the structures away from the adjacent single-family homes.

LR zoning is not consistent or compatible with the surrounding area. This portion of 51st Street is primarily single-family residential. In addition, the property is not at an intersection and staff is reluctant to recommend commercial zoning mid-block, where it abuts single-family residences.

Also, while it appears at this time that the applicant will be able meet the parking requirements there is the potential for overflow parking onto the surrounding residential streets.

EXISTING CONDITIONS

Site Characteristics

The property is currently developed with duplexes.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 2,495 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

There are existing sidewalks along 51st Street.

51st Street is classified in the Bicycle Plan as a Priority 2 bike route. (Route #30)

Capital Metro bus service is not available within 1/4 mile of this property.

Impervious Cover

The maximum impervious cover allowed under LR zoning is 80%.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone/ Desired Development Zone. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway

projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

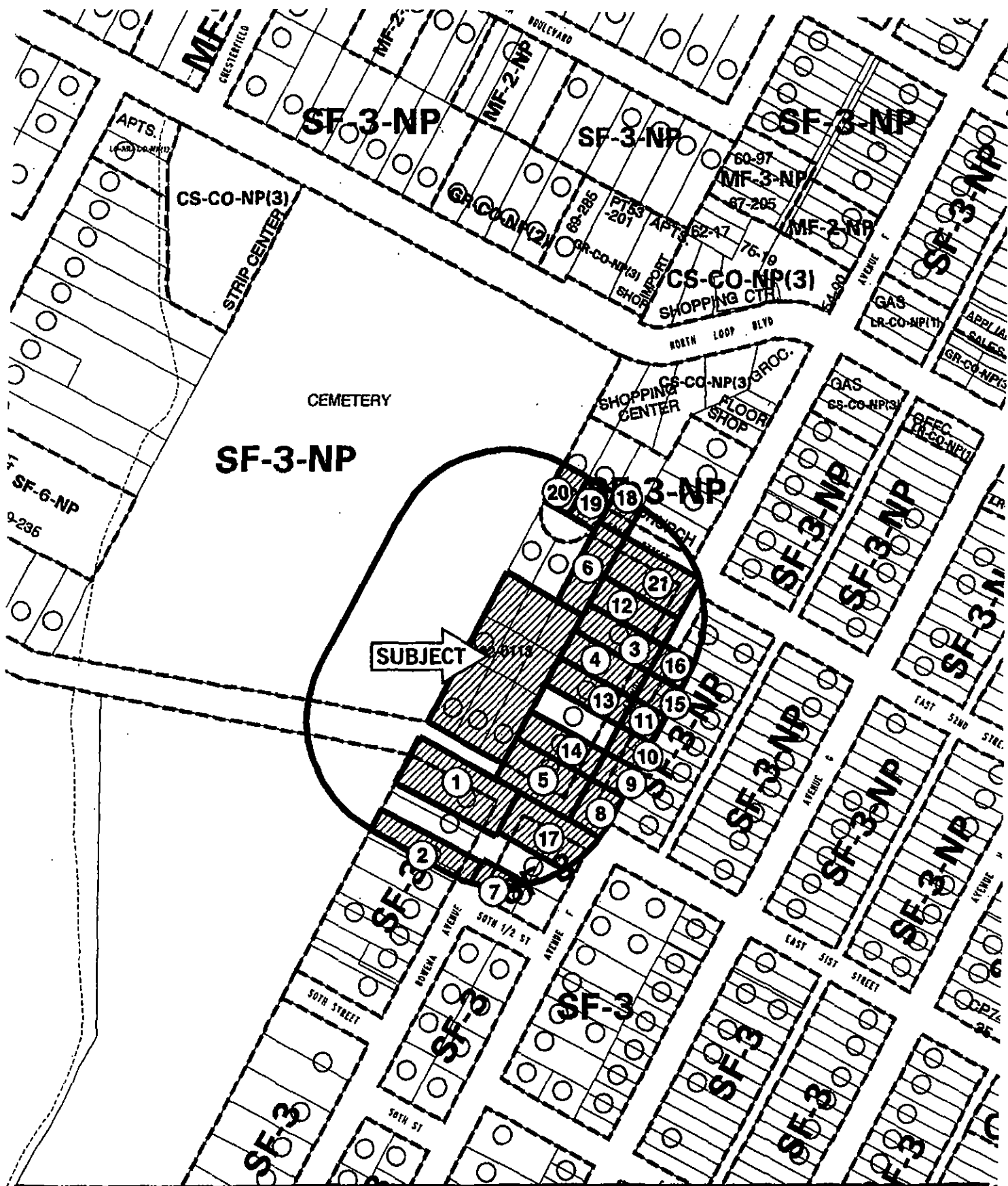
The site is served with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are necessary for the land use, the landowner will be responsible for all costs and providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria.





Compatibility Standards

The site is subject to compatibility standards along all property lines (if property is rezoned to LR). The following regulations will apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed on this site.
- No parking or driveways are allowed within 25 feet of the property line
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.
- A fence, berm or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.



 1" = 200'	SUBJECT TRACT 	PETITIONS		CITY GRID REFERENCE NUMBER K28
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-04-0015 ADDRESS: E 51ST STREET SUBJECT AREA (acres): 0.950	DATE: 04-04 INTLS: SM	
	CASE MGR: G. RHOADES			

PETITION

Case Number:

C14-04-0015

Date:

Apr. 22, 2004

Total Area within 200' of subject tract: (sq. ft.)

292,035.67

1	<u>02-2308-0102</u>	BRANSFORD RANDAL M	<u>15,570.94</u>	<u>5.33%</u>
2	<u>02-2308-0104</u>	TODD JAMES THOMAS & LINDA JEAN	<u>7,260.20</u>	<u>2.49%</u>
3	<u>02-2308-0238</u>	GRAHAM NATALIE D MAUL & ANDR	<u>6,931.53</u>	<u>2.37%</u>
4	<u>02-2308-0239</u>	CLARO CANDACE A GAMBLE MAYA S	<u>7,006.35</u>	<u>2.40%</u>
5	<u>02-2308-0243</u>	GUERRA NEAL JEAN D JR &	<u>10,606.11</u>	<u>3.63%</u>
6	<u>02-2308-0252</u>	BARBARA	<u>7,155.39</u>	<u>2.45%</u>
7	<u>02-2308-0601</u>	HARRINGTON STEVE L	<u>2,081.76</u>	<u>0.71%</u>
8		DACUS TINA	<u>4,599.22</u>	<u>1.57%</u>
9	<u>02-2309-0302</u>	SCOTT MICHAEL N & MONICA C	<u>3,001.57</u>	<u>1.03%</u>
10	<u>02-2309-0303</u>	ALBERT DAVID RICH	<u>2,987.44</u>	<u>1.02%</u>
11	<u>02-2309-0304</u>	DUVALL JUSTIN	<u>3,025.46</u>	<u>1.04%</u>
12	<u>02-2308-0237</u>	BRUST PETER C	<u>7,040.60</u>	<u>2.41%</u>
13	<u>02-2308-0240</u>	BONNER DOUGLAS	<u>6,946.08</u>	<u>2.38%</u>
14	<u>02-2308-0242</u>	LINDSEY BENJAMIN D KNAUER KIRK	<u>6,988.48</u>	<u>2.39%</u>
15	<u>02-2308-0305</u>	JONATHAN & SYLVIA	<u>2,977.84</u>	<u>1.02%</u>
16	<u>02-2308-0306</u>	HEDEEN WENDY L	<u>2,995.87</u>	<u>1.03%</u>
17	<u>02-2308-0603</u>	CHATELAIN OLIVER	<u>10,457.45</u>	<u>3.58%</u>
18	<u>02-2308-0230</u>	GARZA BEN III	<u>2,670.07</u>	<u>0.91%</u>
19	<u>02-2308-0231</u>	GARZA BEN III	<u>3,417.89</u>	<u>1.17%</u>
20	<u>02-2308-0232</u>	GARZA BEN III	<u>3,172.83</u>	<u>1.09%</u>
21	<u>02-2308-0236</u>	MORELAND VALERIE L	<u>10,254.47</u>	<u>3.51%</u>
22				<u>0.00%</u>
23				<u>0.00%</u>
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28				<u>0.00%</u>

Validated By:

Stacy Meeks

Total Area of Petitioner:

127,147.54

Total %

43.54%

✓ second
5/11/04

20 February 2004

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


SIGNATURE	NAME	ADDRESS	PHONE
1. <i>C. Gutierrez</i>	<i>Christine Gutierrez</i>	<i>5104 ave F</i>	<i>78757 (512) 917-7952</i>
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Received 4/13/04

20 February 2004

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SIGNATURE	NAME	ADDRESS	PHONE
1. 	Valerie L. Moreland	5114 Ave. F	(512) 452-1333
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Within 200'

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SIGNATURE	NAME	ADDRESS	PHONE
1. <u>Larry Walker</u>	<u>LARRY WALKER</u>	<u>5200 Ave F - Austin</u>	<u>(512) 448-2115</u>
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SIGNATURE

NAME

ADDRESS

PHONE

1. Peter C. Brust Peter C. Brust 5112 AVE F (cell) 408-234-1536

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SIGNATURE	NAME	ADDRESS	PHONE
1. <u>[Signature]</u>	DOUGLAS BONNER	5106 AVE F	812-344-7344
2. <u>[Signature]</u>	BEN LINDSEY	5102 AVE F	512-453-2426
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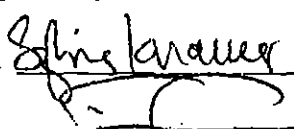

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[illegible]

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SIGNATURE	NAME	ADDRESS	PHONE
1. 	Sylvia Knauer	5109 Ave F	415-383-8685
2. 	Kirk Knauer	5109 Ave F	"
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SIGNATURE

NAME

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PHONE

1. Wendy Hedeen Wendy Hedeen 5111 Ave P Austin TX 512-484-1614

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

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

File # C14-04-0015-GR

Planning Commission Hearing Date: ~~February 24, 2004~~

March 9, 2004

Name (please print)

OLIVIER CHATELAIN

☐ I am in favor
(Estoy de acuerdo)

Address

5018 AVENUE F AUSTIN, TX 78751

☒ I object
(No estoy de acuerdo)

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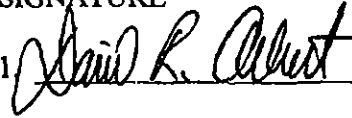
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SIGNATURE	NAME	ADDRESS	PHONE
1. <i>Jean D. Neal Jr.</i>	JEAN D. NEAL JR	105 E. 52nd	930 9561
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20 February 2004

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SIGNATURE	NAME	ADDRESS	PHONE
1. 	DAVID R. ALBERT	5105 AVENUE F	(512) 258-6602
2.			
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20 February 2004

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

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	NAME	SIGNATURE	ADDRESS	PHONE
1)	David W. Hoffman	<i>(Signature)</i>	5102 Ave G	482-7347
2)	Cecilia Mena	<i>(Signature)</i>	5104 Ave G	451-1856
3)	NJ Owen	<i>(Signature)</i>	5104 Ave G	302-5434
4)	Will Owen	<i>(Signature)</i>	5107 Ave G	659-8030
5)	THOMAS MARX	<i>(Signature)</i>	5212 GENARD	457-9609
6)	Jennifer Lawton	<i>(Signature)</i>	301 Genard St	380-0051
7)	Melinda Harris	<i>(Signature)</i>	303 Genard St	452-9121
8)	Patricia Mays	<i>(Signature)</i>	402 Genard	459-0992
9)	Josephine Joubert	<i>(Signature)</i>	406 Genard	454-5081
10)	MARK BROWN	<i>(Signature)</i>	504 GENARD	453-6866
11)	MEGAN FLYNN	<i>(Signature)</i>	504 Genard St	453-6866
12)	Mose Brown	<i>(Signature)</i>	504 Genard	453-6866
13)	Lynett Oliver	<i>(Signature)</i>	502 Genard	459-4886
14)	JENNIFER BARNIER	<i>(Signature)</i>	502 Genard	459-4886
15)	Kevin Wegner	<i>(Signature)</i>	5210 Guadalupe	465-9616
16)	Olivia Primanis	<i>(Signature)</i>	5206 Guadalupe	371-1806
17)	CHRISTOPHER HYNES	<i>(Signature)</i>	5206 Guadalupe	371-1806
18)	DAVID O. GARGO	<i>(Signature)</i>	605 Genard St.	451-6710
19)	Laura Duffman	<i>(Signature)</i>	604 GENARD	419-7670
20)	Jeff Rahman	<i>(Signature)</i>	608 A Genard	775-5268
21)	Wesley Parkers	<i>(Signature)</i>	5100 Genard	453-3884
22)	Kate Allen	<i>(Signature)</i>	104 E 51st Unit B	209-5550
23)	Bellevue	<i>(Signature)</i>	5107 Evans	374-1015
24)	David McGriff	<i>(Signature)</i>	5208 Evans	467-1803
25)	Wm. C. Garg	<i>(Signature)</i>	5105 Evans Ave	323-5457
26)	Tom Badell	<i>(Signature)</i>	5106 Martin	371-7902
27)	Lisa Hartenberger	<i>(Signature)</i>	5109 Martin	451-5420
28)	Alice Perren	<i>(Signature)</i>	5109 Martin	451-5420
29)	Alex Kapiwodou	<i>(Signature)</i>	5111 Martin	371-0536
30)	<i>(Signature)</i>	<i>(Signature)</i>	5113 Martin	457-0076

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Northfield

February 2004

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

	NAME	SIGNATURE	ADDRESS	PHONE
1)	Ruane Del	[Signature]	711 E 50th St	636-7660
2)	Laura Battle	[Signature]	713 E 50th St	419-9838
3)	Dominic Garcia	[Signature]	705 E. 50th St.	451-4091
4)	Robt. Trux	[Signature]	703 E 50th St.	453-8871
5)	Robt. Trux	[Signature]	700 E. 50th	467-6687
6)	Jesus Pardo	[Signature]	507 E 50th	371-1890
7)	Ruben Pineda	[Signature]	507 East 50th St	371-1890
8)	Andrea Valenzuela	[Signature]	505 E. 50th	4078402
9)	David Sirowicz	[Signature]	503 E 50th	431-9273
10)	Nidia Ramirez	[Signature]	5008 B	371-0947
11)	Edgar Campbell	[Signature]	5008 Duval SE	475-8412
12)	Deborah Robertson	[Signature]	5002 Duval	452-7118
13)	Kandi Wood	[Signature]	5000 Duval	452-1922
14)	Verna Pool	[Signature]	5000 Duval	452-1922
15)	Jeff Guaney	[Signature]	4912 Duval	507-2875
16)	Cathy Terday	[Signature]	4900 Duval	453-6421
17)	DAVE MEAT	[Signature]	4812 Duval	419-9987
18)	ROBBIE SLACK	[Signature]	4806 Duval	419-0500
19)	RICARDO LYRA	[Signature]	4804 Duval	420-0918
20)	MANUEL TRUJO	[Signature]	4802 Duval	453-9776
21)	Dora Dulla	[Signature]	4800 Duval	422-9816
22)	Chris Kloe	[Signature]	4809 Duval	467-8943
23)	Andy Homer	[Signature]	4809 Duval	467-8443
24)	Dennis K	[Signature]	4813 Duval	419-9888
25)	MICHAEL SIEBEN	[Signature]	4907 Duval	374-0939
26)	Gene Howard	[Signature]	4908 Duval	458-6676
27)	SANDRA FRANK	[Signature]	4911 Duval	420-9955
28)	STEVEN	[Signature]	5001 Duval	453-0723
29)	DEVON GREEN	[Signature]	5001 Duval	453-0723
30)	Douglas E. Anderson	[Signature]	5100 Bruning #107	N/A

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664 DE PARK

February 2004

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

	NAME	SIGNATURE	ADDRESS	PHONE
1)	Magdalena N. Muchlinski		618 "B" Fairfield Lane	512-450-1894
2)	Henry E. Haverd		5014 Evans	512-459-3048
3)	Simon Solotker		5015 Evans	512-413-6469
4)	Sharon Warner		5012 Evans	512-454-7318
5)	Kelly A Cox		5011 A Evans	419-9789
6)	Don Tankersley		5008 Evans	453-0272
7)	Louise M. Parson		5006 Evans	453-0752
8)	Andy G		5004 Evans	459-3509
9)	Cara Baker		703 E 50th	452-8751
10)	Cathleen Porter		5005 Martin	323-2495
11)	David Wilcox Bailey		5005 Martin	323-2495
12)	Joe D		5007 Martin	451-1691
13)	Carlos Brundo		5011 Martin	371-9521
14)	Tracy Overath		5102 Martin	419-9070
15)	Ryan Clinton		5104 Martin	467-8898
16)	KEN GRIFFITH Helen Griffith		4803 EVANS	374-0267
17)	HELEN GRIFFITH Helen Griffith		4803 EVANS	459-6418
18)	TONY GRIFFITH Tonya Griffith		4803 EVANS	968-9920
19)	Ellen Davis E. Davis		4802 A EVANS	452-1650
20)	ENRIQUE PINON		4804 EVANS AVE	458-2949
21)	Sara Pullum-Pinon		4804 EVANS AVE	458-2949
22)	Mary Carpenter		606 Fairfield Ln.	451-9401
23)	Shelli White		610 Fairfield Ln	374-9192
24)	Russell Godwin		609 Fairfield Lane	451-1136
25)	Vicki Godwin		609 Fairfield Ln	451-1136
26)	Debbie Schuckler		609 Fairfield Ln.	451-1136
27)	Joe H. Hapke		611 Fairfield	458-1548
28)	Paul Hapke		620 Fairfield	454-9904
29)	Karen Hapke		620 Fairfield	454-4404
30)	GARY DICKERSON		6188 FAIRFIELD	450 1594

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HYDE PARK

February 2004

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Sincerely,

SIGNATURE	NAME	ADDRESS	PHONE
	Vic Smith	5000 Ave G	645-3382
	ERIC M. MILLS	5000 AVE F	374-9064
	Julia Henry	4913 Ave F	452-8230
	EMILY TIMM	4904 AVE F	334-8790
	Muthier Mills	4902 Ave F	825-3002
	Tom Rouse	1600 Ave F	452-2906
	Jeff Savers	4813 Ave F	450-0577
	Julia McSmith	5014 A Rowena Ave	740-3359
	Janet Green	4810 Ave F	450-1561
	Mary Pank	4807 Ave F	459-8288
	Victoria Stafford	108 E 18th St	407-8922
	Marie Ann Adams	4702 Rowena	434-7863
	Linda Crockett	4700 Rowena	414-1889
	Brandon Skia	108 E 47th	731-6914
	PAUL J. WILLIAMS	203 E. 47th	407-7106
	Amy L. Clark	4704 Ave F	773-4336
	ADAM STEVENSON	4711 Ave F	450-1531
	Virginia Rodriguez	5209 Ave H	350-0939
	KIM M. HARWELL	5013 Ave H	302-1129
	Maggie Bennett	5011 Ave H	797-9621
	Suzanna Chaffel	5004 Ave H 78751	323-5321
	AMY NEWCOMB	5001 Ave H	459-1962
	Bob Hemmick	4914 Ave H	451-1512
	Tiffany Durham	4911 Ave H	823-2824
	Suzanne Hurley	4909 Ave H	454-4382
	Ben Mungro	4909 Ave H	454-4382
	BEN MUNGRONPANKH	4908 Ave H	459-3036
	Aubrie Aldridge	4906 Ave H	655-1774
	Terri Mangel	4901 Ave H	---
	Amanda Allen	4811-A Ave H	773-4141
	William T. GROVETTE	4809 Ave H	458-4613
	Joel Rolles	4802 Ave H	457-5662
	Kellie Telford	4774 Ave H	467-6964
	Douglas Linder	4800 Ave G	452-5143
	DOUGLAS LIND	4805 Ave G	407-9764
	Mica Segui	4813 Ave G	371-7096
	Ali Havelin	4812 Ave G	673-5786
	HERLINDA FAJANA	4814 Ave G	458-0492

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HYDE PARK

February 2004

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Sincerely,

SIGNATURE	NAME	ADDRESS	PHONE
1) [Signature]	BOB BRECKE	4815 AVE G	452-3850
2) [Signature]	1000 AVE F	4500 AVE G	458-3759
3) [Signature]	Chris Keller	4906 AVE G	457-2654
4) [Signature]	Amanda Jabake	4912 AVE G	459-5756
5) [Signature]	Bob Miller	4811 AVE G	453-5212
6) [Signature]	Laura Smith	5001B AVE G	323-6014
7) [Signature]	Regina Hampton	5015 AVE G	458-4663
8) [Signature]	Kate Sassen	5017 AVE G	470-4987
9) [Signature]	Valerie Rossman	5005 AVE G	419-8080
10) [Signature]	Amanda Stanley	5005 AVE G	743-7198
11) [Signature]	Steve Brekan	5004 AVE G	323-9316
12) [Signature]	Melinda Cullen	4914 AVE G	459-6244
13) [Signature]	Munesh Bhandari	4909 AVE F	458-0343
14) [Signature]	Scott Myers	4907 AVE G	323-6574
15) [Signature]	Valerie M. Price	4922 AVE G	459-0929
16) [Signature]	Nancy Butler	4915 AVE H	302-1725
17) [Signature]	Mitra Mechanic	4913 AVE H	302-1425
18) [Signature]	Tasha DelHay	5007 AVE H	459-5190
19) [Signature]	Becky Layne	5009 AVE H	451-5092
20) [Signature]	Robert Heynen	5006 Rowena	453-3667
21) [Signature]	DIANA HAYDEN	5006 Rowena	453-3667
22) [Signature]	Paul Hays	5007 Rowena	417-3925
23) [Signature]	Paul Coleman	4912 Rowena	415-6995
24) [Signature]	James M. Paine	4904 Rowena	419-0896
25) [Signature]	Andrew Carden	4904 Rowena	465-9493
26) [Signature]	Kalina Grabach	"	"
27) [Signature]	Steve Kelley	4906 Rowena	454-9241
28) [Signature]	Steve Kocke	4903 Rowena	850-5094687
29) [Signature]	ANDY JONES	4900 Rowena	453-2025
30) [Signature]	WENDY ALBERS	4528 AVE G	454-9329
31) [Signature]	Paul Hays	4706 Rowena St	474-7437
32) [Signature]	Adam Park	107 E. 48th St	407-9786
33) [Signature]	Sloan Schwab	108 E. 48th St	467-8922
34) [Signature]	Stephanie Pousson	4602 AVE H	426-8050
35) [Signature]	Donna Thayer	4710 Rowena	380-9282
36) [Signature]	Daniel Muth	4708 Rowena	452-7716
37) [Signature]	Chris Linsen	4704 Rowena	206-8366
38) [Signature]	MICHAEL ANDERSON	4610 AVE F	826-0040
39) [Signature]	Rodney King	4608 AVE F	471-4920
40) [Signature]	Colleen Torina	4606 AVE F	657-3490

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HYDE PARK (2)

February 2004

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Sincerely,

SIGNATURE	NAME	ADDRESS	PHONE
1) <i>[Signature]</i>	TERESA VELASQUEZ	4607 AVE F.	452-0468
2) <i>[Signature]</i>	Mary DASILVA	4604 AVE F.	467-0166
3) <i>[Signature]</i>	FERNANDO DASILVA	4604 AVE F	467-0166
4) <i>[Signature]</i>	THOMAS E. O'BRIEN	4531 AVE F.	451-4140
5) <i>[Signature]</i>	Rebecca O'Brien	4531 AVE F	451-4140
6) <i>[Signature]</i>	Patricia Bown	4525 AVE F	454-7551
7) <i>[Signature]</i>	BORAT SIEGENTHAL	4512 F	452-6915
8) <i>[Signature]</i>	John Hart	4510 AVE F	454-5933
9) <i>[Signature]</i>	Alex Knaep	4507 AVE F	302-3184
10) <i>[Signature]</i>	Kevin DASH	4509 AVE F	452-8339
11) <i>[Signature]</i>	KOMENA DASH	4509 AVE F	452-8339
12) <i>[Signature]</i>	YVES D. WELCH	4501 AVE F	452-3841
13) <i>[Signature]</i>	John Russell	4501 AVE F	601-9162
14) <i>[Signature]</i>	Mitt Diermeier	4502 AVE F	689-1774
15) <i>[Signature]</i>	Phillip Shannon	4503A AVE F	453-0131
16) <i>[Signature]</i>	Haley Gower	4501 AVE F	103-9143
17) <i>[Signature]</i>	Barbara Mahler	4502 AVE G	584-9209
18) <i>[Signature]</i>	Jessica Lay	4504 AVE G	454-1963
19) <i>[Signature]</i>	SANDRA SMITH	4505 AVE G	371-7463
20) <i>[Signature]</i>	Spencer Schindler	4518 Avenue G	452-1911
21) <i>[Signature]</i>	Maria Elena Cigarron	4524 AVE G	302-1296
22) <i>[Signature]</i>	CHANCEY ASHBAURN	4525 AVE G	458-3447
23) <i>[Signature]</i>	Arnold B. ASHBAURN	4525 AVE G	454-0919
24) <i>[Signature]</i>	Victoria Goodman	4523 AVE G	454-0917
25) <i>[Signature]</i>	STANLEY ROBINSON	4604 AVE G	452-1324
26) <i>[Signature]</i>	John Hart	4708 AVE G	451-4453
27) <i>[Signature]</i>	Kirsten Belgium	4712 Ave G	458-6809
28) <i>[Signature]</i>	John Hart	4713 Ave G	450-1757
29) <i>[Signature]</i>	JOHN HART	4908 AVE G	302-3791
30) <i>[Signature]</i>	JACLYN PETERSON	4908 AVE G	302-5834
31) <i>[Signature]</i>	DAVID VERJAN	4901 Rowena Ave Austin TX	512-958-8291
32) <i>[Signature]</i>	Susan Somers Willett	4908 B Rowena Ave Austin TX	512-302-0798
33) <i>[Signature]</i>	JOHN N. KILPATRICK	4615 Rowena Ave Austin TX	512-419-7028
34) <i>[Signature]</i>	Steve KILPATRICK	4615 Rowena Ave Austin TX	467-0594
35) <i>[Signature]</i>	KAREN THEIS	4601 Rowena Ave Austin TX	974-5279
36) <i>[Signature]</i>	Adrian Delakosy	4802 Rowena Ave	451-0007
37) <i>[Signature]</i>	Elizabeth F. Berman	4613 Avenue G	206-2205
38) <i>[Signature]</i>			454-3057

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LNDE PARK (3)

February 2004

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Sincerely,

SIGNATURE	NAME	ADDRESS	PHONE
1) <i>[Signature]</i>	Zac Bryant	5014 Rowena Ave #A	554-9056
2) <i>[Signature]</i>	J. Beaman	104 E. 51st St	633-9963
3) <i>[Signature]</i>	Michael Rodriguez	104 E 52nd	375-1514
4) <i>[Signature]</i>	Kim Mendez	104 E 52nd St.	371-1514
5) <i>[Signature]</i>	Joshua Ancheroy	102 E 52nd St	407-9911
6) <i>[Signature]</i>	Andrew Thomas	102 E 52nd St	407-9910
7) <i>[Signature]</i>	Tiffany-Kaye McGirt	102 E 52nd Apt B	323-9309
8) <i>[Signature]</i>	Carol Dodgen	5115 Ave F	467-8042
9) <i>[Signature]</i>	Andrew Santos	101 E 52nd St	7251-6796
10) <i>[Signature]</i>	David W. Hall	101 East 52nd	467 6737
11) <i>[Signature]</i>	Kellie J. Abat	101 East 52nd	467 6737
12) <i>[Signature]</i>	CARL SEPHON	102A E. 52nd	302-4878
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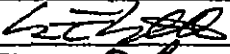



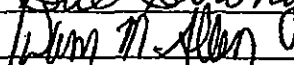


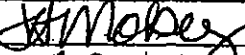
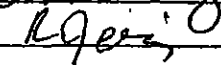
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February 2004

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	NAME	SIGNATURE	ADDRESS	PHONE
1)	Dave Raichles		4530 Ave G	459-3381
2)	Brian Birdwell		4603-B Ave G	698-3321
3)	Bryan R Hunt		4703 Ave G	467-2830
4)	Chris Alger		4705 Ave G	450-1790
5)	Sue Strong		4707 Ave G	452-1371
6)	Dawn Allen		4709 Ave. G	467-8600
7)	Michael Melin		4711 Ave G.	533-9190
8)	MATTHEW C KESURA		4716 AVE G	974-277-2412
9)	Halley Mobley		4717 AVE G	512-4538774
10)	Rachel Jennings		4807 Ave G	415-8998
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February 2004

Dear Planning Commission,

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Sincerely,

SIGNATURE	NAME	ADDRESS	PHONE
1)	Gina Ballew	5107A Ave G	533-9763
2)	CAROLYN KNIGHT	5607 LINK AVE	451-1727
3)	LISA WRIGHT	5201 AVE G	457-1727
4)	Dave Johnson	5203 Ave G	417-8359
5)	Elizabeth Flanagan	5107 Ave F	451-9252
6)	W. D. Sawyer	5209 Ave G	321-3780
7)	Lisa Darmiento	515 Ave G	302-6491
8)	Anne Smith	5105 Ave G	453-6802
9)	Mercedes Smith	5105 Ave G	457-6802
10)	Gladys G. Duffy	5103 Ave G	453-5272
11)	Jade Bailey	5103 Ave G	453-5272
12)	405 Dantli	5108 Ave G	836-5794
13)	Joel Schlichtemeier	5206 Ave G	302-0662
14)	Marc Rendon	5107-A Ave G	533-9763
15)	Kendal Barnard	5114 Ave G	452-4392
16)	Augustina GARZA	5210 Ave G	459-8149
17)	Julia K. GARZA	5210 Ave G	459-8149
18)	KEVIN JENKINS	5212 AVE H	577-1617
19)	Chiyo Nishida	5213 Ave H	744-3629
20)	LAURA HAWNIBAL	5212A Ave H	452-9620
21)	Crystal Fuobright	5208 Ave H	371-3255
22)	Colin Moe	5204 Ave H	814-5185
23)	MICHAEL CAMPBELL	5200 AVENUE H	680-7804
24)	Terry Martin	5201 Ave H	419-0009
25)	Elizabeth Perry	307 E. S 2nd St	512-874466
26)	Michael A. Kuykendall	5106-B Ave H	454-7613
27)	Brad Tabares	5107 Ave H	458-9253
28)	Joe Alzina	5105 Ave H	268-3701
29)	Cassie Cordray	4901 Ave H	589-7856
30)	Jessie Taylor	4901 Ave H	589-7856
31)	VARREX THOMAS	5208 Ave G	454-8534
32)	FRANK W. MARTIN	5011 MARTIN AVE	451-0935
33)	THOMAS M. BALLEW	5011 MARTIN AVE	451-0935
34)	Blanca Schreck	5101 Ave G	454-6677
35)	Matthew Martin	5101 Ave G	784-3358
36)	Ego Dami Aristondo	5101 Ave G	454-6677
37)	Phil Rogoff	5102 Ave H	916-5283
38)	Alisha Jones	5111 Ave H	(210) 421-1887
39)	KURTIS COLONNA	5205 AVE H	452-6442
40)	James Castello	5202A Ave H	452-9621

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Northfield

February 2004

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Sincerely,

SIGNATURE	NAME	ADDRESS	PHONE
1) <i>Imelda Black</i>	Imelda Black	5212 Duval St	454-6901
2) <i>Emily Keese</i>	Emily Keese	5208 Duval St.	459-6496
3) <i>Kaydean Bott</i>	Kaydean Bott	5204 Duval St.	323-5670
4) <i>Kathleen Warner</i>	Kathleen Warner	5202 Duval St	407-8821
5) <i>Kurt F. Mohlman</i>	Kurt F. Mohlman	5203 Duval St	371-7678
6) <i>Carolyn Annette Crites</i>	Carolyn Annette Crites	5205 Duval St	447-8307
7) <i>Lydia Dotz</i>	Lydia Dotz	5207 Duval St	467-2097
8) <i>Alex Jan</i>	Alex Jan	5114 Duval St	455-6588
9) <i>Theresa</i>	Theresa	5115 Duval St	419-9708
10) <i>Jane Dolton</i>	Jane Dolton	5107 Duval St	451-1675
11) <i>Jane Dolton</i>	Jane Dolton	5112 Duval St.	459-1801
12) <i>Lisa Hopper</i>	Lisa Hopper	3102 Ave G	452-7347
13) <i>Jennie Gray</i>	Jennie Gray	5203 LERLYNN	407-9283
14) <i>Joe Parks</i>	Joe Parks	201 Zennia St	474-7400
15) <i>Soyce Meredith</i>	Soyce Meredith	304 Zennia St	451-1298
16) <i>Charlie Ibert</i>	Charlie Ibert	402 Zennia	403-4860
17) <i>503 Zennia St</i>	503 Zennia St	Hallam	468-7660
18) <i>Steve Fletcher</i>	Steve Fletcher	504 Zennia St	419-9594
19) <i>Craig Whisenand</i>	Craig Whisenand	505 Zennia 38751	374-9856
20) <i>Mark A. Chavis</i>	Mark A. Chavis	604 Zennia	452-4549
21) <i>Kent Pyrtle</i>	Kent Pyrtle	7010 Zennia	453-3672
22) <i>Batley Kondag</i>	Batley Kondag	700 Zennia	880-9754
23) <i>Ronnie Clanton</i>	Ronnie Clanton	"	"
24) <i>Downs Susan</i>	Downs Susan	"	"
25) <i>406 W. 51st</i>	406 W. 51st		845-6823
26) <i>Cameron McCall Jordan</i>	Cameron McCall Jordan	509 W. 51st	459-6223
27) <i>408-A West 51st St</i>	408-A West 51st St	78751	454-4572
28) <i>Neal Clark</i>	Neal Clark	302 A W. 51st	371-0582
29) <i>5202 Zennia</i>	5202 Zennia	Austin	459-6587
30) <i>5105 Lerlynn St</i>	5105 Lerlynn St	Austin TX 78751	453-2875
31) <i>5205 Lerlynn St</i>	5205 Lerlynn St	Austin, TX 78751	499-0254
32) <i>5205 Lerlynn St</i>	5205 Lerlynn St	Austin, TX 78751	407-9950
33) <i>500 Franklin Blvd Unit B</i>	500 Franklin Blvd Unit B	Austin, TX 78751	484-1892
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NORTHFIELD

February 2004

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	NAME	SIGNATURE	ADDRESS	PHONE
1)	Dave Vermillion	Dave Vermillion	4805 Eilers Ave	380-0643
2)	Brad Kondrack	Brad Kondrack	4804 Eilers	419-0166
3)	Ben Suttan	Ben Suttan	4802 Eilers	487-3924
4)	Jonathan Pratter	Jonathan Pratter	4801 Eilers	451-8612
5)	Colona Annin	Colona Annin	4801 Eilers	321-0422
6)	Eric Furbish	Eric Furbish	4807 Eilers	454-7478
7)	Bruce W. Nadig	Bruce W. Nadig	615 East 48th Street	323-0779
8)	Merleen Gray	Merleen Gray	615 E. 48th St	323-0779
* 9)	Andrea Hasterer	Andrea Hasterer	4702 Eilers Ave	459-3422
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HYDE PARK

February 2004

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

NAME	SIGNATURE	ADDRESS	PHONE
1) Jared Frost	Jared Frost	5112-A Martin Ave. (512)	206-0241
2) LaDonne Lloyd	LaDonne Lloyd	5114 Martin Ave. (512)	467-6786
3) John Rees	John Rees	5115 Martin Ave.	512-454-0976
4) William Lawrence Nicholas	William Lawrence Nicholas	5200 Bruning Ave	512-452-8882
5) Rachael Flora	Rachael Flora	5207 Eilers Ave (512)	220-4560
6) Morgan Haining	Morgan Haining	5207 Eilers Ave (512)	220-4560
7) Susan Brilliant	Susan Brilliant	5112 Eilers Ave	512-689-1817
8) Ryan Fleming	Ryan Fleming	5108 Eilers Ave.	512-371-3078
9) Eunice Jozwiak	Eunice Jozwiak	5106 Eilers (512)	463-39
10) Albert Jozwiak	Albert Jozwiak	5106 Eilers (512)	463-39
11) John Thomas Mahler	John Thomas Mahler	5044 Eilers Ave	512-554-6136
12) JOHN T. MENKETT	John T. Menkett	5014 EILERS AVE	512-565-4002
13) Jamie L Ailshire	Jamie Ailshire	5100 EILERS AVE	210-379-0477
14) NOLAN J. Darilek	Nolan Darilek	5100 EILERS AVE	512-777-5093
15) Tucker Henson	Tucker Henson	5104 Caswell	512-876-4855
16) Carol Johnson	Carol Johnson	5106 Caswell	467-6033
17) Kevin Johnson	Kevin Johnson	5106 Caswell	467-6033
18) JERRILL PERKINS	Jerrill Perkins	5110 CASWELL	459-9843
19) Alan Wheeler	Alan Wheeler	5112 CASWELL	
20) Kim Williams	Kim Williams	5110 Eilers Ave.	454-8266
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North Field



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

A14

NOTICE OF PLANNING COMMISSION PUBLIC HEARING FOR A PROPOSED ZONING CHANGE

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

Mailing Date of this Notice: April 2, 2004

File Number: C14-04-0015

Mailing Date of first Notice: February 4, 2004

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

PROPOSED ZONING CHANGE:

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

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

OWNER / AGENT: Northfield Design Assoc., PLLC (Don Smith)

PHONE: (512) 302-1458

PLANNING COMMISSION HEARING DATE: April 13, 2004

TIME: 6:00 PM

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

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

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

File # C14-04-0015-GR

Planning Commission Hearing Date: April 13, 2004

Name (please print)

Teresa Anderson

☒ I am in favor
(Estoy de acuerdo)

Address

5205 Martin Ave.

☐ I object
(No estoy de acuerdo)

February 23, 2004

TO: City of Austin Neighborhood Planning & Zoning Department

FROM: Doug Bonner, homeowner, 5106 Avenue F, Austin

RE: File # C14-04-0015-GR

Dear Concerned Persons:

This letter is in response to a Notice of Filing of Application for Rezoning which I received in the mail. As I understand, the request is for the 100-104 E 51st Street tract to be rezoned from SF-3 to LR-MU.

The North Loop neighborhood currently has an adequate infrastructure of commercial buildings. The neighborhood is already well-served by the North Loop/Avenue F intersection, the Duval/51st Street intersection, and the services offered both on and tangential to Airport and Lamar Boulevards. Additionally, there are more commercial services at the intersection of 43rd Street and Duval.

While these other commercial centers in the North Loop area are concentrated at significant intersections, the 100-104 E 51st Street tract is located on the elbow of a curve with limited sightlines. The other commercial services I listed are located at junctions with stop signs, where traffic flow is controlled and access is pedestrian- and bicycle-friendly. This is not the case with the 100-104 E. 51st Street tract. The stopping and turning of commercial traffic into this lot will increase the difficulties and risks of this already problematic stretch of 51st Street.

There is a blind crest in the hill of 51st between Avenue F and Avenue G, followed immediately by a curve in the road west of the hill. This combination has always made traffic perilous on the stretch fronting the 100-104 E 51st Street tract. Speaking as one who has driven, walked and bicycled 51st Street between Guadalupe and Duval many times, I have witnessed situations where accidents were avoided only through quick actions by one of the motorists. (Especially by cars turning into or out of Rowena Avenue, which is

BONNER / Page 2

diagonally across from the 100-104 E 51st Street tract.) Having viewed these problems during the tract's current residential status, I believe commercial traffic could only increase these dangers.

A KEY QUESTION OF CONCERN: this application is on the behalf of owner/agent Don Smith. Is this the same Don Smith who is a voting member of the North Loop Planning Team? If so, is this a blatant conflict of interest?

As I understand, LR-MU zoning would allow two-story commercial buildings in our residential neighborhood. This would dramatically alter the character and human aspect which the North Loop neighborhood enjoys.

There is no guarantee that commercial tenants of the 100-104 E 51st Street tract will increase convenience for the North Loop community. The current infrastructure of commercial space in the neighborhood is underutilized for convenience-based neighborhood services. A better gift to the North Loop neighborhood would be to allow the residential zoning to remain on the tract in question.

A rezoning to LR-MU does not increase the key quality-of-life issues that are benchmarks of an Austin residential community: access to nature, good transportation and housing, pedestrian- and bicycle-friendly accessibility, and a feeling of responsible investment in the land.

As someone who has owned a home in the North Loop neighborhood for over ten years, I strongly urge you NOT to rezone the 100-104 E 51st Street tract.

Respectfully,

Doug Bonner
Homeowner/ Taxpayer
5106 Avenue F



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

SEE ITEM 3 FOR DISCUSSION, MOTION AND VOTE

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

Kathleen Welder presented the staff recommendation.

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

Glenn Rhoades presented the zoning staff recommendation.

PUBLIC HEARING

FOR

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FOR- NOT SPEAKING

Ashley Montague- donated time to Bill Yoder
Jan Seward- donated time to Matt Hollon
Henry Stone- donated time to Matt Hollon
Laura Stone- donated time to Don Smith
Laura Smith
Richard Smith
Kris Schludermann
David Papas

AGAINST

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

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

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

Commissioner Armstrong asked about the revised duplex ordinance.

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

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

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

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

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

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

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

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

Commissioner Sullivan pointed out that Mr. Clinton lives 5 blocks away from the property, and asked why it is salient to him. Mr. Clinton said that his reasons were stated earlier.

Commissioner Moore asked about his concerns about decreased property value. Mr. Clinton said that when people are buying a house in Hyde Park they are looking for character and feel. When that feel is gone, the houses are not attractive. They buy it for character and feel, not because it makes economic sense.

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

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

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

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

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

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

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

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

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

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

AGAINST- DID NOT SPEAK

Randal Bansford- donated time to Maya Gamble

Shirley Mount

Geoff Mount

Lori Jagisch

Monica Scott

Katy Trosper

David Campbell

REBUTTAL

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

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

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

MOTION: CLOSE PUBLIC HEARING

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

COMMISSION DISCUSSION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MOTION: APPROVE STAFF RECOMMENDATION WITH THREE ADDITIONAL CONDITIONS: 1) additional 10 foot setback on the east side and the north side, 2) height restriction of 30 feet and 3) 3 bedrooms per unit if built as duplex.

VOTE: 4-3 (JC-1st, DS-2nd; NS, MA, JC, DS- FOR; CR, MM, CG- AGAINST; CM, JN- ABSENT)

MOTION FAILED.

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

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

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

MOTION: APPROVE APPLICANT'S REQUEST

VOTE: 3-4 (CG-1st, MM-2nd)

MOTION FAILED.



FORWARDED TO COUNCIL WITH NO RECOMMENDATION

5. Final without Preliminary:

C8-03-0145 - Motloch Corner Subdivision

Location: Grove Avenue @ E. Northloop Blvd., Williamson Creek Watershed, Brentwood NPA
 Owner/Applicant: Anita K. Motloch
 Agent: Jim Bennett
 Request: The applicant requests approval of a resubdivision which seeks to combine a portion of one lot into two lots.
 Staff Rec.: **RECOMMENDED**
 Staff: Don Perryman, 974-2786, don.perryman@ci.austin.tx.us
 Watershed Protection & Development Review Dept.

MOTION: POSTPONE TO MAY 25, 2004 BY CONSENT

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