

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Rosewood Neighborhood Plan

CASE#: NPA-2010-0008.01

PC DATE: October 12, 2010

ADDRESS/ES: 2205 E. 12th Street

SITE AREA: 0.1828 acres

APPLICANT/AGENT: Will Schnier, P.E. (Big Red Dog Engineering & Consulting)

OWNER: Dr. Paul Riekert

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Civic

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2010-0114

From: MF-3-NP

To: LO-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: November 29, 2001

PLANNING COMMISSION RECOMMENDATION: On October 12, 2010, the motion to approve staff's recommendation for Mixed Use; was approved by Commissioner Sandra Kirk's motion, Commissioner Richard Hatfield second the motion on a vote of 7-0; Commissioners Mandy Dealey and Dave Anderson were absent.

STAFF RECOMMENDATION: Recommended - Mixed Use.

BASIS FOR RECOMMENDATION: The plan amendment request supports the following goals, objectives and recommendations:

Goal One: Make the Rosewood Neighborhood Planning Area a more attractive, cleaner and safer place to live.

Objective 1.2

Remove the garbage, brush, and tall grass from vacant lots and public right-of-ways in the neighborhood planning area.

Goal Two: Promote affordable housing options in the Rosewood neighborhood, while reducing the number of vacant lots.

Objective 2.3

Facilitate rehabilitation of the neighborhood's houses, including its older, historic homes.

Goal Four: Promote commercial uses that serve the needs of neighborhood residents

While the Rosewood area does have some businesses and services, the Neighborhood Planning Team encourages the development of new "destination" businesses that could employ people from the neighborhood and other parts of East Austin, and attract customers from all parts of the city. In addition, the Neighborhood Planning Team would like to promote the location of a grocery store in the neighborhood.

Along the neighborhood's interior commercial corridors (Rosewood, E. 12th Street, Chicon, Oak Springs, MLK and Manor), the Neighborhood Planning Team supports property owners' requests for variances to reduce front setbacks and to locate parking lots in the rear or on the side of buildings. This neighborhood has a tradition of commercial buildings built close to the sidewalk and street.

Objective 4.1

Promote infill development on vacant commercial lots.

Objective 4.2

Increase business opportunities for the Rosewood neighborhood's residents.

Action 60: Review existing neighborhood services to evaluate the need for a small business incubator for the residents of East Austin and the Rosewood neighborhood that will facilitate the establishment of new businesses in East Austin and create jobs for area residents. (Implementer: RNPT)

Objective 4.3

Where zoning permits, promote small, neighborhood-oriented businesses services such as coffee shops, bookstores, restaurants, and corner stores.

Objective 4.4

Allow live-work/flex space (Mixed use development) on existing commercial zoning in the neighborhood (See zoning definitions below)

Objective 4.5

Retain the smaller-scale commercial character of existing commercial corridors in the neighborhood.

Action 71: Limit the height of buildings fronting on E. 12th Street, Manor Rd., Rosewood Ave., and Oak Springs, to 40 feet. (Implementer: NPZD)

Action 72: Establish a conditional overlay limiting land uses that pose a potential conflict with nearby residences. (Implementer: NPZD)

Objective 4.7

Attract neighborhood-friendly, neighborhood-oriented businesses to E. 12th St.

BACKGROUND: The application was filed on July 7, 2010, which is within the open period for City Council-approved neighborhood planning areas located on the east side of I.H.-35.

The Rosewood Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on November 29, 2001. The boundaries for the planning area are Manor Road on the north, Airport Boulevard to the east, Oak Springs to Webberville Road on the south and Northwestern to Rosewood to Chicon to 12th Street north along Austin & NW Railroad to Martin Luther King Boulevard to Stafford to Rogers to Walnut.

The property owner proposes to amend the future land use map to change the land use from Civic to Mixed use in order to convert a vacant church building into a music recording studio. The mixed use overlay is to allow for the possibility of one dwelling unit in the event a property caretaker is desired to live on the property.

The property owner revised his plan amendment application on August 31, 2010 from Commercial requested land use to Mixed Use land use.

PUBLIC MEETINGS: On Tuesday, August 31, 2010, nine people attended the plan amendment meeting, including the property owner and his agent. Approximately 233 notices were mailed to people who live and own property within 500 feet of the property.

Dr. Paul Riekert (property owner) and Will Schnier (agent) told the attendees that Dr. Riekert (an ER doctor) would like to open a music studio in the church, which will require extensive improvements to the building to make it sound proof. He explained that a music studio is considered "communication services", which is allowed in the LO – Limited Office zoning district. The Mixed Use would allow the possibility for someone to live on the property, although he has no plans to demolish the building to build only residential units. The building has been vacant for at least four years, which he suspects is because it only has six or seven parking spaces, which makes it very difficult for a new church to move into the building.

The stakeholders at the meeting said the property is holy ground and should only be used as a church. Others felt that the culture of East Austin has changed by new people moving into the neighborhood. Losing the church would be loss of their culture.

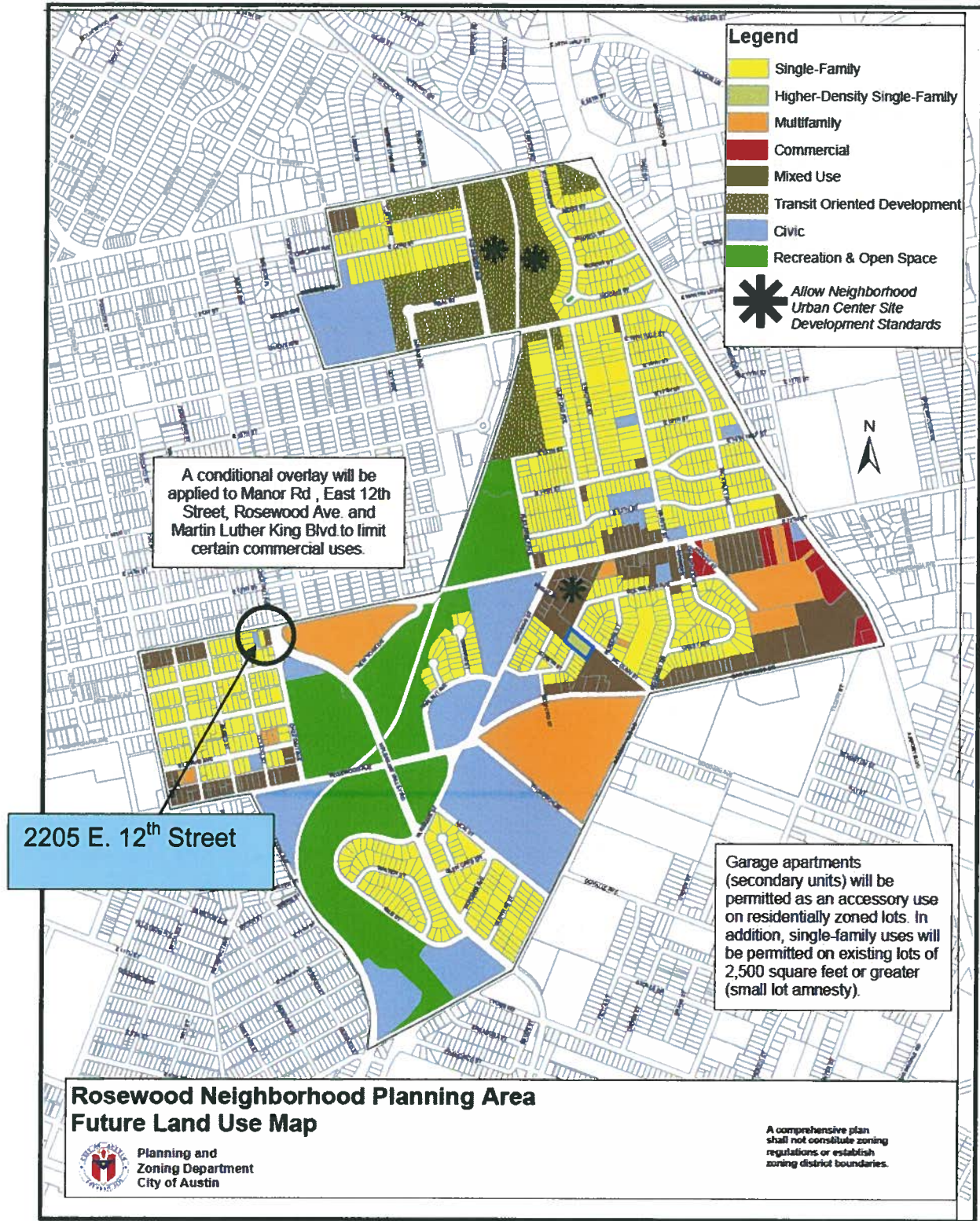
Attached are comments forms from attendees at the meeting.

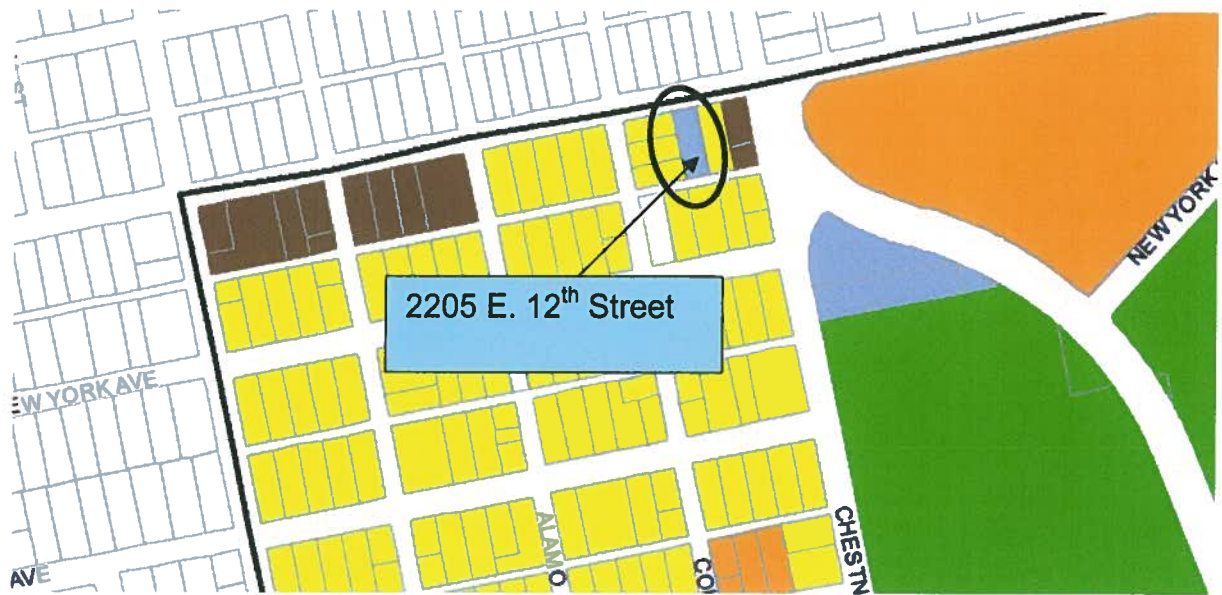
The Rosewood Planning Contact Team supports the zoning change and plan amendment applications. Their letter is provided with this report, along with letters of support from surrounding property owners which were given to Dr. Riekert.

CITY COUNCIL DATE: November 4, 2010 **ACTION:** (pending)

CASE MANAGER: Maureen Meredith **PHONE:** 974-2695

EMAIL: maureen.meredith@ci.austin.tx.us





Letter of Support from the Rosewood Planning Contact Team

From: Jane Rivera [mailto:janehrivera@austin.rr.com]
Sent: Sunday, August 29, 2010 11:57 AM
To: Meredith, Maureen
Cc: joi.hardin@ci.austin.tx.us; 'Paul Wesley Riekert'; 'Jane Haney Rivera'
Subject: 2205 E. 12th Street

Maureen,

This email is to document the Rosewood Neighborhood Contact Team's support for the proposal by Mr. Riekert to convert the old church building to a recording studio. We also support the zoning that would keep the zoning (MU) marked brown on the FLUM, rather than going to red, which could permit higher commercial use. Thank you for your suggestion and for your support of both Mr. Riekert's plans and our plans to maintain the neighborhood.

Jane Rivera, Chair
Rosewood Neighborhood Contact Team

Rosewood Neighborhood Plan
NPA-2010-0008.01 – 2205 E. 12th Street
Applicant: Dr. Paul Riekert
NPA meeting date August 31, 2010

Proposed Plan Amendment:
From: Civic to Commercial

Proposed Zoning change:
From: MF-3-NP to LO-MU-NP

Please check all that may apply:

- ☒ I live or own property within 500 ft. of the proposed plan amendment and/or zoning change application.
- ☐ I am a member of the Rosewood Planning Contact Team.
- ☐ I am not a member of the Rosewood Planning Contact Team and I do not live or own property with 500 feet; however, I live within the Rosewood Neighborhood Planning Area.
- ☐ Other _____

I am (please check one):

- ☐ Opposed to the plan amendment and/or zoning change application
- ☒ In Favor of the plan amendment and/or zoning change application

Comments: I AM THE SUBJECT PROPERTY!

(Optional)

Name: PAUL RIEKERT

Address: 2205 E 12TH AUSTIN 78746

Phone: 512-587-6362

Rosewood Neighborhood Plan
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- ☐ Other _____

I am (please check one):

* ☒ Opposed to the plan amendment and/or zoning change application

☐ In Favor of the plan amendment and/or zoning change application

Comments: This is Holy Ground!

(Optional)
Name: Teresa D. Lewis
Address: 1204 Coleto Street
Phone: (512) 4786062

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- ☐ Other _____

I am (please check one):

☒ Opposed to the plan amendment and/or zoning change application

☐ In Favor of the plan amendment and/or zoning change application

Comments: I AM AGAINST CHANGING THE CHURCH INTO A
RECORDING STUDIO OR OTHER COMMERCIAL ENTITY THIS A
HOLY PLACE.

(Optional)

Name: ADJECT LEWIS - 8-31-10
Address: 20098 CONESTOGA TRAIL - 1204 COLETO ST., AUSTIN TX 7870
Phone: (512) 501-6662

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- ☐ I am not a member of the Rosewood Planning Contact Team and I do not live or own property with 500 feet; however, I live within the Rosewood Neighborhood Planning Area.

☐ Other I live across the street from the City (church)

I am (please check one):

- ☒ Opposed to the plan amendment and/or zoning change application
- ☐ In Favor of the plan amendment and/or zoning change application

Comments: This is the last neighborhood
that we can call our own w/o commercial
moving in.
I respect the church

(Optional)

Name: Scottie L. Perry
Address: 2110 E. 12th St.
Phone: (512) 474-5709



Attn:

Rosewood Neighborhood Planning Committee

City of Austin

RE: 12th Street Baptist Church

To whom it may concern,

My name is Doug Rives and I own the properties adjacent to the 12th Street Baptist Church at 2207 and 2211 E. 12th Street. I support the rezoning of the property to LO in hopes that it will facilitate a more viable commercial corridor on E 12th Street and in turn reduce the vagrancy, drug dealing and prostitution that we see on a daily basis particularly around vacant properties.

Thank You,

A handwritten signature in black ink, appearing to read 'DOUG RIVES', written over the printed name.

Douglas L. Rives

TO Whom it may concern, 16
Converting the old 12th Street Church
to a music recording studio is
Fine with us. The church had only
8 or nine parking spaces, and led to
church-goers parking around the block.
A well-insulated, sound-proofed studio
will allow the structure to remain
and won't affect any nearby
properties. The proposed studio is
the best use, actually. We live behind
the proposed studio and welcome it.

John Schroeder

Bob Schroeder

1195 Coleto
Austin, TX
78702

320-0511

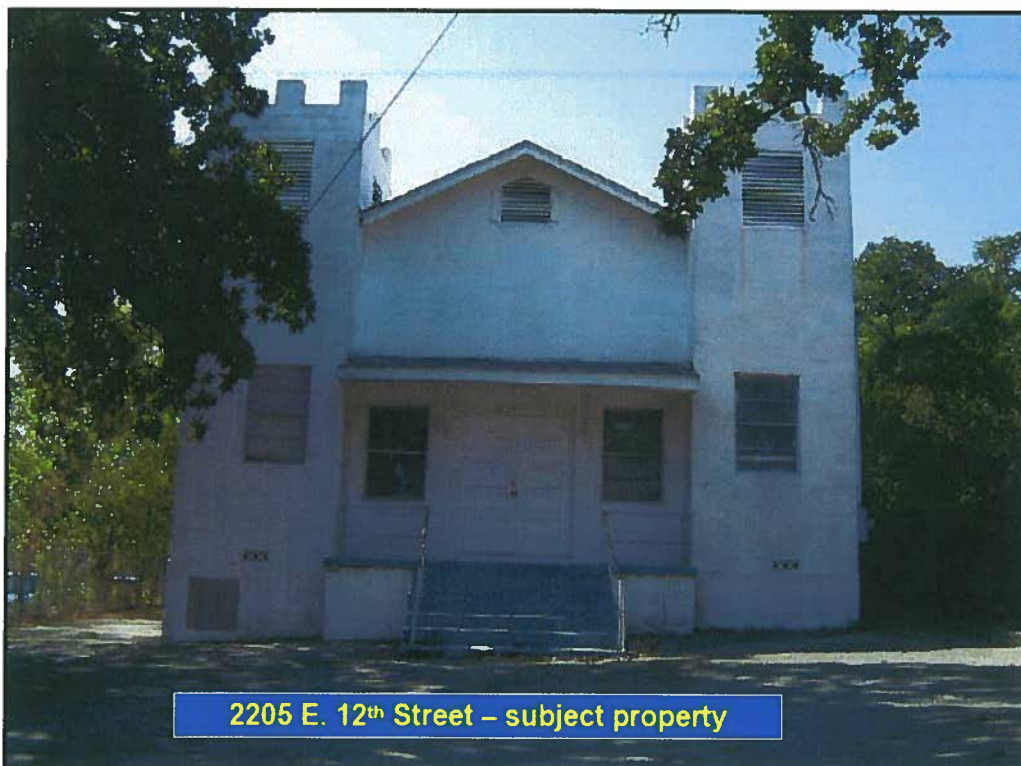
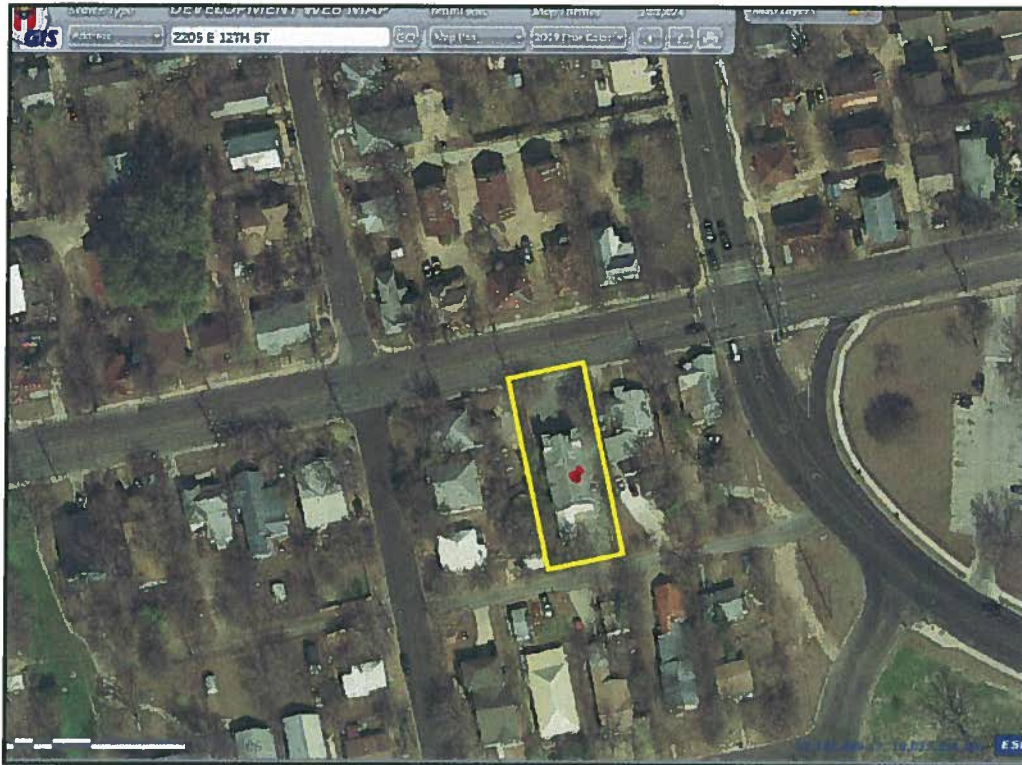
(by email)

Hello Paul,

I live in, and own, a house on E 12th st. (2001 E 12th), across from Sams. I've been reading about your request for rezoning on the Rosewood email group, and even stopped by the church to look around. (I couldn't make any of your open houses.) I know that some neighbors are for, and some against, your proposal. I won't be in town for Thursday's meeting, but wanted to log my support for your rezoning request to enable the recording studio. It seems like a low-impact, yet beneficial addition to the neighborhood. Feel free to make my support public.

Good Luck!

Jeremy Bailey



2205 E. 12th Street – subject property

