

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Govalle/Johnson Terrace Combined

CASE#: NPA-2016-0016.02 **DATE FILED:** July 26, 2016 (In-cycle)

PROJECT NAME: Red Bluff Mixed Use Development

PC DATE: December 12, 2017
November 14, 2017
September 26, 2017
August 8, 2017

ADDRESSES: 20 Strandtman Cove (5.339 acs) & 5221 E. Cesar Chavez Street (1.02 acs)

DISTRICT AREA: 3

SITE AREA: 6.36 acres

OWNERS/APPLICANTS: AUS Holdings, LLC (Brian Bilderback) and Hustle and Flow, LLC (Elizabeth Lambert, Manager)

AGENT: Coats Rose (John Joseph) and Graves, Dougherty, Hearon, & Moody (Michael J. Whellan)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Industry

To: Mixed Use

Base District Zoning Change

Related Zoning Case: *(No case filed at this time)*

From: n/a

To: n/a

NEIGHBORHOOD PLAN ADOPTION DATE: March 27, 2003

PLANNING COMMISSION RECOMMENDATION:

December 12, 2017 -

November 14, 2017- Postponed on the consent agenda at the request of staff to December 12, 2017. [J. Shieh -1st; T. White – 2nd] Vote: 13-0 [J. Schissler recused from Item C-21. N. Zaragoza recused from Item C-16].

September 26, 2017- Postponed on the consent agenda at the request of staff to the November 14, 2016 hearing date. [J. Schisser – 1st; J. Shieh – 2nd] Vote: 10-0 [Commissioners F. Kazi, K. McGraw, and Jose Vela III absent].

August 8, 2017 – Postponed on the consent agenda at the request of staff to September 26, 2017 hearing date.[N. Zaragoza – 1st; P. Seeger – 2nd] Vote:10-0 [Commissioners K. McGraw, J. Vela and T. White absent].

STAFF RECOMMENDATION: Not recommended.

BASIS FOR STAFF’S RECOMMENDATION: The property is located within an industrial node. To the east of Strandtman Cove is Borden Milk Distributors. Staff has no supported plan amendment and zoning change requests for residential developments within established industrial node because residential uses are not appropriate for industrial areas and there is a need to retain industrial areas to maintain jobs within the city limits.

The Govalle/Johnston Terrace Neighborhood Plan designates this area as an industrial area where residential uses are not appropriate.

Land Use Goals

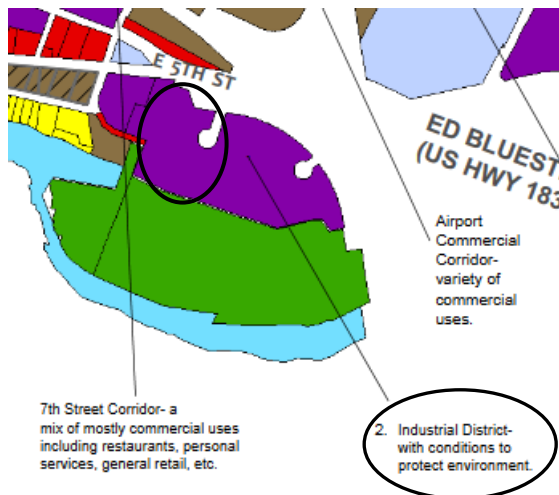
- Goal 1:** **Adjacent land uses should be compatible.** (Sector Plan)²
- Key Principles: Address the “over-zoning” of properties in the Govalle/Johnston Terrace Neighborhood Planning Area. (Sector Plan and modified by Gov/JT)
- Non-residential development should not adversely affect existing businesses or neighborhoods, either by increases in traffic, noise, pollutants, or other safety hazards. (Sector Plan)
- Goal 2:** **Preserve and protect current and future single-family neighborhoods.** (Gov/JT)
- Key Principles: Initiate appropriate rezoning to preserve and protect established and planned single-family neighborhoods. (Gov/JT)
- Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods. (Sector Plan)
- Encourage higher density non-residential land uses to locate near major intersections and in industrial districts/business parks. (Sector Plan)
- Goal 3:** **Develop a balanced and varied pattern of land use.** (Sector Plan)
- Key Principles: Provide a balance of land use and zoning for people to both live and work in the area. (Gov/JT)
- Encourage mixed use so that residential uses are allowed on some commercial properties. (Gov/JT)
- Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment. (Gov/JT)

Industrial Districts (ref to numbers 2 and 3 on map): Industrial uses are located on Levander, south of East César Chávez. This is an area that is isolated from residential areas and allows truck traffic ready access to US 183.

The other industrial district is on US 183 itself. This location is also considered suitable for industrial uses as it is on this major roadway allowing ready transportation access. Lower intensity warehouse/office uses are recommended as a buffer on the western side of Smith Road (ref to number 3 on map) forming a transition between the industrial on US 183 and the residential on Arthur Stiles.

The preservation of some industrial uses in both Mixed Employment and the Other Industrial Districts is reflective of the plan's key planning principles to:

- Provide a balance of land use and zoning for people to both live and work in the area



EXISTING LAND USE ON PROPERTY

Industry - Areas reserved for manufacturing and related uses that provide employment but are generally not compatible with other areas with lower intensity use. Industry includes general warehousing, manufacturing, research and development, and storage of hazardous materials

Purpose

1. To confine potentially hazardous or nuisance-creating activities to defined districts;
2. To preserve areas within the city to increase employment opportunities and increased tax base;
3. To protect the City's strategic advantage as a high tech job center; and
4. To promote manufacturing and distribution activities in areas with access to major transportation systems.

Application

1. Make non-industrial properties in areas with a dominant industrial character compatible with the prevailing land use scheme;
2. Where needed, require a buffer area for industrial property that abuts residentially used land;
3. Industry should be applied to areas that are not appropriate for residential or mixed use development, such as land within the Airport Overlay; 4. In general, mixed use and permanent residential activities are not appropriate in industrial areas. An

exception may be the edge of an industrial area along the interface with an area in which residential activities are appropriate. Such exceptions should be considered case by case, with careful attention to both land use compatibility and design;

5. Industry should not be either adjacent to or across the road from single family residential or schools;
6. Use roadways and/or commercial or office uses as a buffer between residential and industry; and
7. Smaller scale “local manufacturing” districts may be appropriate in some locations to preserve employment opportunities and cottage industries of local artisans. In these areas, hazardous industrial uses (i.e. basic industry, recycling centers, and scrap yards) should be prohibited.

PROPOSED LAND USE ON PROPERTY

Mixed Use – An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

Application

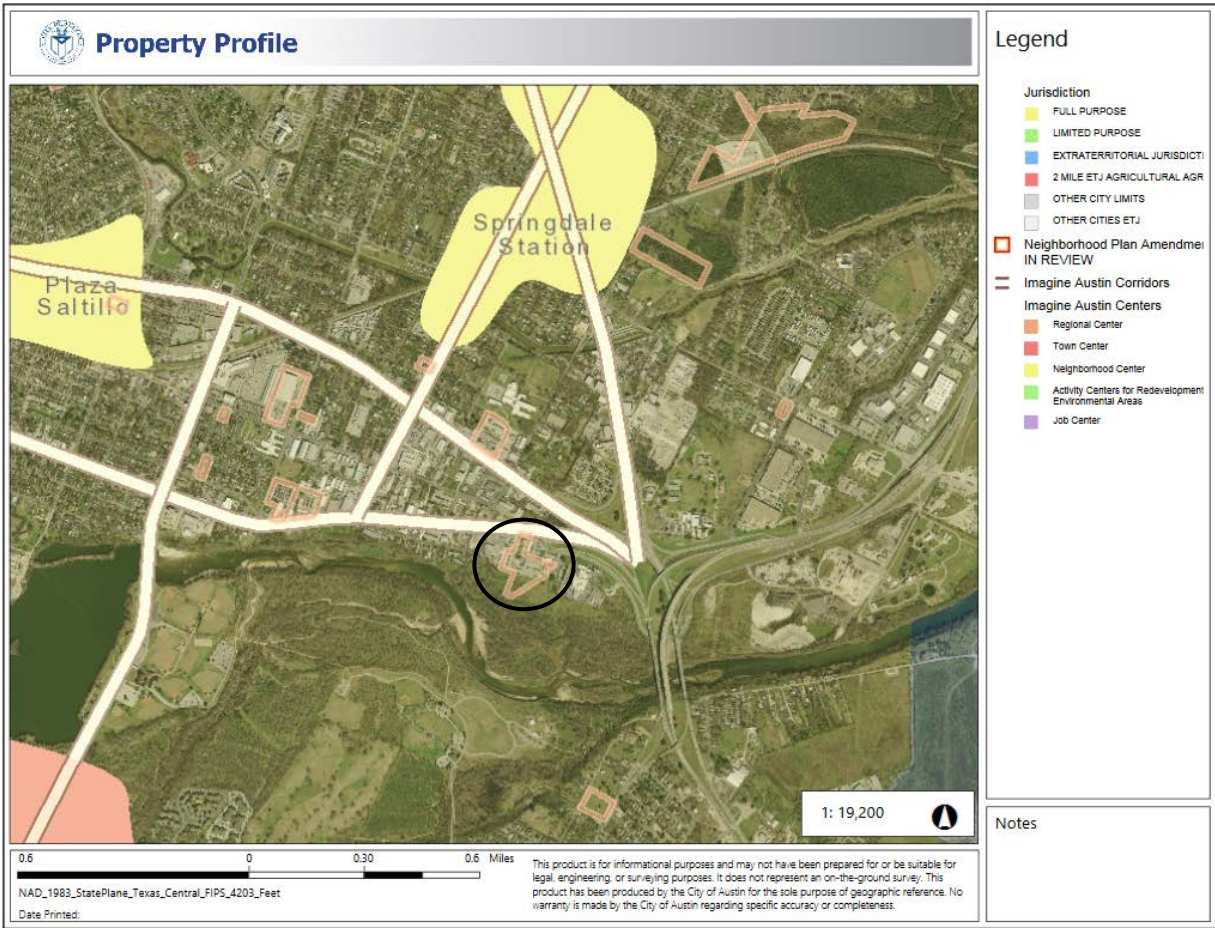
1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood’s edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);

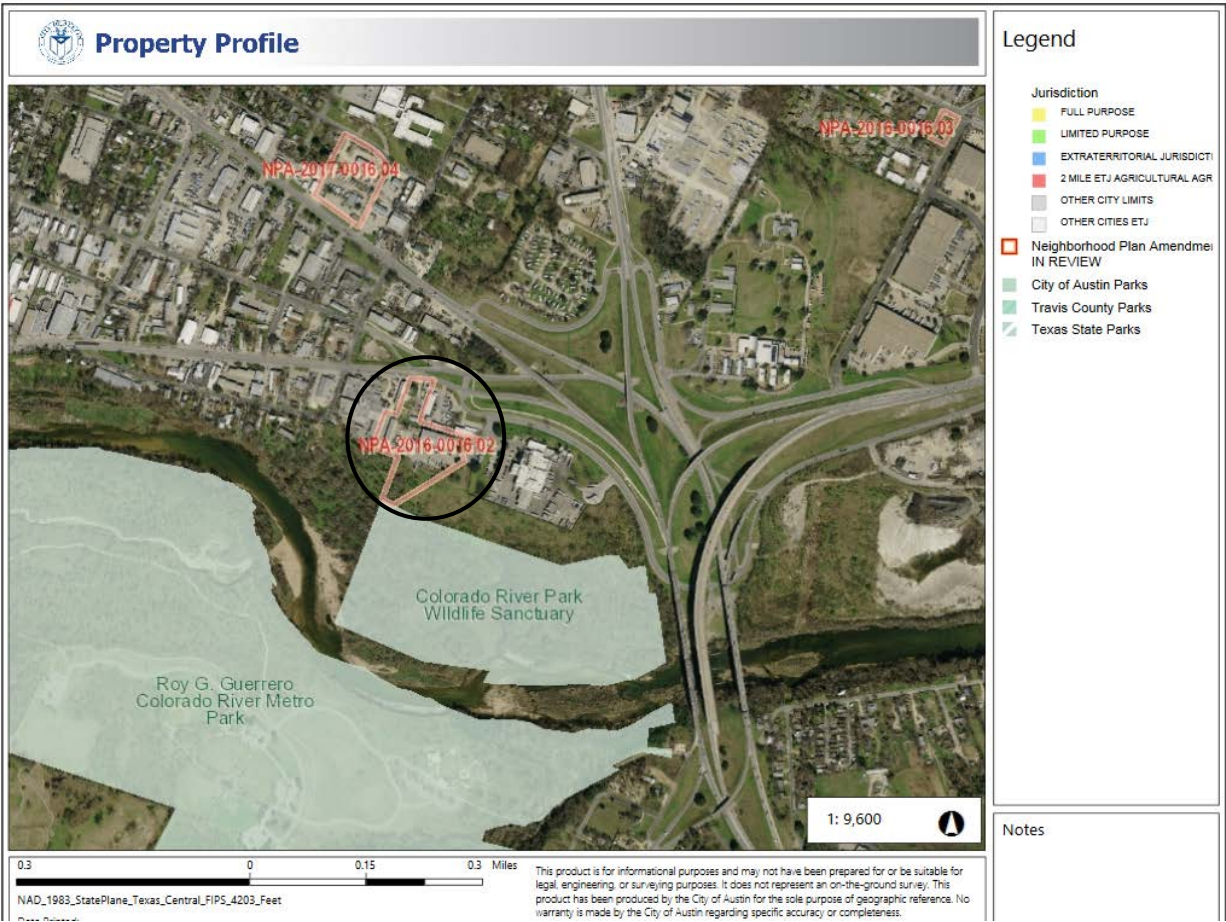
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

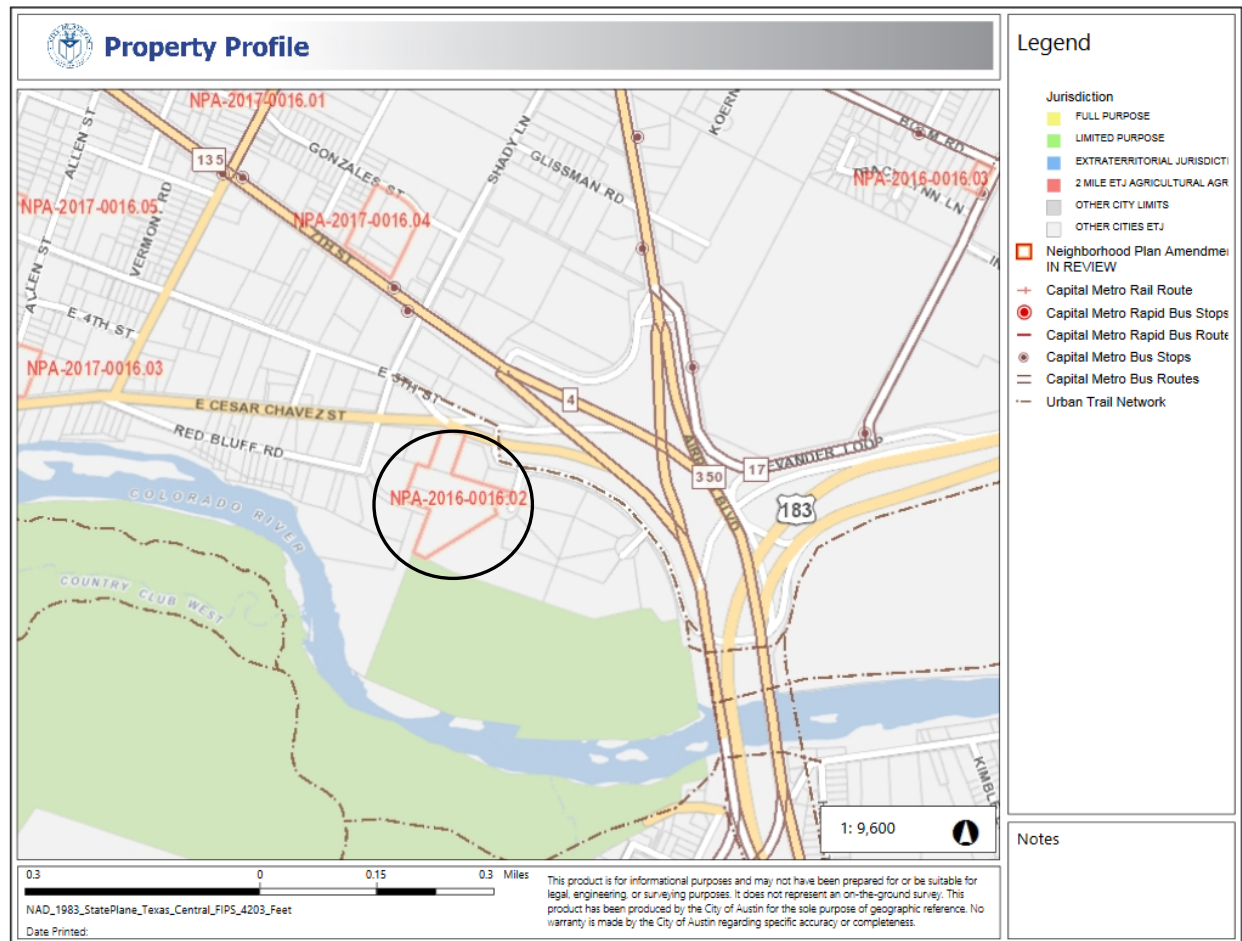
IMAGINE AUSTIN PLANNING PRINCIPLES

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.
 - ***Although the proposed multifamily housing development would provide housing for the planning area and the city, staff does not support putting residential uses within an established industrial node. Directly to the east is an active Borden Milk Processing plant, a large and active industrial use.***
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.
 - ***E. Cesar Chavez Street is identified as an Activity Corridor, but the proposed multifamily development only has vehicular access to Strandtman Cove. Even if the 5221 E. Cesar Chavez Street were to be added to the multifamily development, staff would not support residential uses in this industrial node.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***Staff does not support placing a large residential within an established industrial and commercial node.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***Although the proposed multifamily housing development would provide housing for the planning area and the city, staff does not support putting residential uses within an established industrial node. Directly to the east is an active Borden Milk Process plant with 18-wheelers parked and idling in Strandtman Cove. Strandtman Cove is also where the main ingress/egress is located for the plant and for the proposed multifamily development.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.

- ***Staff does not support the request to change the land use from Industry to Mixed Use to allow for a zoning change application that would allow the construction of hundreds of apartment dwelling units within an industrial node with active heavy commercial and industrial uses.***
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 located north of Colorado River and adjacent to the Colorado River Park Wildlife Sanctuary. To the north of the property is part of the Urban Trail Network. See map on page 9.***
 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.
 - ***Located to the south of the property is the Colorado River Park Wildlife Sanctuary.***
 8. Protect, preserve and promote historically and culturally significant areas.
 - ***Not applicable.***
 9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
 - ***The proposed apartment complex with 230 – 250 dwelling units is not located in an area that would promote walking and biking.***
 10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - ***Retaining the industrial node will help to provide jobs for the planning area and city.***
 11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
 - ***Not applicable.***
 12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
 - ***Not applicable.***







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

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

dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

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

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

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

BACKGROUND: The application was filed on July 26, 2016, which is in-cycle for neighborhood planning areas located on the west side of I.H.-35. The agent at the time, Dale Glover, asked staff to delay scheduling the ordinance-required community meeting. The plan amendment case was scheduled for a planning commission hearing so that the case would not

expire. After a number of postponements over the course of the year, the ordinance-required community meeting was held on October 18, 2017.

No zoning case has been filed with the plan amendment application; however, the plan amendment application says the proposed zoning will be CS-MU-CO-NP from LI-CO-NP.

The existing use on the property is a contracting supply company. The proposed use is a multifamily development with 230 – 250 dwelling units. Vehicular access is proposed from Strandtman Cove.

PUBLIC MEETINGS: On October 18, 2017 the ordinance required community meeting was held. Approximately 70 community meeting notices were mailed to people who live or own property within 500 feet of the property, in addition to neighborhood organizations and environmental groups registered with the city who requested notification for the area. One citizen attended the meeting, Daniel Llanes from the Govalle/Johnston Terrace NPCT, in addition to one staff member; the prospective buyer of 20 Strandtman Cove, Brian Brooke; Michael Whellan, agent; and Dale Glover, the real estate agent for the property.

After staff gave a brief presentation, Michael Whellan, the agent for the buyer and Brian Brooke, representative for Ryan Companies US, Inc. gave the following presentation.

Brian said the company he works for is interested in changing the land use to Mixed Use so they can develop the property. He said they are leaning towards multifamily apartments because of the property's location near the water. He said they do not have any detailed plans or a site layout because they wanted input from the community before they submit a zoning change application. When they submit a zoning change application, they will most probably request a zoning change from LI-CO-NP to CS-MU-CO-NP, with the CO being a limit of 2,000 vehicle trips a day.

Q. Is the property in the flood plain?

A. Yes, near the southern end of the property. *(See flood plain map below)*

Q. When was the plan amendment application filed?

A. July 2016, last year.

Q. Where will the vehicle access be?

A. We will access from Strandtman Cove.

Q. You won't have any access from E. Cesar Chavez?

A. No, that property is owned by Hustle and Flow with Elizabeth Lambert. We don't know what she wants to do with that property. It is not part of this development.

Q. What's the justification for the proposed zoning change?

A. Good question. We think we can get closer to the highest and best use for this unique piece of land, all while leaving single-family neighborhoods undisturbed, reducing residential affordability issues by increasing supply, preserving the important cultural aspects of the

Govalle/Johnson Terrace neighborhood by thoughtfully embracing the river and generally improving the environmental quality by replacing an industrial use with a residential use.

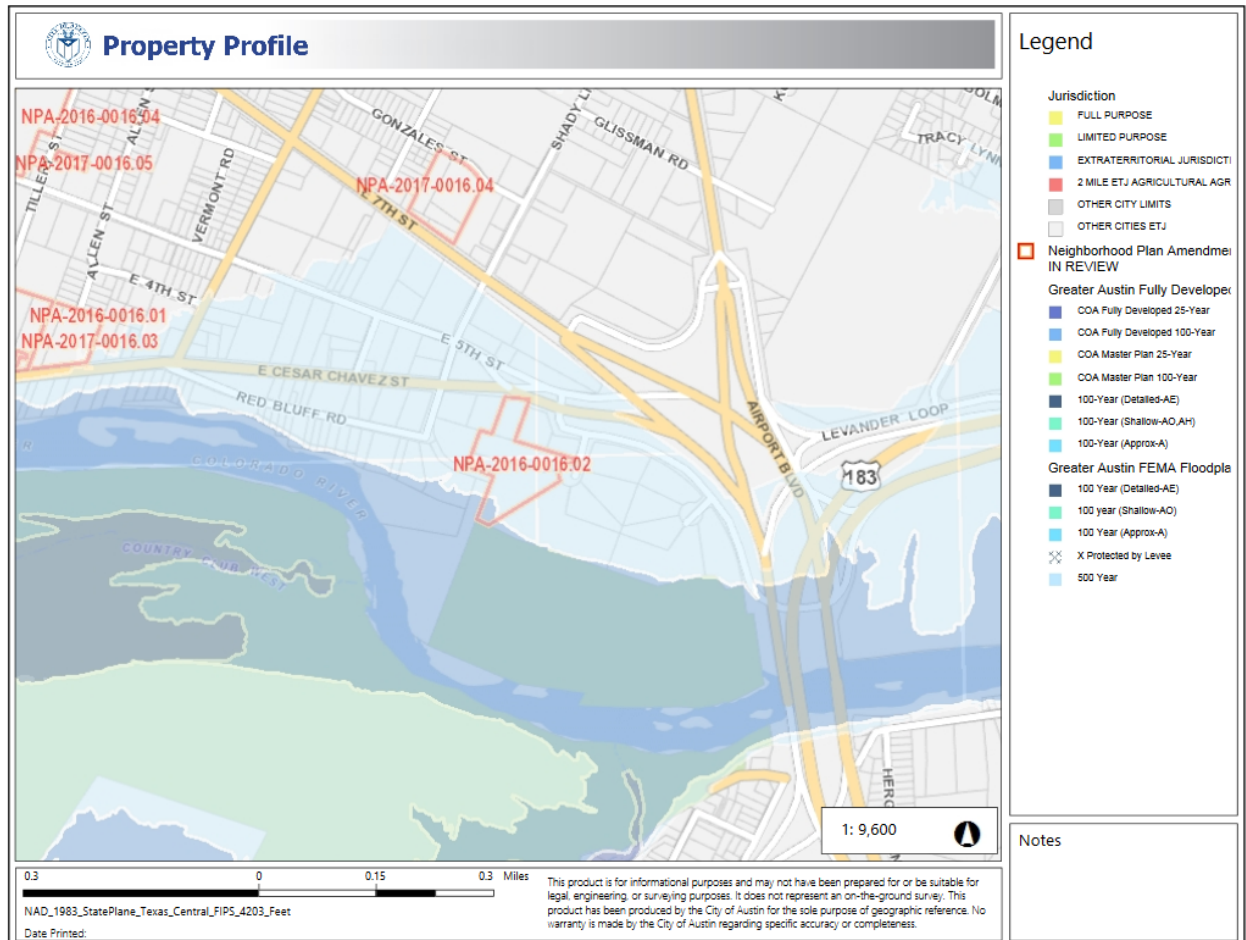
CITY COUNCIL DATE:

September 28, 2017

ACTION:

Postponed to December 7, 2017 at the request of staff. [O. Houston – 1st; P. Renteria – 2nd] Vote: 9-0 [P. Renteria off the dais and E. Troxclair absent].

December 7, 2017



CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

EMAIL: maureen.meredith@austintexas.gov

Page 13 of 16

SUMMARY LETTER

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Recommendation Letter from the Govalle/Johnston
Terrace Neighborhood Plan Contact Team

From: Daniel Llanes

Sent: Tuesday, November 07, 2017 7:56 AM

To: Meredith, Maureen

Cc: Sylvia Herrera; Angelica Noyola; Susana Almanza; Johnny Limon; Valorie Joiner; Marie Rocha; Tina Carrillo; TOMJSB@; Raul Alvarez; azankich@; nadia.mojica.barrera@; hausbaraustin@; 9hausbar@; Nine Francios; carolann@; logankhanna@; terry.ornelas@; stephaniekida@; Candi Fox; Whellan, Michael; John M. Joseph (jmjoseph@coatsrose.com); brian.brooke@; Thompson, Jeffrey - BC; Zaragoza, Nuria - BC; Oliver, Stephen - BC; Nuckols, Tom - BC; Seeger, Patricia - BC; Michael Wellan

Subject: Re: G/JT Rec Ltr?: NPA-2016-0016.02_20 Strandtman (Red Bluff MU)

Importance: High

Ms. Meredith,

Please accept and include this communication in your report to Commission and Council regarding NPA-2016-0016.02, Strandtman (Red Bluff MU). As I commented at your community meeting regarding this case, the Contact Team has had no formal communication from the applicant, and I suggested then that they send the Contact Team a formal request for a presentation and discussion of there proposed project. As of this writing no one has contacted us for a presentation.

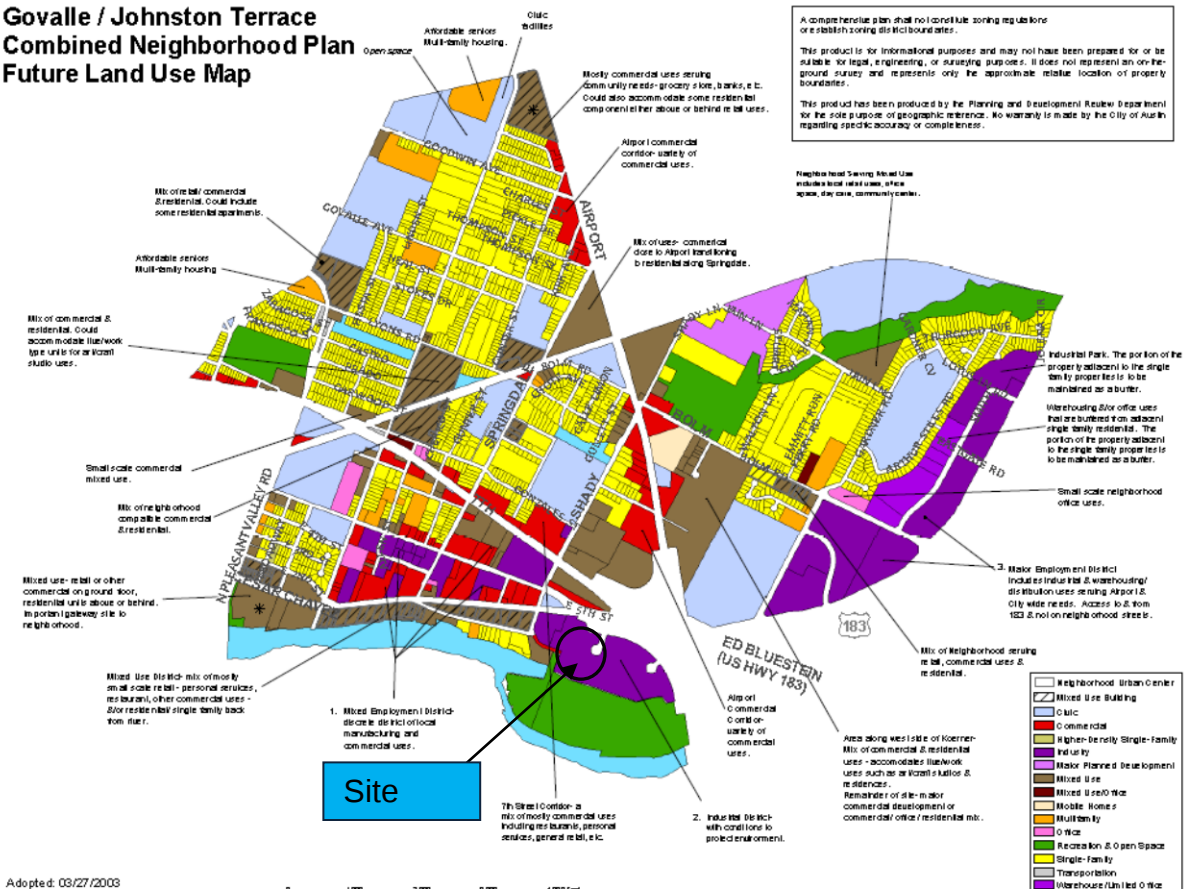
If the case goes forward to the planning commission as scheduled today, the **Contact Team** will have to be **opposed to the application** given that there is no detail, justification or rational for the zoning change.

In future we would hope that applicants would seek to communicate and coordinate with the Contact Team BEFORE they are put on the Plng. Comm. and City Council schedules. This will greatly save precious time for all of us, can greatly reduce the cost to the applicant if we are able to negotiate prior their paying fees and getting on the Plng. Comm. and City Council schedules **and** creates opportunity for all of us, collectively, to find a solution that we can all live with.

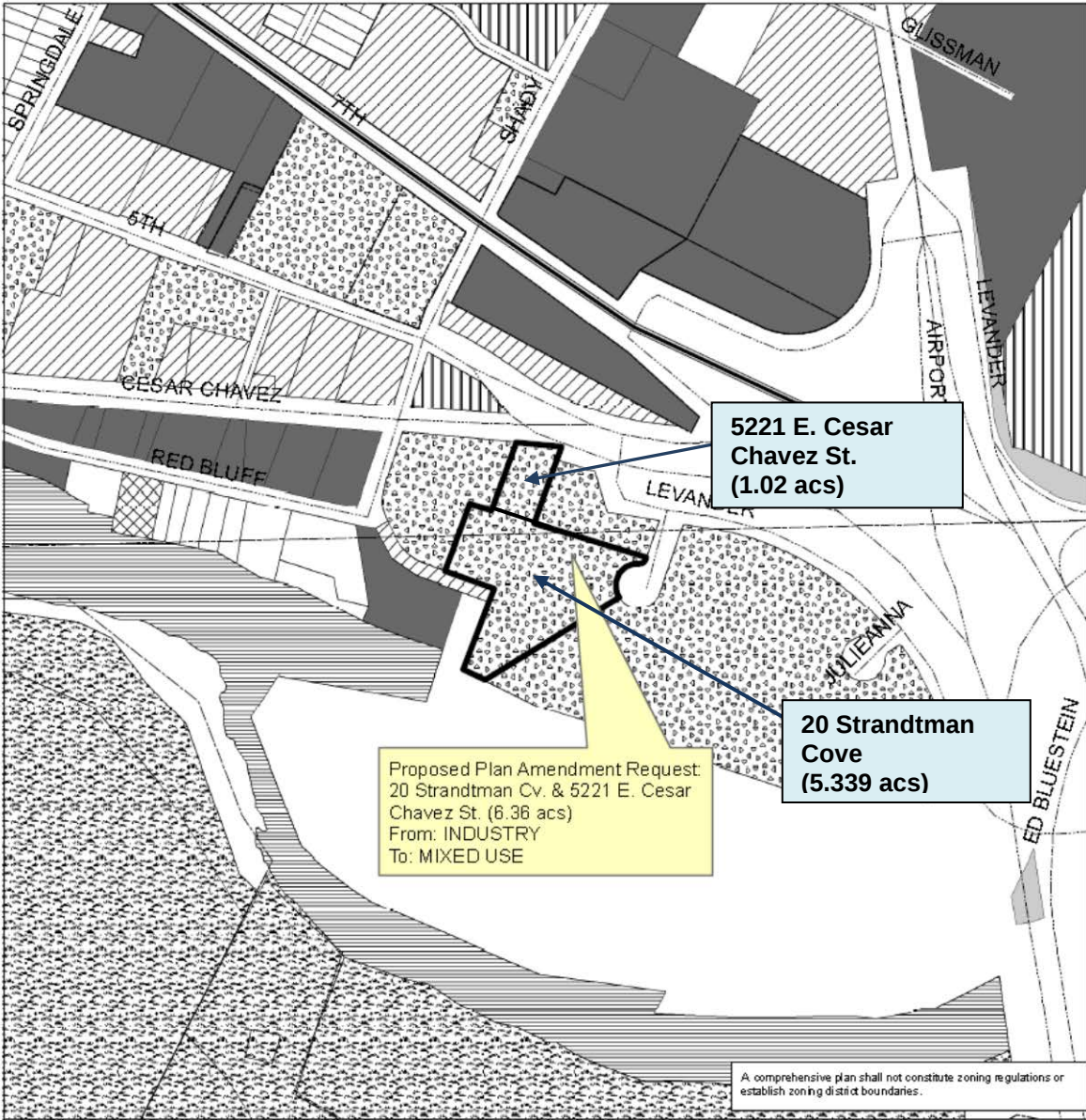
I will note that I was the only person besides City staff and the applicant and their reps at the staff Community meeting. I am hopeful that your notes to the Commission and Council will reflect this fact. This is usually the case at the City meetings in our area, as our Neighbors seem to respond to and attend the Contact Team meetings instead.

Thank you,
Daniel Llanes, Chair
Govalle/Jonston Terrace Neighborhood Contact Team
512-431-9665

Govalle / Johnston Terrace
Combined Neighborhood Plan
Future Land Use Map



Adopted: 03/27/2003



**Govalle/Johnston Terrace
Combined Neighborhood Plan
NPA-2016-0016.02**



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 Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

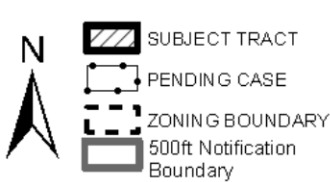
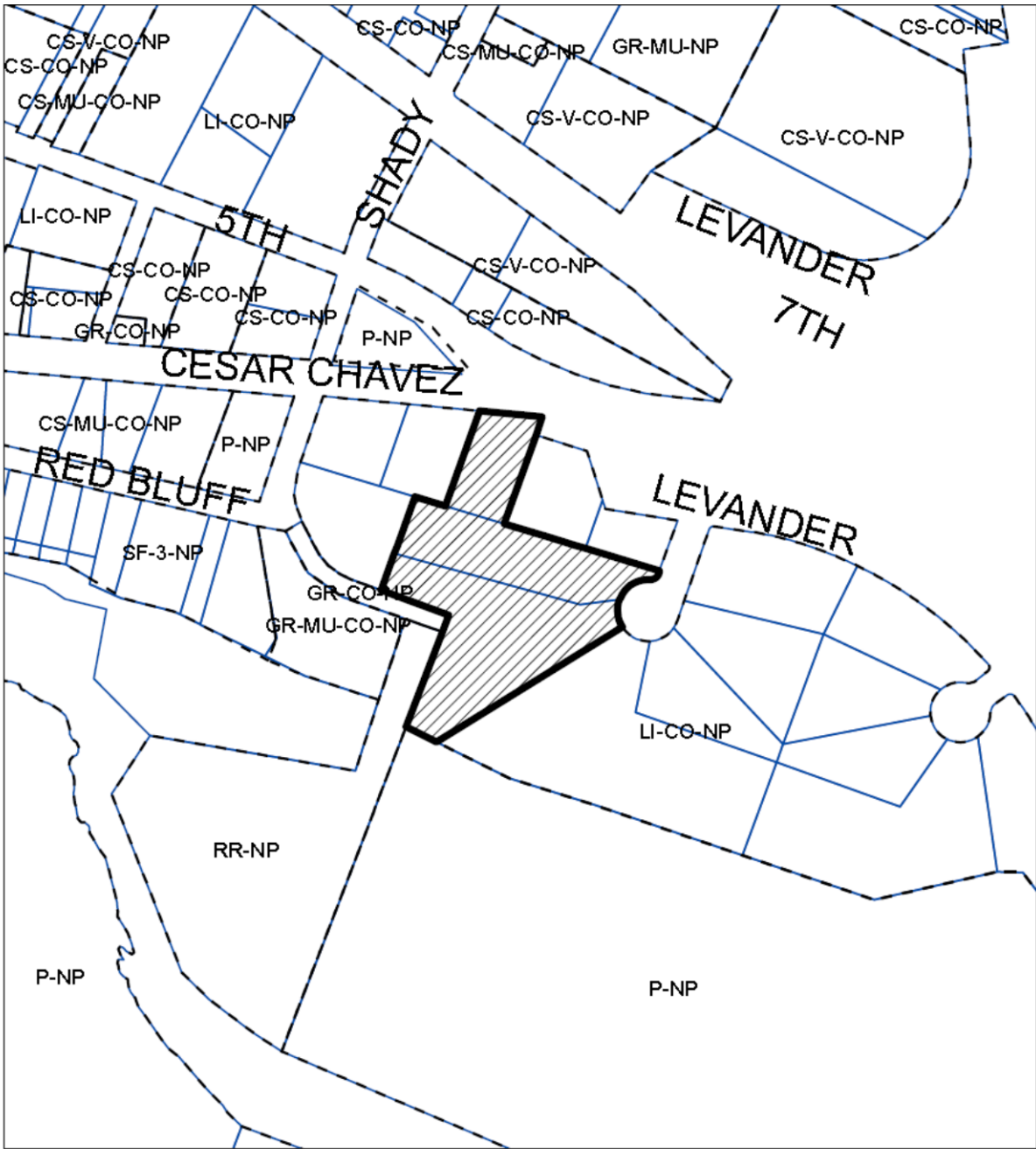


City of Austin
Planning and Zoning Department
Created on Aug. 4, 2016_M Meredith

0 187.5 375 750 Feet

Legend

- Core Transit Corridors
- NPA CASES
- Civic
- Commercial
- Industry
- Mixed Use
- Multi-Family
- Recreation & Open Space
- Single-Family
- Transportation
- Water



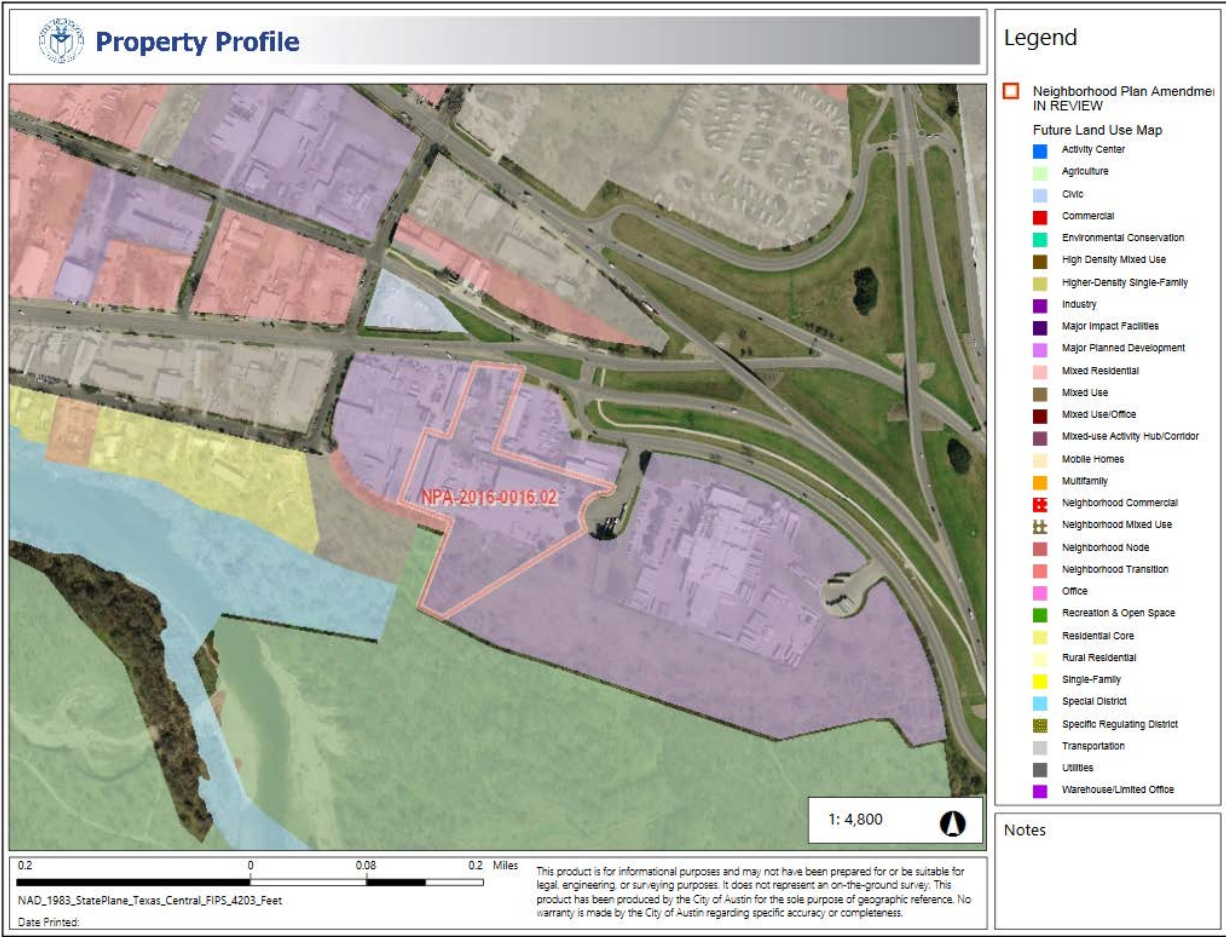
ZONING MAP

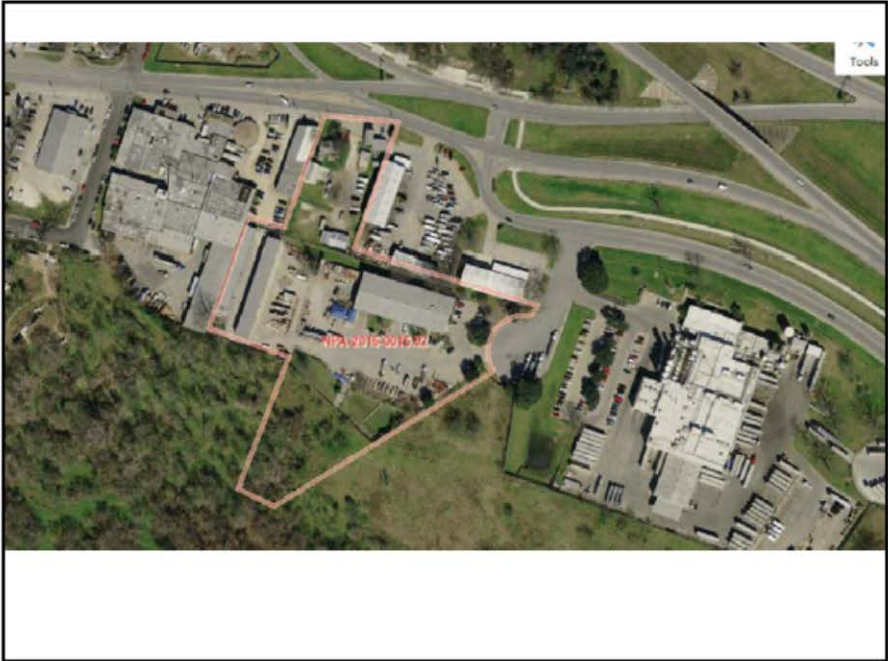
Case Number: NPA-2016-0016.02
Addresses: 20 Strandtman Cove & 5221 E. Cesar Chavez St.
Approx. 6.36 acres

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





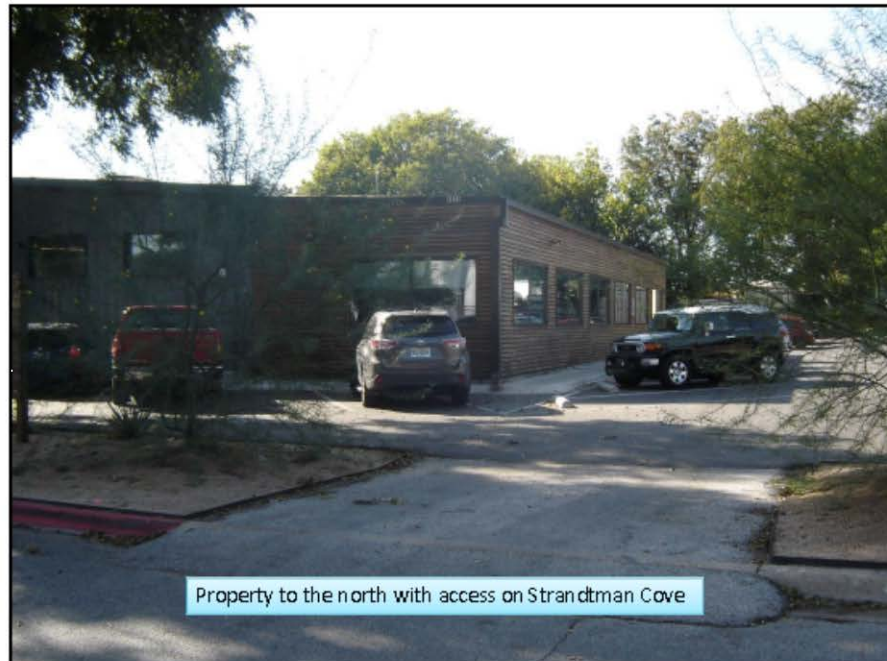














Additional Correspondence

Christopher T. Brown
Attorney at Law, P.L.L.C.
5013 Red Bluff Road
Austin, Texas 78702

www.brownlawatx.com
T 512.236.0432
M 512.438.9299
F 512.233.2444

November 6, 2017

Maureen Meredith
Senior Planner
City of Austin - Planning & Zoning Department
505 Barton Springs Rd, 5th Floor
Austin, TX 78704

Re: NPA-2016-0016.02

By email

Dear Maureen —

I write to express my opposition to the proposed plan amendment in the above-referenced case, on behalf of the River Bluff Neighborhood Association in which the subject property is located, and as the residential neighbor most directly impacted by any redevelopment of this site. No amendment of the neighborhood plan for this site should be made without a specific proposal for the manner in which the property will be redeveloped, and a process that incorporates due input from interested stakeholders, including neighboring residential and business landowners and the managers and users of the municipal parklands this property abuts. As no plans have been presented and no neighborhood input been provided in this case, any planning change would be premature.

This property is in a unique part of Austin characterized by a delicate balance of single-family homes, wooded riverfront parklands that include the City's Colorado River Wildlife Preserve, and industrial uses. The existing neighborhood plan codifies and protects this balance, which functions well. The current plan and zoning permit compatible redevelopment of industrial sites, including for office or creative studio uses, and that is the manner in which most of the industrial sites along this corridor have been redeveloped in recent years.

We have been actively engaged with the existing landowners in this area and representatives of the City and the County over the past five years in an effort to facilitate redevelopment that will maintain a healthy balance of compatible uses and ensure the conservation of woodland floodplain portions of the existing private lots east of Shady Lane and south of Cesar Chavez,

ideally through addition to the City's adjacent preserve. These have included extensive discussions around the future use and ownership of the old County roadbed that abuts the subject property and two adjacent parcels, and regarding what types of uses would be compatible with continuing industrial uses. We have proactively reached out to the existing owner of the subject property, as I understand have some of the existing business neighbors. But we have not had any discussions with the party that we understand now has the land under contract and is seeking this plan amendment. Any plan amendment with respect to the subject parcel should be informed by consideration of these related issues and affected parties.

This neighborhood has a good track record of working out win-win deals that facilitate compatible redevelopment, as evidenced by the many projects currently underway along the corridor, including several former light industrial lots on the north side of Cesar Chavez and the Red Bluff Hotel. We hope the City and the applicants would agree that it makes sense to postpone the pending case to allow us time to meet and work to identify shared interests. I will reach out directly to counsel for the applicants to facilitate that.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to be "CTB", followed by a horizontal line extending to the right.

Christopher T. Brown