

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Central West Austin Combined

CASE#: NPA-2019-0027.02 **DATE FILED:** February 28, 2019 (In-cycle)

PROJECT NAME: 2410 Winsted

PC DATE: August 13, 2019

ADDRESS: 2401 Winsted Lane

DISTRICT AREA: 10

SITE AREA: 0.73 acres (31,799 square feet)

OWNER/APPLICANT: 2401 Winsted LLC

AGENT: Drenner Group (Amanda Swor)

CASE MANAGER: Kathleen Fox **PHONE:** (512) 974-7877

STAFF EMAIL: kathleen.fox@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family **To:** Neighborhood Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2019-0049
From: MF-2-NP **To:** LR-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: September 23, 2010

PLANNING COMMISSION RECOMMENDATION:

August 13, 2019 – Postponed to September 24, 2019 on the consent agenda per the request of the applicant. Close the Public Hearing and approve the consent agenda. C. Kenny – 1st; G. Anderson – 2nd Vote: 9 -0 [A. Azhar; P. Howard; R. Schneider; and P. Seeger absent]

September 24, 2019 – Postponed to October 8, 2019 on the consent agenda per the request of the applicant. Close the Public Hearing and approve the consent agenda. P. Seeger – 1st; J. Thompson – 2nd Vote: 12 -0-1 [J. Shieh recused himself from voting on this case]

October 8, 2019 – Planning Commission action pending

STAFF RECOMMENDATION: Staff recommends the applicant's request for Neighborhood Mixed Use land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Neighborhood Mixed Use land use because: (1) The property is not appropriate for a single family future land use because it is located at the intersection of a freeway (Mopac) and a major collector street (Windsor Road); (2) the multi-family units have existed on the property since the 1950s and are not located within the residential interior of the planning area and therefore would have minimal impact for the majority of single family neighborhood; (3) The area lacks neighborhood serving commercial uses. Page 41 of the Central West Austin Combined Neighborhood Plan states, *"Stakeholders are supportive of promoting neighborhood niche services that fit into the scale of their commercial areas and serve the immediate community"*; (4) The property is located adjacent to an intersection with a pedestrian crosswalk and a traffic light, making the property accessible by foot. The area is also flat and walkable along the right-of-way and there is a bike lane located 350 feet west of the property on Windsor Road; (5) The food trailer and associated seating area/playspace is not classified as a public pocket park, however it would provide privately owned open space in the planning area. Page 69 of the CWACNP supports access to open space and parks (*Objective 1: Ensure access to a range of parks and open space for a range of people. P.1.1 Identify and create new parks and open spaces that serve their immediate neighbors as opportunities arise*); and (6) Neighborhood Mixed Use is intended for small to medium-density residential uses, which has existed on the site since the 1950s and will be retained.

While the subject property is not located along an Activity Corridor and Activity Center, the property abuts a major collector street, Windsor Road, which would be appropriate for a neighborhood commercial mixed use amenity rather than a single family housing. The Neighborhood Mixed Use land use also allows for the retention of existing multifamily units, which continue to provide much-needed missing middle and relative to the area, affordable housing, which supports the Imagine Austin Comprehensive Plan and Austin's Strategic Housing Blueprint.

The Central West Combined Neighborhood Plan supports neighborhood serving commercial uses which the Neighborhood Mixed Use land use would provide, but it would also preserve existing missing middle housing in the neighborhood.

The applicant's request for neighborhood mixed use on the property will provide opportunities for residential uses while provide a neighborhood-serving use (food truck) and a privately owned open space, which would be accessible to the neighborhood. The following Plan objectives below support preserving single family and existing multifamily areas, and the need for more recreational and open space.

Land Use

Goal Statement and Introduction

Preserve and protect the historic character and integrity of Central West Austin's predominantly single-family neighborhoods, with their neighborhood-serving commercial centers, civic areas, safe parks, and attractive open spaces, so as to maintain the neighborhood's quality of life, avoid increasing traffic, preserve the mature tree canopy, protect creeks and the lakes, and prevent flooding.

Development of property as office, commercial, retail, multi-family, or civic uses should be in accordance with the Future Land Use Map, as informed by the Plan text, and should be appropriately oriented, scaled and buffered to protect the existing single-family homes from any intrusion and adverse effects from higher intensity uses. The future use of the Brackenridge Tract and the Austin State Supported Living Center property should take into account the impact of such use on the surrounding neighborhood, and if developed should be compatible with the existing single-family homes in the neighborhood. Buffering to protect the existing single-family homes in the neighborhood is also desired.

p. 41

Text: On both sides of MoPac, stakeholders are concerned that new development or redevelopment not increase traffic in the neighborhood. **Stakeholders are supportive of promoting neighborhood niche services that fit into the scale of their commercial areas and serve the immediate community.** Residents are also concerned about the loss of older, smaller houses to large, modern houses that many feel are out of scale and character with neighboring houses. Stakeholders are concerned with the noise and air pollution caused by MoPac. They oppose expansions of MoPac through elevated lanes or from the acquisition of additional right-of-way from either side of MoPac. (pg. 41-42)

Objective 1: Preserve the existing single family neighborhoods of Central West Austin. (p. 42)

Objective 2: Preserve or enhance, as appropriate, existing multifamily housing and neighborhood-serving commercial districts. (pgs. 42)

Objective 3: All development should be compatible with the character of the adjacent neighborhood and should be guided by green design principles. (p. 44)

Parks, Open Space & the Environment Goal Statement and Introduction: (p. 65)

Preserve, connect and enhance existing parks and recreational areas and facilities in the Central West Austin Planning Area, as well as open-space on large properties (e.g., Austin State School and the Brackenridge Tract) for the health, recreational and historical benefits they bring to the community. Create opportunities for additional public open space such as trails, pocket parks, and landscaped traffic islands, as well as parks and recreational areas and facilities on large properties.

Objective 1: Ensure access to a range of parks and open space for a range of people.
(p. 69)

P.1.1: Identify and create new parks and open spaces that serve their immediate neighbors as opportunities arise

LAND USE DESCRIPTIONS:

EXISTING LAND USE ON THE PROPERTY

Single Family - Single family detached or two family residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

PROPOSED LAND USE ON THE PROPERTY

Neighborhood Mixed Use - An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

Purpose

1. Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
2. Provide transition from residential use to high intensity commercial or mixed use.

Application

1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

IMAGINE AUSTIN PLANNING PRINCIPLES

1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
 - *The developer stated they intended to preserve and renovate the eleven existing townhouse apartment units on the site, which is one the few comparatively affordable housing/missing middle housing options in the planning area. Additionally, the proposed neighborhood serving commercial use, a food truck with seating and a play area, would provide a small child friendly private open space area and local serving commercial use to the area.*
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
 - *The property is located in an area that has no public transit stops or public sidewalks but is located adjacent to a marked crosswalk. Bike lanes are also located approximately 350 feet west of the subject property on Windsor Road. The north side of Windsor Road is also flat, making it a walkable option for people in the neighborhood to access the neighborhood serving commercial use.*

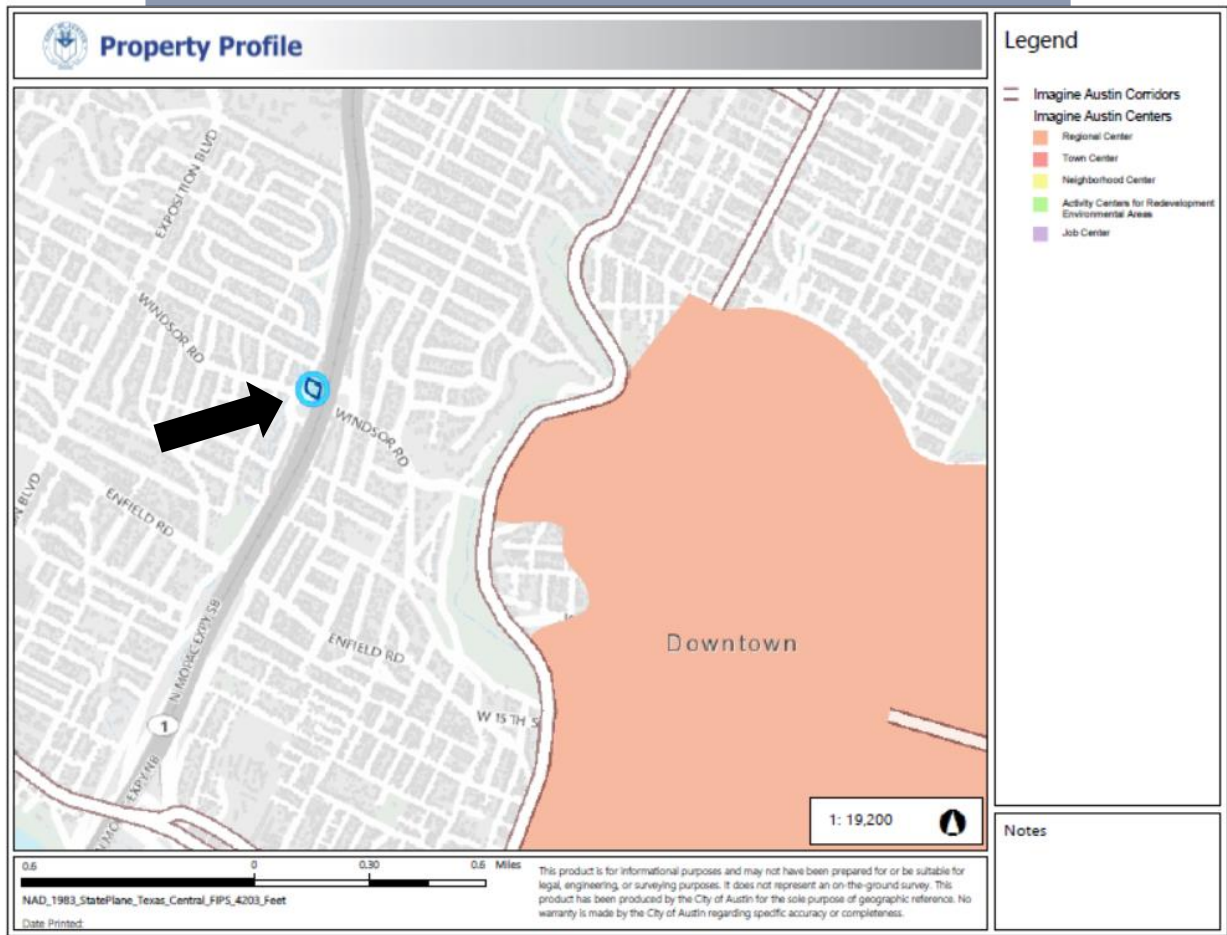
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - *While the property is not located along an Activity Center or Activity Corridor, the property is appropriate for a neighborhood commercial mixed use project because it abuts Mopac (a freeway) and Windsor Road (a busy arterial corridor) which is not appropriate for a single family use as indicated on the CWACNP Future Land Use Map. The proposed food trailer, seating and playscape area would only take up a minority of the site and provide a neighborhood serving use.*
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - *The developer plans to retain and renovate the existing eleven townhouse units on the site, which provide much need and relatively affordable missing middle housing in the area, which is lacking in the planning area.*
5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - *The proposed land use (food trailer with a seating and play area) is similar in intensity as the eleven unit townhouse complex.*
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 in the Desired Development Zone. The City's future growth corridor is primarily to the east and south, where the terrain is flatter and where there is little if any habitat for endangered species. This area was designated by City Council as the "Desired Development Zone," in which city policy encourages reasonable development.*
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.
 - *The proposed private pocket park/seating area, would provide private open space and a playscape area for adults and children.*
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.
 - *A private open space and food trailer with seating and a playscape area would promote walking in the area, and new food choices. Whether these food choices would be healthy or not is not known. However, the playscape area would provide private communal recreational opportunities for those people visiting the food trailer/seating area.*
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - *The proposed food trailer and playscape/seating area would have a negligible impact on expanding the economic base and creating job opportunities in the area unless the entire parcel was redeveloped to a commercial neighborhood mixed use project.*

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.
 - *The property would increase connectivity in the area by providing a neighborhood serving land use.*

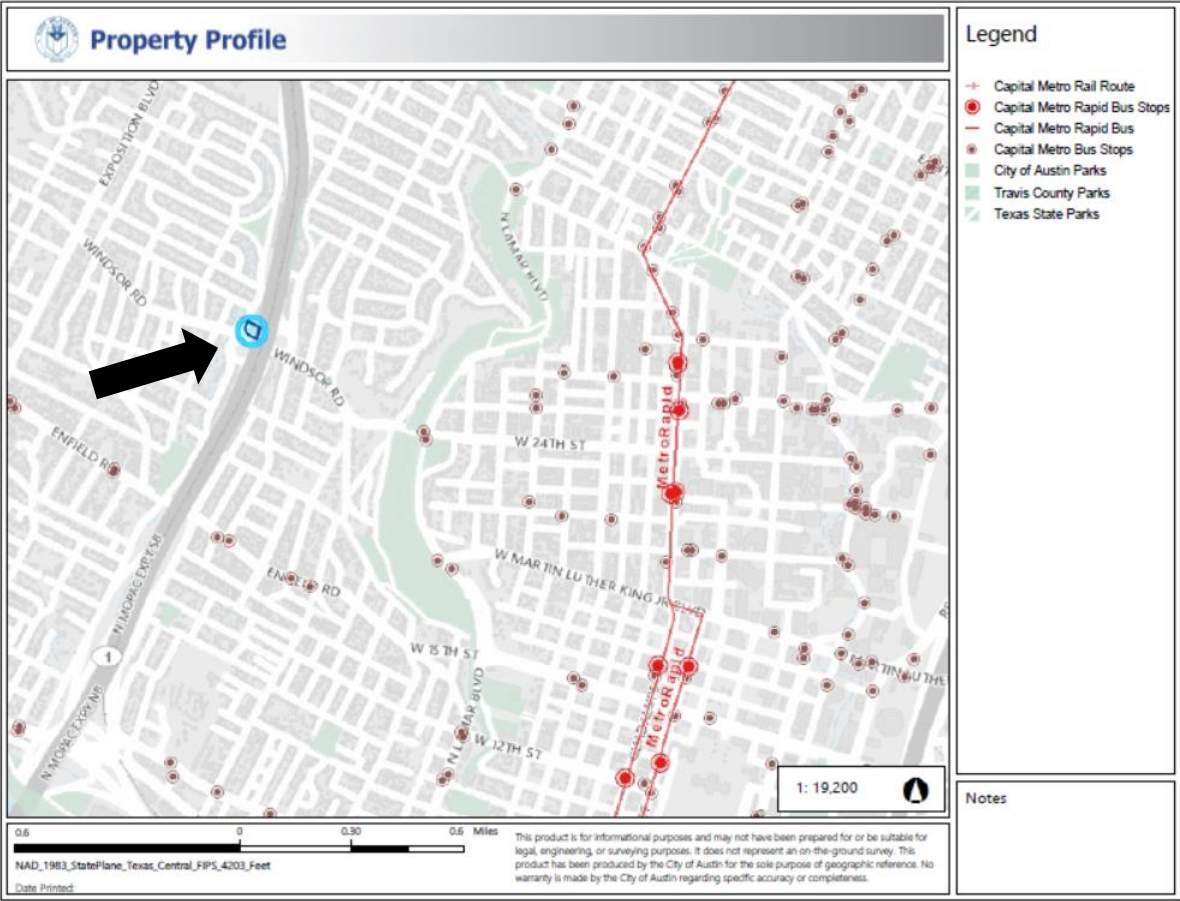
Proposed Food Trailer, Eating Area and Playscape Layout



Imagine Austin Growth Concept Map



Map of Parks and Cap Metro Bus Stops & Routes Near Property



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.

Activity 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 February 28, 2019 which is in-cycle for neighborhood planning areas located on the west side of I.H.-35.

The applicant proposes to change the future land use map from Single Family to Neighborhood Mixed Use land use.

The applicant proposes to change the zoning on a portion of the property from MF-2-NP to LR-MU-NP. Please see zoning case number **C14-2019-0049** for more information.

PUBLIC MEETINGS: The ordinance-required community meeting was held on July 11 2019 at Howson Public Library. Approximately 590 notices were mailed to people who own property or have a utility account within 500 feet of the property, in addition to neighborhood organizations and environmental groups who requested notification for the area. Forty-two (42) people attended the meeting in addition to one city staff member, the applicant's agent, Amanda Swor, and the applicant/owner, David Kanne. Planning Commissioner James Shieh was also in attendance and stated he lived within 500 feet of the subject property.

This community meeting began at 6:00 PM. Ms. Fox gave a brief introduction on tonight's meeting and explained the neighborhood plan amendment process and the proposed future land use map amendment. The request is to amend the Central West Austin Combined Future Land Use Map from Single Family and Neighborhood Mixed Use, and rezone the property from MF-2-NP (multifamily) to LR-MU-NP (Neighborhood Commercial Mixed Use.)

Amanda Swor the agent came forward and gave a power point presentation. She discussed how the property owner wanted to keep the eleven townhouse units, which were built in the 1950s. She then showed a site layout slide, where the property owner wanted to add a food trailer and use some of the covered parking area for covered seating and add an outdoor play area. Zone MF-2 zoning did not permit food trucks, which is why they were submitting a zone change request. She discussed how all other uses would be taken out of the LR-MU request via a Conditional Overlay with the exception of Administrative and Business Office, and Restaurant (General and Limited). She explained how page 10 of the Central West Austin Combined Neighborhood Plan (CWACNP) allowed pocket parks (... Create opportunities for additional public open space such as trails, pocket parks, and landscaped traffic islands, as well as parks and recreational areas and facilities on large properties); how page 41 of the CWACNP supports preserving multifamily uses (... Development of property as office, commercial, retail, multifamily, or civic uses should be in accordance with the Future Land Use Map); and how page 69 of the CWACNP supports access to open space and parks (... Ensure access to a range of parks and open space for a range of people.) She stated that the impervious surface coverage for both MF-2 and LR-MU was 60 percent versus 80 percent.

Audience Question: How many parking space are required for this project?

- ❖ Ms. Swor stated that 34 parking spaces existed on the site, and 18 parking spaces were required for the 11 residential units. The code would require 10 parking spaces for the food truck.

Audience Question: Will outsiders be allowed in the food court?

- ❖ Ms. Swor stated that there would be some advertising for the food trailer and anyone could eat there.

Audience Question. What about the lack of public sidewalks and bike lanes?

- ❖ Ms. Swor said there were no public sidewalks or bikes lanes in the area (except at the crosswalk at the intersection of Windsor Road and Winsted Lane.)

Audience Comment: They stated that they did not look at this project as a public pocket park.

- ❖ Mr. David Kanne, the new property owner, stated that the food trailer and the seating area with the play area would be way for the neighborhood to come together, a place to meet up and grab a bite to eat.

Audience Comments:

- There was an over-abundance of parks in the area; and that the location of this project is terrible. The traffic was also terrible in the area and that traffic accidents happened all the time near this intersection.
- There are two parks located within walking distance of this property and traffic is terrible in the area. This proposed court yard/seating area is not a park but a profit center and they opposed this project.
- ❖ Mr. Kanne explained the project would be a place to have a coffee and hang out.

Audience Comment: They stated that a truck from this apartment complex parks in front of his house and it's a nuisance. The plan presented is not a solution. The curve from Windsor Road to Winsted Lane is dangerous especially when people park along Winsted Lane.

Audience Question: What is the proposed size of the food truck/courtyard area?

- ❖ Ms. Swor stated that the proposed food trailer/food court area would be approximately 50 feet by 80 feet, or about 3,500 square feet. (The property is approximately 31,800 square feet in size.)

James Shieh, Planning Commissioner stood up and announced that he lived within 500 feet of the subject property and would be recusing himself from this case when it came before the Planning Commission. He asked the developer that what would stop the property from being redeveloped into a full service restaurant. What happens if the property is sold? Is the neighborhood ready for that? Is this a great spot to start a new commercial hub? Has ATD (the Austin Transportation Department) looked at the traffic? They need to customize this request to preserve the existing residential on the site.

Audience comments:

- Allandale had a site with a food truck but that it was so jammed with cars that you could not get in and out of site because the traffic was so heavy.
- Do you have sufficient parking for the proposed use and the existing residential units?
 - ❖ Ms. Swor stated that no site plan review or traffic plan would be required to be submitted to the City of Austin because it was a food truck and because the traffic count was not high enough to trigger a review by the ATD. The site also had enough parking.

James Shieh: He discussed how a conditional use of a restaurant would have to be reviewed by the Planning Commission. An audience member responded by saying that City Council has directed staff to halt conditional overlays. Mr. Shieh stated that this proposal could be restricted by a conditional use and was concerned that the Planning Commission and the neighborhood would lose the ability to control uses on the site with a new Land Development Code.

Audience Comment: An audience member discussed how she grew up in the neighborhood and had lived there for 35 years and how the area used to have a vibrant shopping center but now it's all vegan. She stated that she would like a place to grab a bite to eat and like it.

Audience Comment: They explained how they had lived in the neighborhood since 1977 and what was the need for an administrative office on the site? This is a commercial use and is encroaching into a residential area. They stated they could see the whole street going commercial and this proposal was spot zoning. They said all the residential units could disappear including the proposed pocket park.

- ❖ Ms. Swor stated that the property was already zoned MF-2-NP, not single family and that they could eliminate the administrative office use.

Audience Comments:

- An audience member stated that along South Congress, the houses had all be converted to retail and this proposal is opening the door to commercial. They stated they would like to see more commercial in the planning area but not here.
- An audience member stated how can the developer say this is a family friendly project when it's right next to Mopac and adjacent to a dangerous intersection? They said crossing the triangle at Windsor Road and Winsted Lane was a dangerous intersection.
- An audience member stated that they agreed that the neighborhood needed a lot more public sidewalks and that you could not walk to this place because there were no public sidewalks.
- An audience member stated that they avoided Winsted Lane because it's a one way street and that Winsted Lane was dangerous to walk along.

Audience Question: They wanted the parks in the planning area improved. They explained how they had called the City of Austin but they said no improvements were planned because of their zip code. They saw this project an opportunity in the planning area. When would the food trailer be open?

- ❖ Ms. Swor stated that the hours of operation for the food trailer would not be 24/7.

Audience Comment: They stated that they saw the proposed project as a temporary investment and the developer could scrape the site and really densify it. They stated they were starved for something but the execution of this project was wanting.

James Shieh: He explained that they could slice this project so thing to just develop the small area for the food trailer and seating area and not involve the rest of the site. Any changes the developer would make would have to come back to the Planning Commission. He asked the audience if they wanted to completely take away this opportunity.

- An audience member responded to Mr. Shieh and stated that conditional overlays were being taken away by City Council and if we lose this ability, we are vulnerable.

Audience Question to Developer: Would they be willing to do a Restricted Covenant on the property?

- ❖ Mr. Kanne explained he had looked at entire neighborhood and would have to get signatures from the entire neighborhood. He also stated that he had not done a study of leveling the entire site and building something new. He was only interested in having a place to hang out in the area.

Audience Comments:

- An audience member discussed how terrible the traffic was on Rainey Street and how all the houses were converted or torn down for an entertainment district. They wanted a traffic study done for all new things added to property.
- An audience member explained how this was an opportunity to improve the area. They stated that this was their opportunity to make something fun for us and make a more family friendly neighborhood. The food trailer also will not be a huge money maker.

- An audience member stated that we want to shop, have a better community but they were scared of a domino effect. They would love a fenced in area where we could eat.
- What about the noise level with cars during rush hour?
- A woman discussed how they could walk to parks in the area but there were no public sidewalks. She said she liked the family get together aspect of this project and to meet and see new people and wanted the neighborhood to explore this option.

Audience Question: Was there anyone who lived in one of the eleven townhouses at this meeting, and if so, what did they think of this project?

- A man stood up and explained that he had lived in one of the units on the property for six years. He said he was also concerned about the traffic but the noise in their units was not that bad. He said he was excited about this proposed project.

Audience Question: What is the capacity of the site? Could you go V-MU?

- ❖ Ms. Swor stated that Land Development Code compatibility standards would kick in, limiting what the height and location of the buildings on the property if they got rid of everything on the site and built a new project.

Audience Question: An audience member asked the developer why they brought this property.

- ❖ Mr. Kanne stated he saw the property as a great investment but thought he could do other things with the property.

Audience Comments:

- An audience member stated that this project did not make sense to them.
- An audience member explained how none of the parks in the planning area were enclosed with fencing, which would make people feel safe. They stated they wanted this project to go forward because it would be a safe haven and have food.
- An audience member stated that this existing development had some of the most affordable housing in the planning area. The planning area also had neighborhood serving local restaurants. This project was trying to obtain mixed use despite the plan stating it should be kept residential and was worried this was spot zoning.
- James Shieh stated he did not want to see a monster created in the neighborhood.

Audience Questions: How about fencing off some of the parks in the neighborhood and putting food trucks on them? What type of food would be offered?

- ❖ Ms. Swor explained how that proposal would kick in Chapter 26 and to do this would be quite complicated. She said the developer did not know what type of food would be offered in the food truck. She closed the meeting by stating that she would like to meet with the neighborhood beyond this meeting to discuss this proposal.

The meeting adjourned at 7:30 PM.

CITY COUNCIL DATE: October 17, 2019 **ACTION:** Pending

Applicant's Original Summary Letter Submitted with Application

Amanda Swor
direct dial: (512) 807-2904
aswor@drennergroupp.com

DRENNER GROUP

February 28, 2019

Mr. Greg Guernsey
Planning and Zoning Department
City of Austin
505 Barton Springs Road
Austin, TX 78704

Via Hand Delivery

Re: 2401 Winsted – Rezoning application and neighborhood plan amendment application for the 0.73 acre piece of property located at 2401 Winsted Lane, Units 1-11, in Austin, Travis County, Texas (the "Property")

Dear Mr. Guernsey:

As representatives of the owner of the Property, we respectfully submit the enclosed rezoning application and neighborhood plan amendment application packages. The project is titled 2401 Winsted, consists of 0.73 acres, and is bound by Winsted Lane on the west, Windsor Road on the south, and Mopac Expressway on the east. The Property is located within the full purpose jurisdiction of the City of Austin. The Property is currently developed with a condominium use.

Currently, the Property is zoned MF-2-NP, Multifamily Residence Low Density – Neighborhood Plan. The requested rezoning is from MF-2-NP to LR-MU-NP, Neighborhood Commercial – Mixed Use – Neighborhood Plan, zoning district. The purpose of this rezoning is to allow for a mix of uses on the Property.

The Property is located within the Central West Austin Combined Neighborhood Planning Area that was adopted on September 23, 2010. Per the West Austin Neighborhood Planning Area, the Future Land Use Map (FLUM) shows the Property as Single-Family, therefore a Neighborhood Plan Amendment request is included with this rezoning to change the designation on the FLUM from Single-Family to Neighborhood Mixed-Use.

The LR-MU-NP zoning designation is consistent with the MF-2 zoning density that exists today. The MU overlay will allow the existing residential uses to remain, while the new LR base district will allow for the potential addition of neighborhood commercial uses.

February 28, 2019
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Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Amanda Swor

cc: Joi Harden, Planning and Zoning Review Department *(via electronic delivery)*
Scott Grantham, Planning and Zoning Review Department *(via electronic delivery)*

Central West Austin Combined Neighborhood Plan
Contact Team Letter

See next page

CENTRAL WEST AUSTIN NEIGHBORHOOD PLAN CONTACT TEAM

September 30, 2019

Organized 2010

"To facilitate the implementation of the Central West Austin Combined Neighborhood Plan."

OFFICERS

Michael Cannatti
Chair

August Harris
Vice Chair

Joyce Basciano
Secretary

EXECUTIVE COMMITTEE

Trevor Armstrong
Michael Curry
Roya Johnson
Jerry Lloyd
Mark Nixon
Thomas Pantin
Blake Tollett
Diane Umstead
John Volz
Tina Weinberger

Kathleen Fox
City of Austin, Planning & Development Review Department
505 Barton Springs Rd.
Austin, Texas 78704

Re: *Central West Austin Neighborhood Plan Amendment NPA-2019-0027.02 (2401 Winsted)*

Dear Kathleen:

After considering information provided at the July 11 community meeting with the Central West Austin Neighborhood Plan Contact Team (NPCT) and additional input from neighbors regarding the requested amendment to our Future Land Use Map (FLUM) for 2401 Winsted Lane, **I am writing to provide the contact team's recommendation that the FLUM amendment request be denied** because of the project does not comport with neighborhood plan's guidance for locating commercial services in our existing commercial centers, and not in existing residential areas. Until such time as the larger tracts are developed, the neighborhood plan envisions that commercial activity, such as proposed here, belongs in existing commercial areas (e.g., along Exposition and Lake Austin Boulevard) that fit into the scale of their commercial areas and serve the immediate community, but expressly cautions in the same breath that any new development or redevelopment should not increase traffic in the neighborhood.

In opposing the FLUM amendment, we note that the "neighborhood mixed use" request is not consistent with the goals and objectives of our neighborhood plan. *See*, Land Use Goal and objective 2. Moreover, it threatens to **eliminate some of the neighborhood's most affordable, multi-family housing**. In addition, the proposed restaurant use here clearly amounts to improper "**spot zoning**" that does not comply the City's "[Zoning Principles](#)" which provide a guide to preserve compatible land uses. There is also a **valid petition** signed by 64% (7 out of 11) of the eligible property owners in opposition to the request. Moreover, the proposed location for the requested "mixed use"/restaurant zoning **does not comply with Imagine Austin since this intersection with Windsor Road is not on the ASMP Transit Priority Network and is not an Imagine Austin corridor**. Finally and most importantly, the additional pedestrian and vehicle traffic to a restaurant located here presents an **unacceptable safety risk to pedestrians and vehicle traffic** since the existing, narrow street already receives dangerous cut-through traffic coming from MoPac and Winsted, and has been the site of at least 16 vehicle crash and traffic hazard reports to APD since 2017. **With applicant's projected 10-fold increase in trip counts with their proposal, this is not the right place to increase pedestrian traffic on a cut-through street that has no sidewalks**. Unless and until the city and/or Applicant provide for infrastructure improvements to address safety concerns (e.g., limited sidewalks, narrow street, MoPac/bypass proximity, inadequate parking, poor traffic signaling and crosswalks, etc.), no new commercial uses should be introduced here.

Due to substantial safety concerns about the location of the proposed restaurant/park project, we instead would support permitting and approval of a food truck at the Tarrytown Neighborhood Park (aka Triangle Park) on selected dates (e.g., weekends) as meeting the park and food option objectives of this proposal, but at a better, safer location. Perhaps a location at the southmost corner of the park would be best in terms of minimal impact to existing residential homes. However, any consideration of this proposal should be sure to consider input from affected neighbors.

Thank you for your consideration.

Michael Rocco Cannatti
Chair, Central West Austin Neighborhood Plan Contact Team

Letters from the Neighborhood Regarding the
Neighborhood Plan Amendment Request

See attached letter and emails.

From: Blake Tollett [mailto:[REDACTED]]
Sent: Monday, September 16, 2019 3:30 PM
To: Chaffin, Heather [REDACTED]; Rusthoven, Jerry
<[REDACTED]>
Cc: Mike Cannatt [REDACTED]; Fox, Kathleen [REDACTED]; Holly Reed
<[REDACTED]>
Subject: Re: 2401 Winsted Zoning (C14-2019-0049) and Neighborhood Plan Amendment (NPA-2019-0027.02) Cases

Good Afternoon Heather and City of Austin-

I have been following along the conversation RE: the rezoning request at 2401 Winsted, and I definitely look forward to reading City Staff's report later this week. I have included Jerry Rusthoven on this comment because we have known each other for decades and he has institutional knowledge you may not. How City Staff is going to justify what is evident on its face as being spot zoning is still a mystery to me. Prior to neighborhood plans these rezoning requests went to the ZAP Commission, and back then the Chair of the ZAP Commission was Betty Baker. One thing she always emphasized, and as my neighborhood association's land person I took to heart, was that spot zoning is very, very seldom justified in land planning. Again, I look forward to seeing your justification on this.

Blake Tollett
West Austin Neighborhood Group
Central West Austin Neighborhood Plan Contact Team

PUBLIC HEARING COMMENT FORM

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

City of Austin
Planning and Zoning Department
Kathleen Fox
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2019-0027.02

Contact: Kathleen Fox, 512-974-7877

Public Hearings: August 13, 2019 - Planning Commission
September 19, 2019 - City Council

☐ I am in favor
☒ I object

Jacqueline Shultz
Your Name (please print)

2319 Newfield Ln Austin TX 78703
Your address(es) affected by this application

Jacqueline Shultz 7/27/19
Signature Date

Comments: _____

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Case Number: NPA-2019-0027.02

Contact: Kathleen Fox, 512-974-7877

Public Hearings: August 13, 2019 - Planning Commission
September 19, 2019 - City Council

☐ I am in favor
☒ I object

Jonathan Shultz
Your Name (please print)

2319 Newfield Ln Austin, TX 78703
Your address(es) affected by this application

[Signature] 7/27/19
Signature Date

Comments: h

PUBLIC HEARING INFORMATION

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Case Number: NPA-2019-0027.02
Contact: Kathleen Fox, 512-974-7877
Public Hearings: August 13, 2019 - Planning Commission
September 19, 2019 - City Council

☐ I am in favor
☒ I object

CRJSM JG410K

Your Name (please print)

2400 WINSTED LN., AUSTIN, TX 78703

Your address(es) affected by this application

9/11/19

Date

Signature

Comments:

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Case Number: NPA-2019-0027.02

Contact: Kathleen Fox, 512-974-7877

Public Hearings: August 13, 2019 - Planning Commission
September 19, 2019 - City Council

☐ I am in favor
☒ I object

TIM JAMIL, MANAGING PARTNER

Your Name (please print) **2222 RESEARCH PARK, LTD**

2404 WINSTED, AUSTIN, TX 78746

Your address(es) affected by this application



Signature

Date

Comments: **SEE ATTACHED**

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Case Number: NPA-2019-0027.02
Contact: Kathleen Fox, 512-974-7877
Public Hearings: August 13, 2019 - Planning Commission
September 19, 2019 - City Council

☐ I am in favor
☒ I am in object

Your Name (please print)
Robert Decker

2407 Shreve Ln

Your address(es) affected by this application

09/14/2019

Signature

Date

Comments:

Concern about safety
of children at Tarrytown
Park - no side walk signs
driving past to by pass woped
worried about speeders
and drunk drivers injuring
children

August 13, 2019

Dear Planning Commissioners,

I live at 2003 Indian Trail which is less than 200' from the applicant's site. I wish to raise a few critical concerns regarding the zoning application for 2401 Winstead Lane. Together these items should lead you to deny this zoning request. I feel it important to state that I work in real estate development and manage entitlement and development projects across the central Texas region. As such, I am not anti-development.

Merit of the Deal-

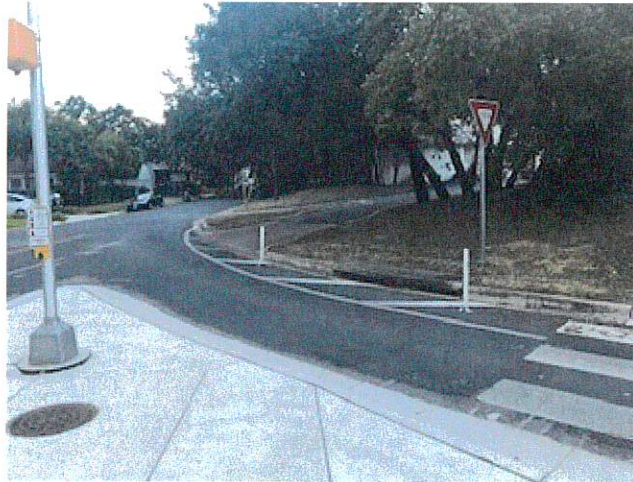
For too long this Planning Commission and the residents of Austin have been lied to for zoning applications. Countless applications are filled with disingenuous plans that seek to mislead the general public in order to reduce the public opposition. These plans of course immediately change following approval of the project by City Council. Please consider that the applicant purchased this property for more than two million dollars. They then hired Drenner Group, one of the most expensive entitlement consultants in the city, to lead these entitlement efforts. There are only 11 units in this complex with an average size of 892 sq. ft. The economics of this plan do not make sense as there is no conceivable way that a food truck and these 11 units can justify the amount of expense the applicant is incurring. Especially when you consider the applicant also informed the room at the residents meeting that he was under contract for the 'house next door' (assuming immediately next door- its located at 2407 Winstead). Travis County Appraisal District currently values that site at \$616,610. If that transaction closes this very likely puts the applicant's total spend at more than \$3 million. It also should be known that the applicant is President of Lincoln Ventures- a successful real estate development firm that has entitled and built a plethora of properties in Austin.

Furthermore, from a market perspective- the food truck idea has already been tried recently and it failed. It was located at the southeast corner of Pecos and Exposition. It didn't last very long and is no longer there due to a lack of business.

Safety-

Granting this zoning application would be extremely dangerous. The driveway is located a few feet from Windsor Road intersection where speed limits are 30 mph. When heading westbound toward the proposed site from Mopac, you descend a steep hill that causes vehicles to travel well in excess of 30 mph. There then is a sharp blind turn onto Winstead where the driveway is located. Due to residents parking on both sides of the road- Winstead often becomes a one-way street. Having driven this route

thousands of times- I myself have almost collided with cars and pedestrians when turning on Winstead. It is so dangerous I no longer walk this route with my family as there are no sidewalks on Winstead. Making matters worse- during rush hour- people use Winstead as a cut-through street to avoid Mopac. They often speed and drive recklessly. On several occasions my family and I have almost been hit by cars on Winstead, a couple incidents were so egregious I called Austin Police department to report the reckless driving. The driveway and sole access point to the property does not allow sufficient distance for cars to recognize oncoming traffic to stop.



Parking-

The applicant proposes removing parking spaces for this site. The problem is they don't have enough spaces for their own residents (let alone customers to a business) as evidenced by the numerous vehicles that have been parked on the surrounding streets. These vehicles often get left for months without moving. Nearly all of my neighbors have called the city numerous times to deal with these seemingly abandoned vehicles. The truck pictured below has "F*** You" carved into the side of it (likely from a disgruntled person who had to deal with this truck parked in front of their house for extended periods). As of the date of this letter, it hasn't moved in weeks and has been in front or adjacent to my property on Indian Trail the last 34 of 48 days. He has been using Indian Trail for years to park. Regardless, numerous residents of this site have used Indian Trail and Winstead to long-term park their cars. Granting the applicant this zoning change will remove additional spaces and further burden those of us surrounding the property because patrons of the site will have no on-site parking available. They will then be forced to park in front of residences and walk down streets with no sidewalks.



Site is out of date on all Zoning and Building Standards-

Granting zoning and allowing them to operate businesses from this site when the building is not in compliance with city code and zoning standards is inadvisable. No new zoning or business licenses should be granted unless the site is brought up to current City of Austin standards. It's a safety hazard to the patrons of the establishment and to those living nearby as you have allowed businesses to operate in a site that was developed for residential use. You will have businesses operating next door to inhabited units. Newly constructed mixed-use buildings go through extensive city review prior to construction to account for all the obstacles caused when businesses and residents coexist. Approving this application will enable the applicant to operate business in an outdated 1950's residential building that is in no way conducive to safely and reasonably operating businesses.

Benefit to the City/ Surrounding Land Use-

Permanently rezoning a piece of property to accommodate a food truck would be like rezoning part of UT's campus to accommodate tailgates. It just doesn't make sense. In all seriousness- there is Tarrytown Shopping Center with full commercial use a short 400 yards from the site. A popular brick and mortar restaurant, yoga studio, liquor store, dry cleaners, and post office are just some of the tenants. Across Exposition Blvd. from the retail center is a business office development and gas station. Triangle Park is a few short steps from the applicant's site- there are several parks in the area. When you consider future development of University of Texas' property along Lake Austin Boulevard and Exposition- this neighborhood will be well suited with mixed use development in the years to come. There is also no opportunity to expand this zoning adjacent to the site. This would effectively be spot zoned to the detriment of the neighborhood.



I greatly appreciate you taking these concerns into account and respect the weighty decisions of the Commission. At the end of the day I can appreciate the applicant's efforts to improve the neighborhood but the plan falls short in merit and I respectfully request that you vote NO for this zoning application.

Kindest Regards,

A handwritten signature in black ink, appearing to read 'Justin Reynolds', with a long horizontal flourish extending to the right.

Justin Reynolds
2003 Indian Trail
Austin, TX 78703

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Case Number: NPA-2019-0027.02

Contact: Kathleen Fox, 512-974-7877

Public Hearings: August 13, 2019 - Planning Commission
September 19, 2019 - City Council

RENA PRIGE MARCUS

Your Name (please print)

☐ I am in favor
☒ I object

2413 WINSTON LN, AUSTIN, TX 78703

Your address(es) affected by this application

Prige Marcus

Signature

9/11/19

Date

Comments: I can't imagine how my home and safety will be negatively impacted by rezoning this area. I have almost been hit, both walking and driving a number of times when leaving or returning my home. This situation has a direct correlation with cars parked on the street and the limited visibility that drivers have of the road when cars are lined (parked) on either side, resulting in limited (please see reverse side)

Passage for one car... and impossible for 2 cars.

I purchased my property a little over a year ago and as a single 27 year old woman, I would have never made the purchase or such a significant financial investment had the zoning been different. As someone who frequently goes to the 3 parks in our area (1 West Englefield Triangle Park (2) Red Neighborhood Park and lets not forget (4) the John S. Hitt and the trail, the reasoning that is being presented for wanting to re-zone the area isn't logical and clearly isn't necessary with the number of parks that we are so fortunate to already have in our neighborhood. This leads me to question the motives for re-zoning as one can easily infer that we are not lacking in the park department. I would be very happy to volunteer my time to show the current applicants these parks if locating them had been difficult.

Thank you for reading this and being mindful of the preservation of this area, my street and neighborhood and most importantly the safety of the residents.

R. Paige Mallory

I purchased my property a little over a year ago and as a single at heart woman, I would have made the purchase a much a significant financial investment had the zoning been different so someone who frequently goes to the 3 parks in our area (1 West English (2) Triangle Park (3) Red Neighborhood Park and lets not forget (4) the John S. Hike and Trail, the reasoning that is being presented for wanting to re-zone the area isn't logical and clearly isn't necessary with the number of parks that we are so fortunate to already have in our neighborhood. This leads me to question the motives for re-zoning as one can easily infer that we are not lacking in the park department. I would be very happy to volunteer my time to show the current applicants these parks if locating them had been difficult.

Thank you for reading this and being mindful of the preservation of this area, my street neighborhood and most importantly the safety of the residents.

R. Paige Mallory

Fox, Kathleen

From: Tomas Pantin [REDACTED]
Sent: Sunday, September 29, 2019 9:51 PM
To: Fox, Kathleen; Alter, Alison; Tovo, Kathie
Subject: RE: Case No. NPA-2019-0027.02 (2401 Winsted - 78703)

*** External Email - Exercise Caution ***

RE: Case No. NPA-2019-0027.02 (2401 Winsted - 78703)
Neighborhood planning planner - Kathleen Fox
Dear Ms Fox

Please oppose the changes requested by this case

This case is asking for **incompatible spot zoning** in the middle of a residential neighborhood. **Plus significant safety issues** will be created by adding a restaurant here. Any additional pedestrian and vehicle traffic at this location presents an unacceptable safety risk to our neighborhood, as the application projects an increase from 136 trips per day to 1,714 trips per day. This is currently a narrow residential street that has no sidewalks, and already suffers from overflow parking, receives dangerous cut-through traffic coming from MoPac and Winsted, and has been the site of at least 16 vehicle crash and traffic hazard reports since 2017.

Thank you
Tomas Pantin
615 Deep Eddy Ave
Austin TX 78703

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Fox, Kathleen

From: Susan Pascoe [REDACTED]
Sent: Sunday, September 29, 2019 8:57 PM
To: Fox, Kathleen
Cc: Tovo, Kathie; Alter, Alison
Subject: Case No. NPA-2019-0027.02 Opposition

*** External Email - Exercise Caution ***

I am adamantly opposed to the request recently filed to add restaurant zoning to the intersection of Windsor and Mopac (2401 Winsted).

The request is a clear case of "spot zoning" that is against city policy and that also violates the Central West Austin neighborhood plan guidance on where restaurant uses belong. On this, the Future Land Use Map identifies a number of locations where restaurant zoning is desired, mostly along the major nodes along Exposition and Lake Austin Blvd. The current site, which has some of our neighborhood's most affordable multifamily housing, should not be sacrificed with the "spot zoning" proposal for the economic benefit of this property owner who already has plans to extend the development into the residential neighborhood.

This rezoning is not compatible with the neighborhood plan we worked so long and hard to develop and should be denied.

Thank you.

Susan Pascoe
2502 Hartford Rd

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Fox, Kathleen

From: Romalda [REDACTED]
Sent: Sunday, September 29, 2019 2:12 PM
To: Fox, Kathleen
Subject: C14-219-0049 2401 Winsted, Austin

*** External Email - Exercise Caution ***

Hello Kathleen

Spot zoning in our neighborhood is not ok with me, please deny this request.

Thank you.

Romalda Allsup

512 445 4489

romalda@terratoy.com

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Fox, Kathleen

From: Stephanie Jarnigan [REDACTED]
Sent: Sunday, September 29, 2019 4:04 PM
To: Fox, Kathleen
Subject: Case No. C14-2019-0049 - OPPOSED TO ZONING CHANGE REQUEST

*** External Email - Exercise Caution ***

Dear Ms. Fox,

I am a property owner / permanent resident in the Tarrytown neighborhood. I am writing to register my opposition to the zoning change requested in Case No. C14-2019-0049.

Thank you,
Stephanie Jarnigan
3303 Bridle Path, Austin, TX 78703

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Fox, Kathleen

From: Steve Beuerlein [REDACTED]
Sent: Sunday, September 29, 2019 9:16 PM
To: Fox, Kathleen
Subject: Future Land Use Change - Case No. NPA-2019-0027.02.

Ms. Fox,

I'm writing in support of the change to the future land use map requested by the referenced case.

As a long time resident of the West Austin neighborhood, I've lamented the lack of nearby services and would welcome any efforts to add a variety of land uses to improve diversity and walkability.

Thanks,

Steve D. Beuerlein
2605 Woodmont Ave.
Austin, TX 78703

Fox, Kathleen

From: Karen Browning [REDACTED]
Sent: Sunday, September 29, 2019 1:55 PM
To: Alter, Alison; athie.tovo@austintexas.gov; eather.chaffin@austintexas.gov; Fox, Kathleen
Subject: NPA-2019-0027.02, C14-2019-0049

*** External Email - Exercise Caution ***

As home owners near this area and very familiar with it, this is not a good idea and we very much oppose this. There are better places for this. This is a one way street (often blocked up with cars on both sides), heavily used as the side road for MoPac, and will create all kinds of problems in the surrounding neighborhoods. Bad planning, keep with the current use plan.

Karen and Mark Browning, 2300 Townes Lane, 78703

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Fox, Kathleen

From: [REDACTED]
Sent: Monday, September 30, 2019 7:19 AM
To: Fox, Kathleen
Cc: Tovo, Kathie; Alter, Alison
Subject: Case # NP A-2019-0027 .02

*** External Email - Exercise Caution ***

Dear Ms Fox,

I am writing to express my opposition to a proposed amendment to our West Austin Neighborhood Plan at 2401 Winstead. The Plan agreed upon by both the neighborhood and the city both protects the residents and maintains the qualities desirable to families living there. The corner in question is at the edge of the neighborhood, but is dangerously busy as cars rush through, using it as a cut-through for congested MoPac. At the same time, kids riding their bikes to O. Henry and neighbors walking to the retail areas on Exposition Blvd. have to navigate the crosswalks there.

Please, do not amend our Neighborhood Plan.

Thanks,

Elise Schram
1408 Hardouin Avenue
Austin, Texas 78703

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Fox, Kathleen

From: George Lange [REDACTED]
Sent: Monday, September 30, 2019 9:19 AM
To: Chaffin, Heather; Fox, Kathleen
Cc: Alter, Alison; Tovo, Kathie
Subject: Zoning change case C14-2019-0049 & Land use map change case NPA-2019-0027.02

*** External Email - Exercise Caution ***

Dear Heather and Kathleen,

I am a resident of Central West Austin, and I am writing in reference to the "spot zoning" case that is the subject of the indicated case numbers. I am opposed to the zoning change and amendment to the neighborhood plan. The existing neighborhood plan has been created to limit commercial establishments to certain areas in order to maintain the existing neighborhood character. I believe we should continue to follow the plan, and in general, avoid a culture of routinely allowing variances. Thank you for your consideration.

George Lange
3200 Hillview Road

Fox, Kathleen

From: Genie Miller [REDACTED]
Sent: Monday, September 30, 2019 11:39 AM
To: Fox, Kathleen
Subject: Neighborhood plans

*** External Email - Exercise Caution ***

Please oppose zoning change Case No. C142019-0049 and future land use Case No. NPA-2019-0027.02

Eugenia Miller
1510 Gaston Avenue 78703

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- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website:

www.austintexas.gov/department/neighborhood-planning.

PUBLIC HEARING COMMENT FORM

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

City of Austin
Planning and Zoning Department
Kathleen Fox
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2019-0027.02

Contact: Kathleen Fox, 512-974-7877

Public Hearings: August 13, 2019 - Planning Commission

September 19, 2019 - City Council

Allen W. Smith

Your Name (*please print*)

1404 Kent Lane

Your address(es) affected by this application



Signature

9-30-2019

Date

Comments: Spot zoning that conflicts with the existing neighborhood plan that the current residents approved should not be allowed. I think you will find that the majority of homeowners do not support this amendment to our neighborhood plan.

☐ I am in favor
☒ I object

Fox, Kathleen

From: Sara Madera [REDACTED]
Sent: Monday, September 30, 2019 1:31 PM
To: Fox, Kathleen
Subject: Case No. NPA-2019-0027.02

*** External Email - Exercise Caution ***

I oppose the change in the future land use.

This is a very bad precedent for development in Central West Austin neighborhoods.

Sara Madera
ABR,CNE,CRS,EPRO,GREEN,GRI,SRES,Broker
Platinum Top 50 Finalist 2012, 2013 - Lic. 338902
Stanberry REALTORS® Austin,TX
<http://SaraMadera.com>
[REDACTED]
512-469-0894 home office
512-750-5536 mobile

From: Sara Madera [REDACTED]
Sent: Monday, September 30, 2019 1:39 PM
To: Alter, Alison; Tovo, Kathie
Cc: Chaffin, Heather; Fox, Kathleen
Subject: Case No. C14-2019-0049 and Case No. NPA-2019-0027.02

*** External Email - Exercise Caution ***

I oppose the proposed change for 2401 Winsted.

Follow the neighborhood plan.

Sara Madera
ABR,CNE,CRS,EPRO,GREEN,GRI,SRES,Broker
Platinum Top 50 Finalist 2012, 2013 - Lic. 338902
Stanberry REALTORS® Austin,TX
<http://SaraMadera.com>
[REDACTED]
512-469-0894 home office
512-750-5536 mobile

Fox, Kathleen

From: Lee Norman [REDACTED]
Sent: Monday, September 30, 2019 12:35 PM
To: Fox, Kathleen
Cc: Tovo, Kathie; Alter, Alison
Subject: comment form for Case No. NPA-2019-0027.02

*** External Email - Exercise Caution ***

As a resident of this neighborhood, I am opposed to a restaurant zoning request for 2401 Winsted.

Thanks and please don't hesitate to reach out with any questions.

Lee

--

Lee Norman
512.608.7025

www.linkedin.com/in/leenorman/

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From: Caroline Fitzpatrick [REDACTED]
Sent: Monday, September 30, 2019 10:52 PM
To: Fox, Kathleen
Cc: Alter, Alison; Tovo, Kathie
Subject: Opposition to Request to amend Neighborhood Plan Case# NPA-2019-0027.02

*** External Email - Exercise Caution ***

Dear Ms. Fox,

I understand this request will be heard on October 8 by the planning commission and on October 17 by the City Council.

I own a home just down the street from the for which an Amendment to the Neighborhood Plan has been requested. I STRONGLY oppose this request since it does not conform with the Neighborhood Plan which is currently in place and opens the door to the possibility of much more business related traffic in what is an old-fashioned and quiet neighborhood. Nearby on Exposition there is plenty of commercial space already approved and the proximity to MoPac invites significantly increased non-resident traffic, clearly not the intention of the approved Neighborhood Plan. *Please do not approve this amendment request.*

Caroline Fitzpatrick
Owner, 2510 Winsted Lane

Fox, Kathleen

From: Mary Burke [REDACTED]
Sent: Monday, September 30, 2019 6:27 PM
To: Fox, Kathleen
Cc: Alter, Alison; Tovo, Kathie
Subject: Request to amend Neighborhood Plan Case# NPA-2019-0027.02

*** External Email - Exercise Caution ***

Dear Ms. Fox,

I live within 3 blocks of the property for which an Amendment to the Neighborhood Plan has been requested. I oppose this request since it does not conform with the Neighborhood Plan which is currently in place and opens the door to the possibility of much more business related traffic in what is an old-fashioned and quiet neighborhood. Nearby on Exposition there is plenty of commercial space already approved and the proximity to MoPac invites significantly increased non-resident traffic, clearly not the intention of the approved Neighborhood Plan. *Please do not approve this amendment request.*

Mary Burke
2204 Townes Lane

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Fox, Kathleen

From: George Lange [REDACTED]
Sent: Monday, September 30, 2019 9:19 AM
To: Chaffin, Heather; Fox, Kathleen
Cc: Alter, Alison; Tovo, Kathie
Subject: Zoning change case C14-2019-0049 & Land use map change case NPA-2019-0027.02

*** External Email - Exercise Caution ***

Dear Heather and Kathleen,

I am a resident of Central West Austin, and I am writing in reference to the "spot zoning" case that is the subject of the indicated case numbers. I am opposed to the zoning change and amendment to the neighborhood plan. The existing neighborhood plan has been created to limit commercial establishments to certain areas in order to maintain the existing neighborhood character. I believe we should continue to follow the plan, and in general, avoid a culture of routinely allowing variances. Thank you for your consideration.

George Lange
3200 Hillview Road

Fox, Kathleen

From: Genie Miller [REDACTED]
Sent: Monday, September 30, 2019 11:39 AM
To: Fox, Kathleen
Subject: Neighborhood plans

*** External Email - Exercise Caution ***

Please oppose zoning change Case No. C142019-0049 and future land use Case No. NPA-2019-0027.02

Eugenia Miller
1510 Gaston Avenue 78703

Fox, Kathleen

From: Mark Stover [REDACTED]
Sent: Tuesday, October 1, 2019 2:26 PM
To: Fox, Kathleen
Cc: Alter, Alison; Tovo, Kathie
Subject: Land Map use Change Case No. NPA-2019-0027.02

*** External Email - Exercise Caution ***

Kathleen,

I am writing to you in regards to the zoning change request at 2401 Winsted Ln (Case# NPA-2019-0027.02) .

My name is Mark Stover, and I live at 22 Margranita Crescent. You may or may not be aware, but Winsted Lane turns into Margranita Crescent just after it passes Tarrytown park, so this zoning change directly impacts me and my family.

The proposed change to zone a property for a restaurant or food trucks just down the street from our house on Winsted is extremely troubling to me. That section of the street is narrow, constantly has many cars parked on the street, and is difficult to navigate and avoid pedestrians, cars, and bicycles as it currently stands. Additional traffic for a restaurant, along a street that was not designed for this purpose, is not a good idea.

Its proximity to Tarrytown Park is also troubling. Adding additional traffic along a street with no sidewalks, where kids are frequently playing, is inviting something terrible to happen.

Please consider denying this zoning change request, in the name of safety for the kids and the neighbors that live along this street.

Thanks,
Mark Stover

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From: Kristi McKenzie [REDACTED]
Sent: Wednesday, October 2, 2019 3:25 PM
To: Chaffin, Heather; Fox, Kathleen; Alter, Alison; Tovo, Kathie
Subject: Case No. C14-2019-0049

*** External Email - Exercise Caution ***

I am a Tarrytown resident and I oppose the propose zoning change along Winsted and the Mopac (2401 Winsted). I believe these changes are not consistent with our neighborhood character and presents safety concerns along this heavily traveled area.
Kristi McKenzie

Fox, Kathleen

From: Kimberly Cook [REDACTED]
Sent: Tuesday, October 1, 2019 1:46 PM
To: Fox, Kathleen
Cc: [REDACTED] Alter, Alison; Tovo, Kathie
Subject: Case No. NPA-2019-0027.02

*** External Email - Exercise Caution ***

Dear Ms. Fox,

In reference to the comment form for Case No. NPA-2019-0027.02, I'm writing to request denial of the rezoning of 2401 Winsted. We own and reside at the house at 2007 Bowman Ave. As proposed, this rezoning poses serious safety concerns in regard to traffic and congestion at the already-crowded intersection. Please deny rezoning of 2401 Winsted.

Thank you for your consideration.

Best,

The Cook Family
2007 Bowman Ave.
325-374-4125

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From: Pepper Daniel [REDACTED]
Sent: Tuesday, October 1, 2019 3:44 PM
To: Fox, Kathleen
Subject: Winsted development

*** External Email - Exercise Caution ***

Hugh & Patricia Daniel oppose this development for rezoning.
We are at 2800 Windsor Rd.

Sent from my iPad

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Fox, Kathleen

From: Kirsten Roberts [REDACTED]
Sent: Tuesday, October 1, 2019 11:44 AM
To: Fox, Kathleen
Subject: Request for denial of 2401 Winsted rezoning

*** External Email - Exercise Caution ***

Dear Ms. Fox,

I'm writing to request **denial** of the rezoning of 2401 Winsted. My husband and I live at 2005 Bowman Ave with our newborn son and we are very concerned about the safety of this proposal.

Since we've lived at 2005 Bowman, I have avoided walking on Winsted, which is only a few hundred feet from our house. As a cut-through street, this roadway experiences heavy traffic moving well above the speed limit. Additionally, cars often park on both sides of the street which makes walking or driving on this street even more dangerous. I can't imagine a worse area in our neighborhood for a restaurant. This is a danger to both pedestrians and drivers.

I'm asking that you please protect our family-oriented neighborhood with many young children. I fear this increase in traffic associated with a restaurant will make an already unsafe street even more dangerous. Please deny rezoning of 2401 Winsted.

Thank you for your consideration,

Kirsten and Jared Mason

--
Kirsten Roberts Mason, PharmD, BCPS
[REDACTED]

865.776.2610



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Fox, Kathleen

From: Gabriel Wilson [REDACTED]
Sent: Tuesday, October 1, 2019 2:35 PM
To: Chaffin, Heather; Fox, Kathleen
Cc: Alter, Alison; Tovo, Kathie; Erin Wilson
Subject: 2401 Winsted; 2019-031788 (NPA-2019-0027.2)

*** External Email - Exercise Caution ***

My name is Gabriel Wilson, my wife Erin Wilson and I are registered property owners at 2406 Sharon Lane, within 400 feet of the property at 2401 Winsted Lane and under consideration for a zoning change from MF-2-NP to something that supports a restaurant and light retail. We have owned this property on Sharon Lane for 4 years and, as a neighbor and father of 2 children under 4 years old, we are **OPPOSED** to any change in the Land Development Code which would zone the property to any classification other than MF-2-NP.

Significant safety issues are raised by the increased foot traffic by creating a restaurant into the neighborhood where one was never considered to exist before and where the existing, narrow street already receives dangerous cut-through traffic coming from MoPac and Winsted.

- No sidewalk exists to connect the site to Tarrytown Park
- No sidewalk exists to connect sidewalk networks from the east and west sides of Mopac
- There is not an accessible path from the sidewalk up to the buildings and proposed food establishment to serve the walking community
- A "hawkeye" or similar sensor is not present at the Windsor crosswalk near The Girls' School to allow safe pedestrian crossing to the sidewalk network

Significant safety issues are raised by bringing restaurant traffic and parking congestion into our residential neighborhood, especially given the nature of cut-through traffic coming off of Mopac on Winsted. Currently there is no infrastructure to handle the anticipated increased traffic and parking in the immediate area.

- The existing eastbound right turn lane from Windsor to Winsted encourages drivers speed thru the turn without regard to safety and directly into traffic that will be entering the site on foot and in a car
- There are no existing traffic calming devices along Winsted or Windsor (such as traffic humps) resulting in significant speeding on Winsted and Windsor. In addition, there are blind turns onto Winsted and coming onto Windsor from side streets.

The proposed change creates significant negative impacts to local neighbors, and does not propose any remedy to address.

- There are no parking management tools (e.g., parking limits, such as parking only on one side, limited hours of parking, residential parking permit, etc.) to Winsted area since it is a major cut-thru street that is narrow and already difficult to drive and walk along (no sidewalks).
- There are no establish hours of operation or sound requirements (in case the owner decides to make it a music venue) like prohibiting amplified sound

- There are height, lighting, odor, trash dumpster or signage restrictions for a restaurant that prevent the property located in the heart of a residential area from adversely affecting neighbors

Finally, the request is a clear case of “spot zoning” that is against city policy and that also violates neighborhood plan guidance on where restaurant uses belong. On this, the Future Land Use Map identifies a number of locations where restaurant zoning is desired, mostly along the major nodes along Exposition and Lake Austin Blvd. The current site, which has some of our neighborhood’s most affordable multifamily housing, should not be sacrificed with the “spot zoning” proposal for the economic benefit of this property owner who already has plans to extend the development into the residential neighborhood.

Our neighborhood has sufficient parks and restaurant zoned parcels to within a 1/2 mile radius. Please represent the sentiment of the most locally impacted neighbors of this request and **OPPOSE** this unnecessary zoning change.

Thank you,
Gabriel Wilson
2406 Sharon Lane
202-288-4155

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Fox, Kathleen

From: Nancy Juren [REDACTED]
Sent: Thursday, October 3, 2019 8:47 AM
To: Fox, Kathleen
Cc: Alter, Alison; Tovo, Kathie
Subject: Case No. C14-2019-0049; 2401 Winsted

*** External Email - Exercise Caution ***

I **OPPOSE** the development at 2401 Winsted and ask that the application in the above-referenced case be **DENIED**.

This is a case of “**spot zoning**” that violates neighborhood plan for locating commercial services in our *existing* commercial centers (e.g., along Exposition and Lake Austin Blvd). The proposed location at 2401 Winsted has some of our most affordable multifamily housing, and should not be sacrificed with the “spot zoning” proposal for the economic benefit of this property owner who already has plans to extend the development into the residential neighborhood.

Even more importantly, **unacceptable safety risks** will be created by adding a restaurant at that location, as the application projects an increase from 136 trips per day to 1,714 trips per day. This is currently a narrow residential street that has no sidewalks, and already suffers from overflow parking, receives dangerous cut-through traffic coming from MoPac and Winsted. I understand it has been the site of at least 16 vehicle crash and traffic hazard reports since 2017.

I have lived in Tarrytown for almost 40 years. I want appropriate development nearby. But the current proposal for 2401 Winsted is not appropriate or safe development for that location.

Thank you for your efforts,

Nancy Juren
(512) 496-3669

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PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed amendment. You may also contact a registered neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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

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- by attending the Public Hearing and conveying your concerns at that meeting
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City of Austin
Planning and Zoning Department
Kathleen Fox
P.O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2019-0027.02
Contact: Kathleen Fox, 512-974-7877
Public Hearings: August 13, 2019 - Planning Commission
September 19, 2019 - City Council

☐ am in favor
☒ object

Greg Wilson

Your Name (please print)

1617 Watchhill Rd.

Your address(es) affected by this application

Greg Wilson

Signature

10/3/19

Date

Comments: A restaurant at this location in the middle of a residential neighborhood is completely inappropriate.

September 19, 2019

Council Member Alison Alter
District 10

Sent via email

RE: 2401 Winsted Lane

Dear Council Member Alter:

I am a homeowner on Griswold Lane. I live within a reasonable boundary area from 2401 Winsted Lane, a property under consideration for a zoning change.

I support this zoning change from MF-2-NP to LR-MU-NP for a number of reasons. First, our neighborhood desperately needs more mixed use zoning designation. The parcel under consideration is ideally located on the perimeter of the neighborhood, backs to MoPac and will serve many families and homes with the services this zoning use will afford.


Second, I am tired of being held hostage by our local neighborhood group, WANG. They do not represent our neighborhood interests and instead are exposing themselves as an irrelevant vocal minority group with ample time to be busybodies. For too long they have dictated land use policy without considering public majority opinion and operate as a totalitarian group holding too much power over land use and private property matters.

I am in full support of a change to the West Austin NPA and FLUM modification from SF to neighborhood mixed use.

The MU overlay will allow existing residential use to remain and the new LR base district will allow for desperately needed neighborhood commercial uses. It is a win-win for the neighborhood. In a great act of hypocrisy, WANG refuses to accept the neighborhood public majority affirmation of the rezoning of this parcel. The actual neighborhood (non WANG) expresses overwhelming majority support for this zoning change. With your support as well as planning commission, we can allow the public process to have a fair forum for neighborhood to be fairly represented outside of the "neighborhood regime" that claims to represent our interests.

Thank you for reading this letter and supporting this zoning change.

Sincerely,

A handwritten signature in dark ink, appearing to read "Blake K. Thompson", with a long horizontal flourish extending to the right.

Blake K. Thompson

Fox, Kathleen

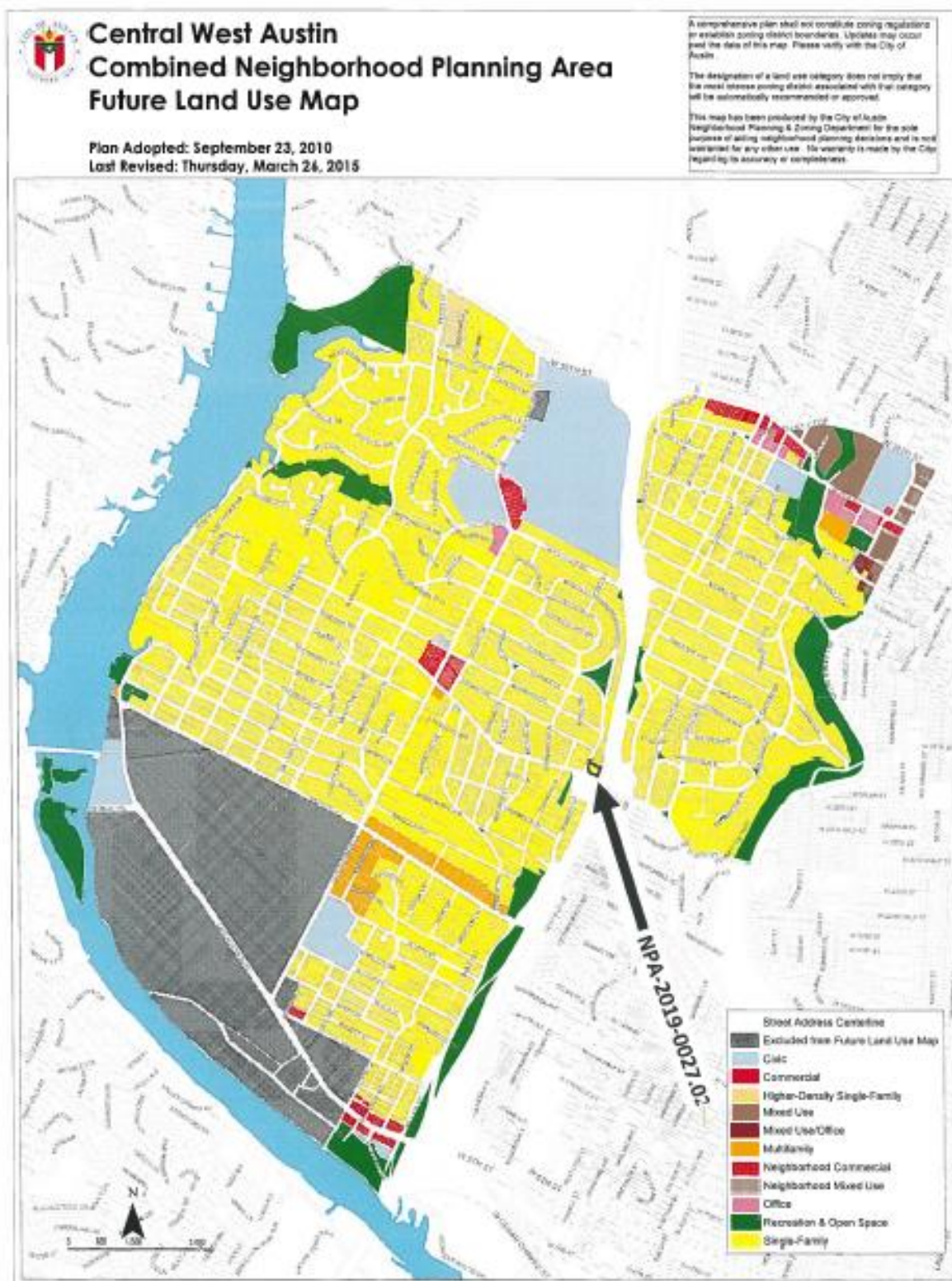
From: Macy Jacobs [REDACTED]
Sent: Thursday, October 3, 2019 9:56 AM
Subject: Central West Austin Neighborhood Plan -- 2401 Winsted "Mixed Use" Plan Amendment

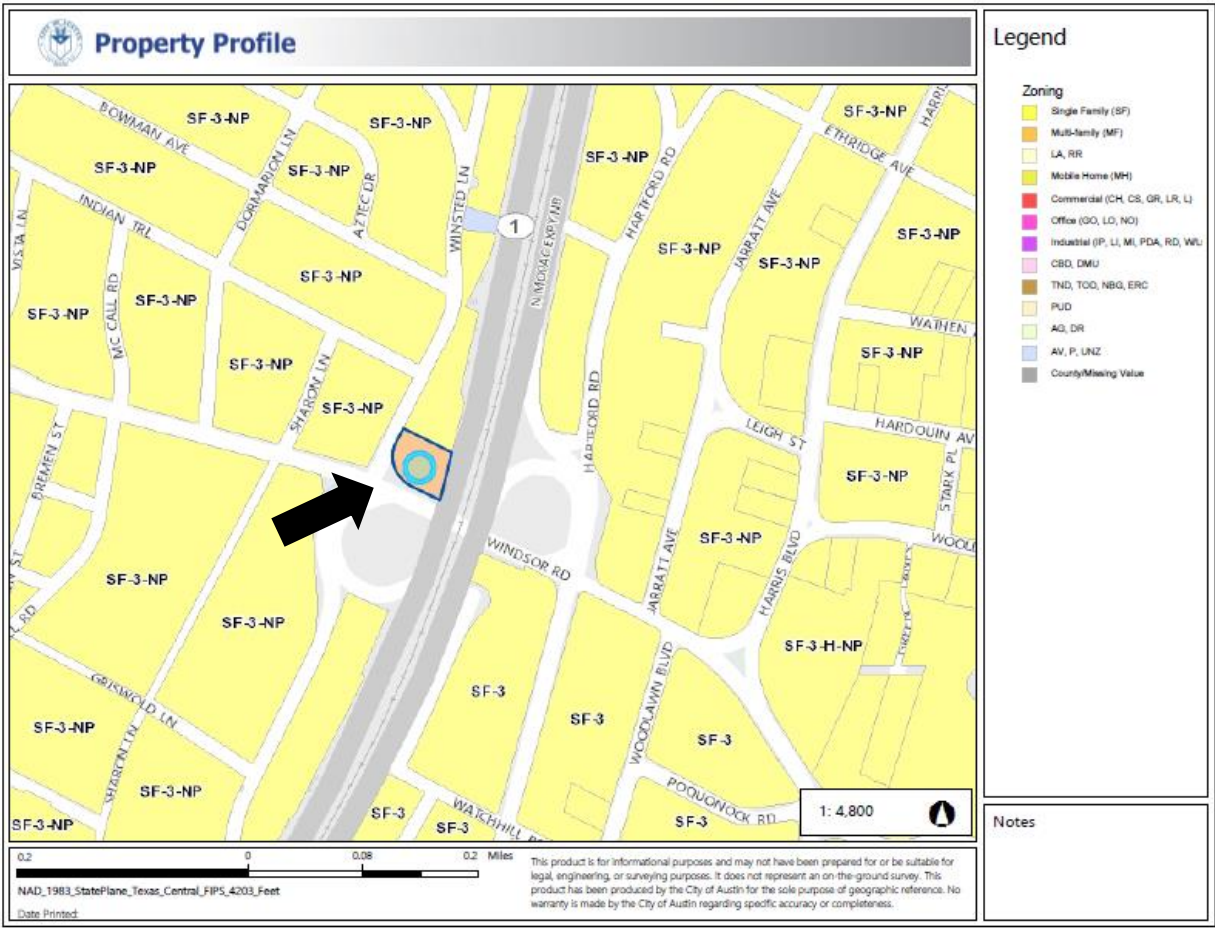
*** External Email - Exercise Caution ***

We need food services in our neighborhood! This would be a great neighborhood gathering place and is right on a highway and major road. Fantastic cities have multiple uses all within a neighborhood. It enhances the community and the tax base!

Sincerely,
Macy Jacobs

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Zoning

Aerial





Subject Property (leading to the driveway exit)



Subject Property (Interior)



Viewing North



Viewing South



Viewing West



Viewing East

