NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: East MLK Combined Neighborhood Plan

CASE#: NPA-2019-0015.01 **DATE FILED:** July 31, 2019

PROJECT NAME: 5010 & 5102 Heflin Lane

PC DATES: January 14, 2020 May 26, 2020

ADDRESS/ES: 5010 & 5102 Heflin Lane

DISTRICT AREA: 1

SITE AREA: Approx. 5.11 acres

APPLICANT/OWNER: Heflin Phase I LLC

AGENTS: Ron Thrower, Thrower Design

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family **To:** Higher Density Single Family

Base District Zoning Change

Related Zoning Case: C14-2020-0022

From: SF-4A-NP **To:** SF-6-NP

NEIGHBORHOOD PLAN ADOPTION DATE: November 7, 2002

PLANNING COMMISSION RECOMMENDATION: To Grant Higher Density Single Family land use

Previous Actions:

January 14, 2020 *– Indefinite postponement on the consent agenda at the request of the applicant. Close the Public Hearing and approve the consent agenda.– J. Thompson -- 1st;C. Kenny -- 2nd Vote: 9 -0-3 [J. Shieh recused himself from this case. C. Llanes Pulido was off the dais. A. Azhar; C. Hempel; P. Seeger were absent.]*

May 26, 2020 *– Postponement at the request of the staff to June 9, 2020 on the consent agenda. Close the Public Hearing and approve the consent agenda.– C. Hempel -- 1st; R. Schneider -- 2nd Vote: 12-0-1 [J. Shieh recused himself from this case. F. Kazi recused himself from item B. 10. C. Llanes-Pulido was absent.]*

June 9, 2020 *– Planning Commission meeting voided due to technical difficulties with broadcast.*

June 23, 2020 - *– After discussion, the motion was to Approve staff's recommendation of Higher Density Single Family land use. [G. Anderson – 1st; C. Hempel -2nd] Vote: 11-0-1 [J. Shieh recused himself from this case because he is the project manager. P. Seeger was absent].*

STAFF RECOMMENDATION: Staff recommends -- **Higher Density Single Family**

BASIS FOR STAFF'S RECOMMENDATION: Staff recommends a 'Higher Density Single Family' future land use category because it would be compatible with residential housing adjacency; provide owner occupied infill housing along with a public amenity (a pocket park); and is supported by housing policies and text found in the Imagine Austin Comprehensive Plan, the East MLK Combined Neighborhood Plan, and the Austin Strategic Housing Blueprint.

Below are policies excerpted from the East MLK Combined Neighborhood Plan that supports infill housing and small-lot single family housing in this portion of the planning area, which specifically calls out Heflin Lane to allow a mix of residential types and small lot single family housing.

> **Goal 1**: Preserve established residential areas and improve opportunities for home ownership by promoting the rehabilitation of existing housing and new, infill housing compatible with the existing style of this neighborhood. (pg. 44).
>
> > **Objective 1.2**: Promote new infill housing in appropriate locations.
>
> **Goal 5**: Provide housing that helps to maintain the social and economic diversity of residents. (pg. 45)
>
> > **Objective 5.1**: Allow a mix of residential types on larger tracts having access to major roadways. (pg. 45)
>
> **Action 44**: **Allow mixed residential and small-lot single-family on the large vacant parcel off of MLK Blvd. and Heflin**. (pg. 67)

In conclusion, staff believes that the proposed condominium project would provide new owner-occupied infill and missing middle housing in this portion of the planning area, which is supported by policies within the East MLK Combined Neighborhood Plan.

Below are additional policies and text that are excerpted from the East MLK Combined Neighborhood Plan that supports a change from Single Family to Higher Density Single Family on the Future Land Use Map:

> **Stonegate/Oaklawn**
>
> **Recommendations**: The priority for the Stonegate/Oaklawn area is to promote compatible infill development that will help stabilize the residential areas. Larger properties in the interior of the neighborhood can be developed as small-lot single family, although many of these properties have flood plain issues that need to be addressed. The large, undeveloped properties with access to MLK Blvd should be developed with a mix of residential uses, while allowing mixed use at the intersections with Springdale and Tannehill. Mixed use should also be encouraged on the 12th/Springdale/Webberville triangle, with consistent zoning that encourages more neighborhood-oriented commercial development. (p. 67(
>
> **Action 40** - Maintain single-family zoning for the established residential areas.

LAND USE DESCRIPTIONS – EXISTING AND PROPOSED

Existing Land Use

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.

Applicant's Proposed Land Use

Higher Density Single Family: Single-family housing, generally up to 15 units per acre, which includes townhouses and condominiums as well as traditional small-lot single family.

Purpose

1. Provide options for the development of higher-density, owner-occupied housing in urban areas; and
2. Encourage a mixture of moderate intensity residential on residential corridors.

Application

1. Appropriate to manage development on major corridors that are primarily residential in nature, and
2. Can be used to provide a buffer between high-density commercial and low-density residential areas.
3. Applied to existing or proposed mobile home parks.

Staff Recommended Land Use: Higher Density Single Family - An area that is appropriate for infill and mixed residential housing, as supported by housing policies contained within the East MLK Combined Neighborhood Plan.

IMAGINE AUSTIN COMPREHENSIVE PLAN

This property is directly located off an Activity Corridor, according to the Imagine Austin Growth Concept Map. Staff believes the request to change this portion of the future land use map to 'Higher Density Single Family' use in the East MLK Combined Neighborhood Plan meets a number of policies in the Imagine Austin Comprehensive Plan, which supports a variety of housing types; affords realistic opportunities for transit, pedestrian travel; and provides both community gathering spaces, parks and safe outdoor play areas for children.

LAND USE AND TRANSPORTATION POLICIES

LUT P4. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

HOUSING AND NEIGHBORHOOD POLICIES

HN P1. Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.

HN P5. Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.

HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

HN P11. Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

HN P14. Strengthen planning processes by recognizing that the Comprehensive Plan and small-area plans, such as neighborhood plans, corridor plans, and station area plans, need to respect, inform, and draw from each other.

Imagine Austin

The subject property on Heflin Lane is located adjacent to the East Martin Luther King Boulevard Activity Corridor according to the Imagine Austin Growth Concept Map. Activity Corridors identify locations for additional people and jobs above what currently exists on the ground. These corridors are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. Imagine Austin appears to support providing a variety of housing types throughout the City of Austin, especially along or near Activity Corridors and Centers, which this condominium project would provide.

IMAGINE AUSTIN PLANNING PRINCIPLES

1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
   - *The proposed high density residential owner occupied condominium project would provide a 'missing middle' housing type in the area and is located 400 feet away from a Cap Metro Transit stop. Public sidewalks are also located along both sides of the street. Commercial and civic uses (including a public golf course) are located along East Martin Luther King Boulevard (a major roadway and* ***an Imagine Austin Activity Corridor****), which is located approximately 1,000 feet to the northwest of the subject property.*

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 400 ft. from a CapMetro Transit stop on Heflin Lane. There are also public sidewalks located on both sides of Heflin Lane and additional transit options located on East Martin Luther King Boulevard, **a nearby Activity Corridor**, which is located approximately 1,000 feet walking distance from the subject property.*
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
   - *The proposed project would provide context sensitive owner occupied small lot single family housing, which is compatible in the planning area and supported by the East MLK Combined Neighborhood Plan.*
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
   - *The proposed project calls for the development of 34 owner occupied market rate condo units, priced in the low $300Ks and supply a context sensitive missing middle housing type in the planning area.*
5. Ensure harmonious transitions between adjacent land uses and development intensities.
   - *While the proposed residential housing project would be located on lots that are smaller in size than most residential lots in the immediate vicinity, the proposed project would supply context sensitive missing middle housing type, which is supported by policies and text found in the East MLK Combined Neighborhood Plan, Imagine Austin and the Austin Strategic Housing Blueprint.*
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 developer's agent agreed that all environmental regulations would be met regarding stormwater control and provide a much needed pocket park for the area.*
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 development would include a trail, pocket park and playscape area, which would be open to the public. The applicant also wants to preserve many of the existing trees around the periphery of the site.*
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 development would include a trail, pocket park and playscape area, which would be open to the public and is located adjacent to an Activity Corridor.*
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
    - *Not applicable*
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
    - *Not 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 project would include context sensitive missing middle housing and a pocket park, both which support Imagine Austin and contribute towards making the area a more complete community.*

Austin Strategic Housing Blueprint

The following text and policies are excerpts from the Austin Strategic Housing Blueprint, which discuss supporting the development of small houses on smaller lots and missing middle housing:

The Blueprint includes goals for affordable housing in every City Council district to ensure that there is affordable housing throughout the city. It also includes goals for the construction of 60,000 housing units affordable to households at 80% median family income (MFI) and below, and another 75,000 units for households earning greater than 80% MFI broken into specific goals for households at different income levels. (pg. 2)

Allow the Development of Smaller Houses on Smaller Lots:

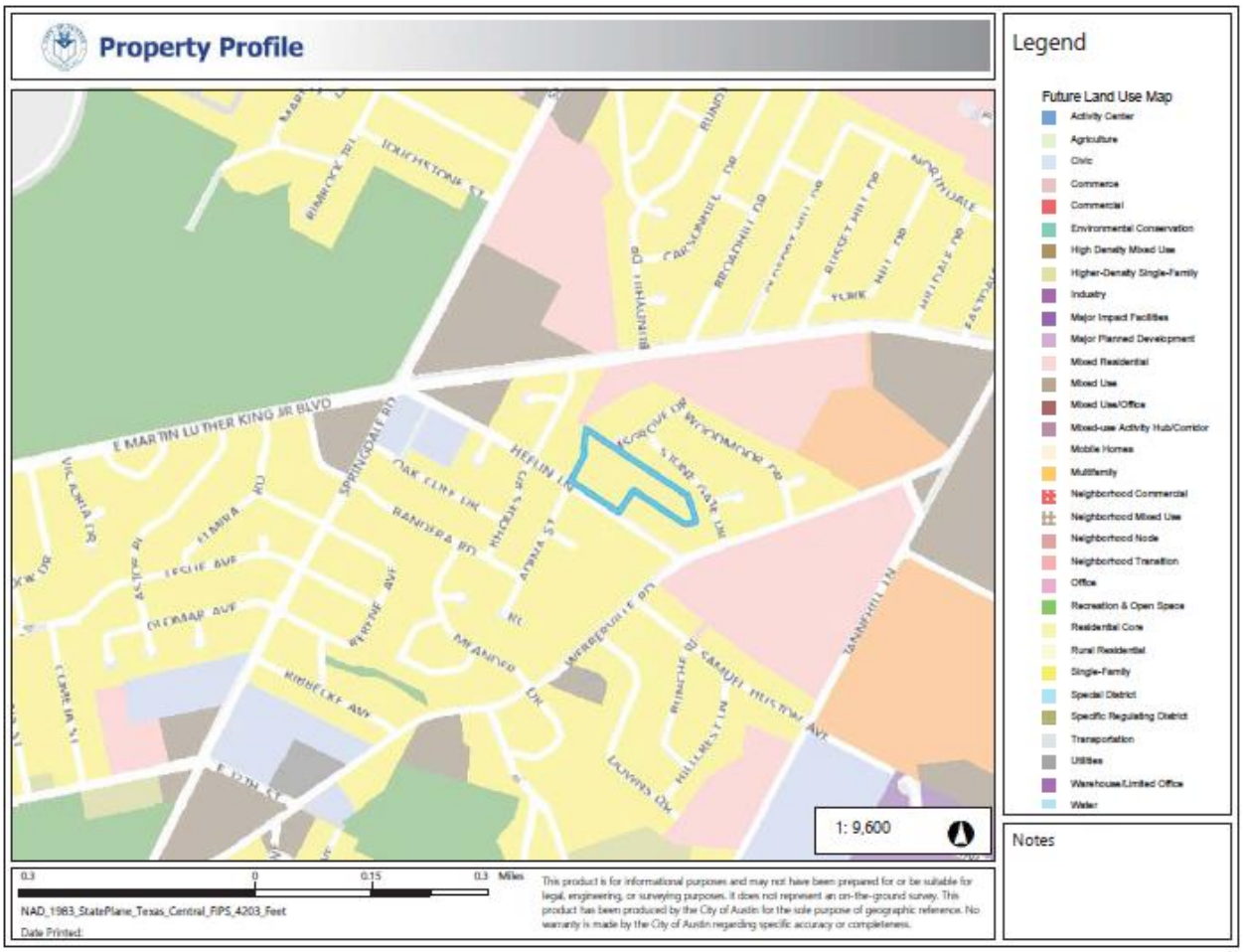
Land values are increasing in Austin, particularly in neighborhoods near Austin's core. This is due to a number of factors, but most notably to more households valuing reduced distances between their work, home, and other destinations, which minimizes time spent in traffic. With increased demand for housing in central locations, land prices are likely to continue to rise. One potential way to enable more people to afford to live in these location-efficient areas is to make it easier to build smaller houses on smaller lots through land development code changes considered during the CodeNEXT process. This would help produce more housing choices that are generally more likely to be affordable than houses built on larger lots. Small lot regulations can be revised utilizing a context sensitive approach to require a higher level of design and improved compatibility with neighboring properties. Such regulations should take care to incentivize more affordable housing choices rather than fewer and preserving neighborhood character. (pg. 32)

Increase Housing Diversity in New Subdivisions:

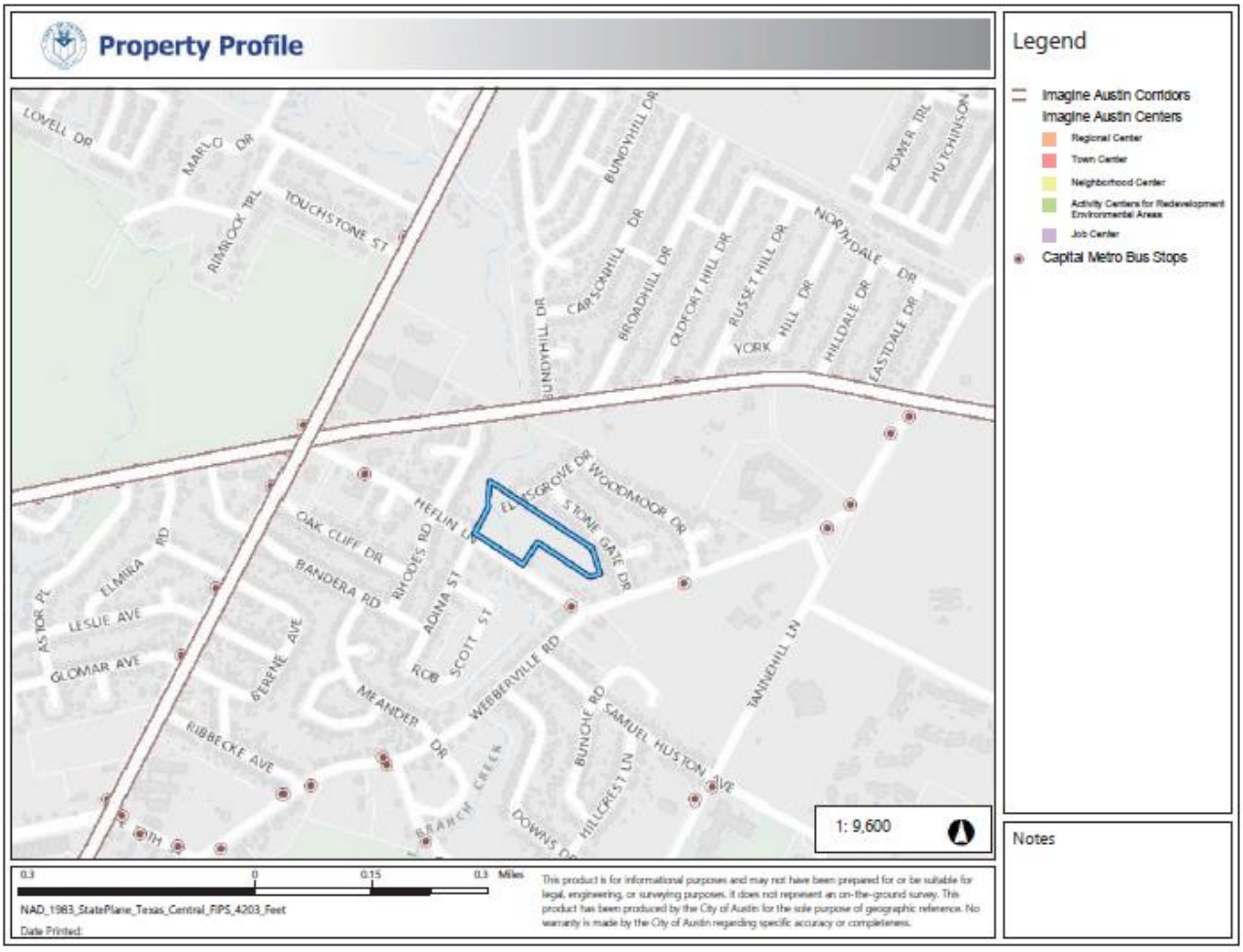
New subdivisions (especially those in and around Imagine Austin Activity Centers and Corridors) also present an opportunity to increase housing diversity. Subdivision regulations should incentivize the development of a range of housing types, including missing middle housing and co-housing formats (where smaller housing units are organized around shared common space). The regulations should also incentivize a connected street grid and promote a range of more affordable transportation choices. These centers and corridors allow people to reside, work, shop, access services, and recreate without traveling far distances. (pg. 35)

Missing Middle is the range of dwelling types between detached homes and mid-rise apartments. (pg. 48)

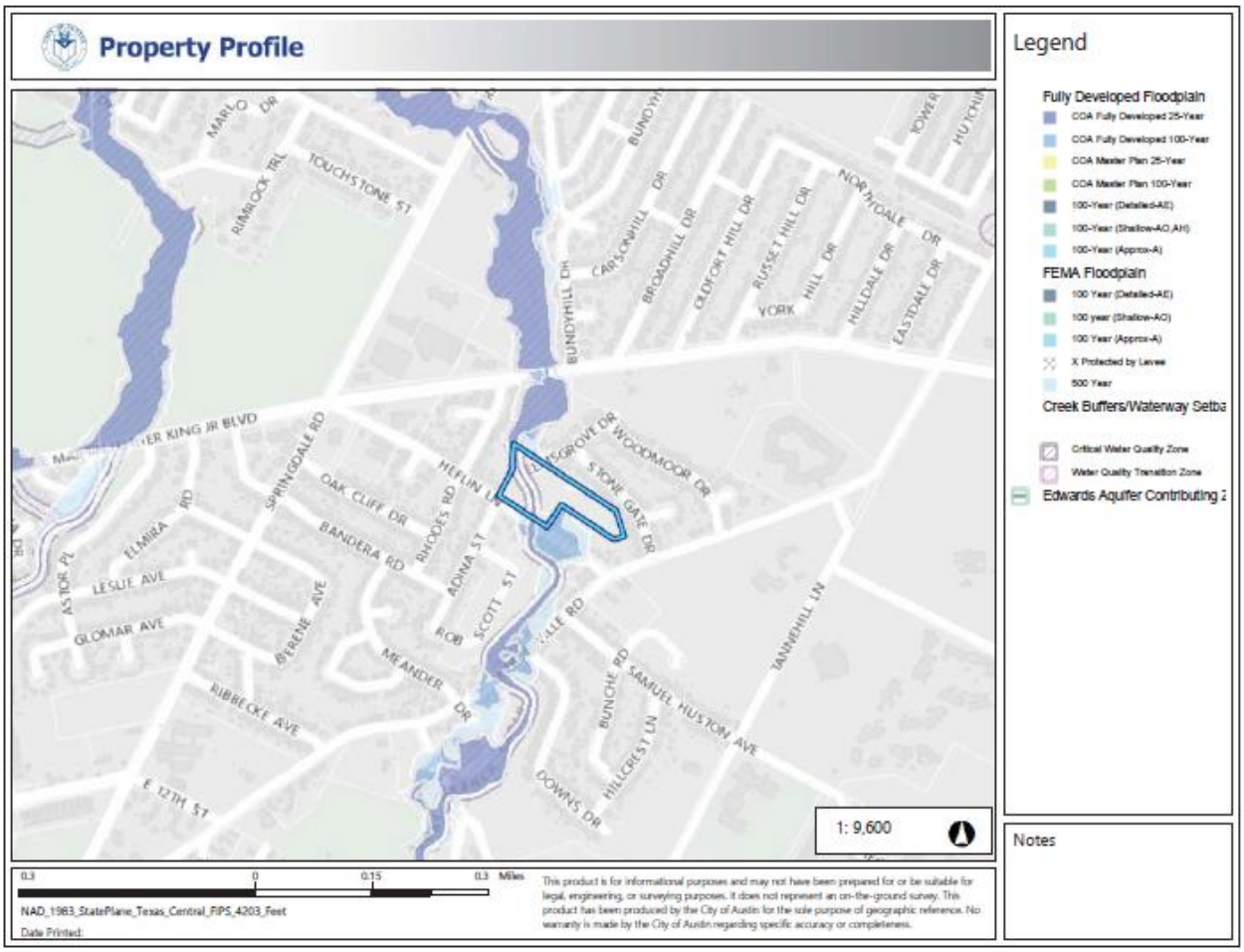
Future Lane Use Map



Imagine Austin Growth Concept Centers and Corridor Map and Cap Metro Transit Stops



FEMA Flood Plain and Aquifer Map



Photos





1 Subject property photos 2



Channeled drainage ditch on Heflin Lane, which cuts through the subject property



Property to the northwest



Property to the northeast



Property to the west



Property to the east



Property to the south



Property to the southwest

BACKGROUND: The application was filed on July 31, 2019.

The applicant proposes to change the land use on the future land use map (FLUM) from Single Family to Higher Density Single Family to build an owner occupied condominium project on this 5.11 acre parcel, which triggered a rezoning and neighborhood plan amendment request. Staff recommends a 'Higher Density Single Family' future land use category because it would it would be compatible with the residential adjacency to the north, south, east and west of the property; provide a public amenity (a propose pocket park and trail); provide much needed context sensitive missing middle infill housing, which is supported by policies and text in the Imagine Austin Comprehensive Plan, the Austin Strategic Housing Blueprint and the East MLK Combined Neighborhood Plan.

The applicant proposes to change the zoning from SF-4A- NP (Single Family Residence Small Lot) to SF-6-NP (Townhouse and Condominium District) to construct 34 residential owner-occupied housing units.

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PUBLIC MEETINGS: The ordinance required plan amendment meeting was held on November 20, 2020. Approximately 327 community meeting notices were mailed to property owner and renters located within 500 feet of the property, in addition to environmental and neighborhood organizations registered on the Community Registry.

November 20, 2019 from 7 PM to 8 PM at the Willie Mae Kirk Library

PLAN AMENDMENT CASE NUMBER: NPA-2019-0015.01

ZONING CASE NUMBER: C14-2020-0022

Representing the Developer: Michele R. Lynch (Agent) with Metcalf Wolff Stuart and Williams, James Shieh (Project Manager) and Joel Brock (Engineer)

City Planner: Kathleen Fox, Senior Planner

Audience Attendees: 15

This community meeting began at 7 PM. Ms. Fox briefly explained the neighborhood plan amendment process and what the definition of a Future Land Use Map was. The request is to amend a portion of the East MLK Combined Neighborhood Plan Future Land Use Map from Single Family to Higher Density Single Family to accommodate a zone change from SF-4A to SF-6 to build 34 condo units (duplex and single family).

Ms. Lynch came forward and introduced James Shieh and Joel Brock.

James Shieh (JS): He gave a power point presentation on the project and explained how project complied with many of goals of the East MLK Combined Neighborhood Plan. He explained how Heflin Lane was located off an Imagine Austin Activity Corridor. He discussed the measures that would be taken to contain water runoff from the site and showed the flood map for the area. The developer proposed to engineer the water control issue to conform to the FEMA flood plain map, which would be adopted in the next two years. He discussed how the project would respect the easements and keep many of the existing trees on the site. In 2015, the NPA proposal for this same property proposed 45 to 50 condo units but the

new proposal only calls for the construction of 34 residential units. He discussed how SF-6 zoning gave them more flexibility to place the units around the site, have larger buffers and preserve more of the existing trees. Each residential unit will have similar massing to existing houses in the neighborhood. The condo units will consist of single family and duplex houses, which will be two stories tall. For required greenspace, the project included a City of Austin parkland dedication, a playscape area, a trail and pedestrian connectivity from the adjoining residential streets. He showed how the property was a quarter of a mile from priority transit corridor.

The proposed project would also include a playscape and a trail and a new pocket park, which would be maintained by this development. The development would also provide workforce housing, be family friendly and multigenerational. As for water quality, the project would be engineered to meet or exceed city requirements. The current zoning, SF-4A only requires a 10 foot rear setback while SF-6 would have a 25 foot setback for this project and thus be further away from the existing single family neighborhood. The developer also proposes to keep most of the large trees around the perimeter of the site.

Audience Question: What trees would be protected on the site? JS: Those that are 18 inches or larger in size.

Audience Question: Is the cul-de-sac to be open or closed which is adjacent to Elmsgrove Drive? JS: The cul-de-sac will only be accessible to emergency vehicles and be grassy.

Audience Comment: We want a fence separating this project from Elmsgrove Drive and do not want a connection. JS: The proposed trail and park would be accessible via the cul-de-sac and the smaller houses on this site would have a more affordable price point.

Joel Brock (JB). There are drainage and water quality issues in this area and lots of drainage on the site has to be mitigated. There will be a detention pond in the lowest part of the subject property and all water will be collected and treated onsite.

Audience Comment: SF-4 would blend in better than townhomes in the area. This area used to flood all the time and the neighborhood is concerned the water will rush onto their properties from this new development. New development near Mueller is currently flooding onto Martin Luther King Boulevard.

JS: The proposed project would have less impervious coverage than if it was zoned SF-4A. Our property is at a lower elevation than the properties on Woodmoor Drive.

JB: He discussed how the detention pond would handle all the water on the site and how there would be three drains going to the pond. The earthen wall surrounding the detention pond would be part of the greenspace requirement.

Audience Comment: They were concerned about the number of duplexes in the project and having them turn into short term rentals. JS: The project will have an HOA to make sure all the properties are taken care of. The price point of these homes will be in the low $300,000 and would consist of single family houses and duplexes, which were two stories tall.

Audience Question: Regarding the proposed neighborhood pocket park, which would be located near the Elmsgrove Drive cul-de-sac, could you move it? It's too tucked away for public access. JS: He said he could see what he could do.

Audience Question: Will a neighborhood traffic impact analysis be done? JS: He talked about the trips per day that trigger these standards.

Audience Question: Will there be additional improvements be made on Heflin Lane? JS: He said he did not know. Ms. Lynch said they might get a crosswalk.

Audience Question: What sort of assurances do we have that you are going to keep your promises regarding this project? JS: He explained how he was part of the design team and how the developer had already spent a lot of money designing to project and doing an engineering study on the site.

Audience Question: What will the houses look like? JS: The houses have not been designed so far but they are looking at mid-century modern as a possibility.

Audience Comment: They discussed how federal government officials came to their neighborhood years ago and said that the subject property was a prime watershed area and should never be developed. JS: He explained how SF-6 zoning would actually provide better protection from flooding than SF-4A zoning.

Audience Comment: We don't want to be discriminated against and taken advantage of. We have lived here for years.

The community meeting adjourned at 8:03 PM.

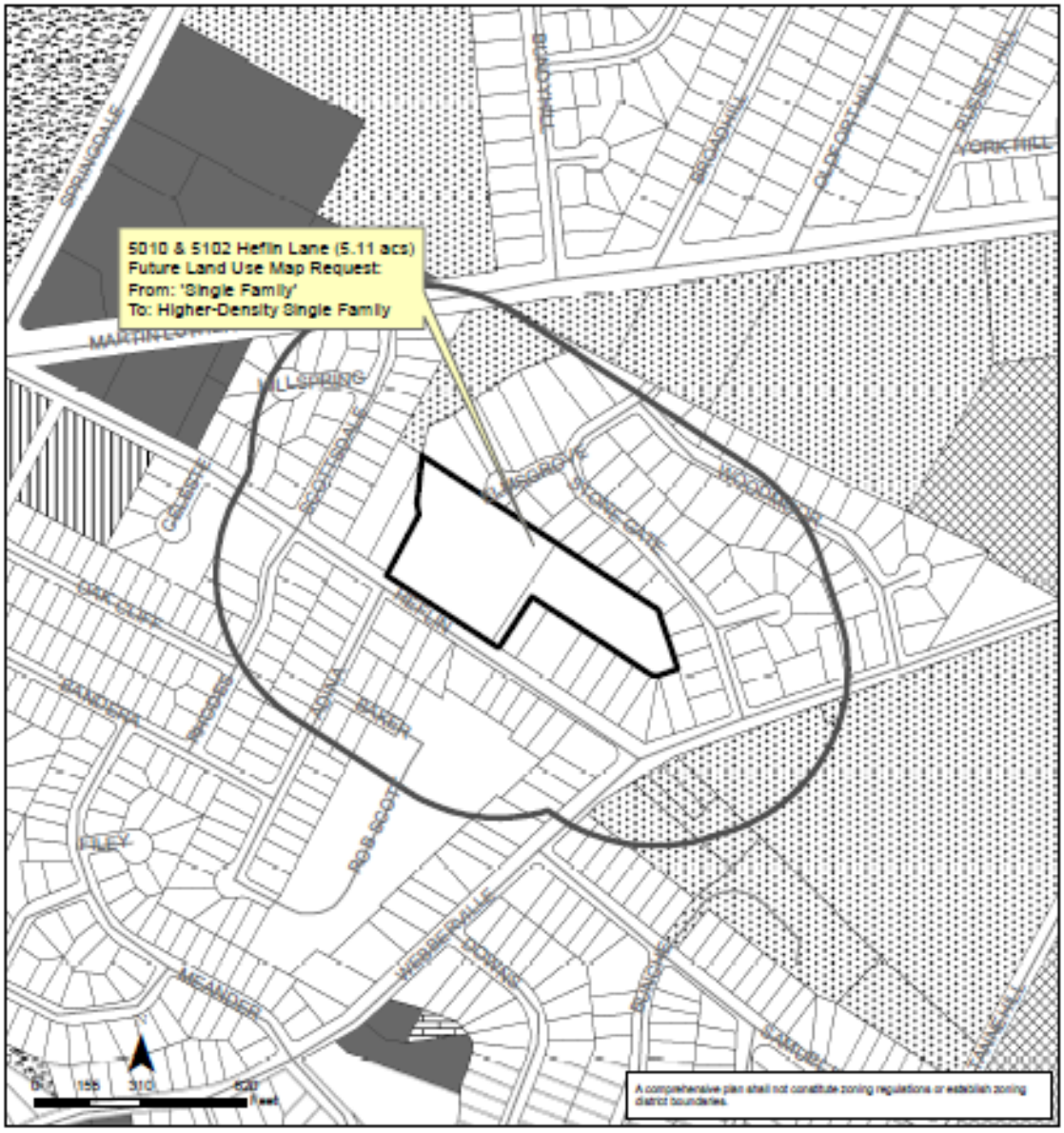
CITY COUNCIL DATE: August 27, 2020

ACTIONS:

- Postponement at the request of the staff to July 30, 2020 on the consent agenda. Close the Public Hearing and approve the consent agenda.– J. Flannigan -- 1st; P. Ellis -- 2nd Vote: 10-0-1 [N. Harper-Madison was off the dais.]
- Postponement at the request of the applicant to August 27, 2020 on the consent agenda. Close the Public Hearing and approve the consent agenda. Vote: 11-0

CASE MANAGER: kathleen.fox@austintexas.gov **PHONE:** 512-974-7877

EMAIL: kathleen.fox@austintexas.gov



East MLK Jr (MLK-183) Combined Neighborhood Planning Area
NPA-2019-0015.01

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

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City of Austin
Planning and Zoning Department
Created on 8/5/2019, by: meredithm

Future Land Use

- 500 ft. notif. boundary
- Subject Property
- Single-Family
- Higher-Density Single-Family
- Mixed Residential
- Multi-Family
- Mixed Use
- Industry
- Civic
- Recreation & Open Space
- Transportation
- Utilities

E MLK Planning Contact Team Recommendation

See the East MLK contact team chair comments and recommendation below and on the next page

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From: Jon Hagar [mailto:[redacted]
Sent: Monday, June 8, 2020 2:02 PM
To: Fox, Kathleen <[redacted]
Cc: Victoria <[redacted]
Subject: Re: NPA-2019-0015.01 HEFLIN Ln NPA - report will be submitted on May 19th

Hi Kathleen,

I missed the deadline for signing up to speak at Planning Commission tomorrow night. I had planned to sign up to say that the Contact Team voted neutral because of concerns over our ability to meet and generally participate in this process during the pandemic, not because we took exception to anything in the proposed development itself. Our letter says as much, but I wanted to make sure the commissioners understand that in case they don't read the actual letter.

Thanks,

Jon Hagar

18 May 2020

To: Planning Commission and City Council Members
Re: NPA-2019-0015.01 5010/5102 Heflin Lane

The East MLK Combined Neighborhood Plan Contact Team (EMLK NPCT) takes a neutral position on the proposed FLUM change from *Single Family Residential* to *Higher Density Single Family Residential*. The NPCT voted 3 in favor, 5 neutral, during our May 18th meeting.

The proposed development is generally consistent with the Neighborhood Plan, especially the following goals:

- **Goal One:** "Preserve established residential areas and improve opportunities for home ownership by promoting the rehabilitation of existing housing and new, infill housing compatible with the existing style of this neighborhood."
    - The proposed mix of detached single family and duplex uses is consistent with neighborhood character.
- **Goal Eleven:** "Protect and enhance the neighborhood through code enforcement, property maintenance activities, and by reducing trash and dumping in the neighborhood."
    - This property has been neglected and the site of illegal activities and its development will both protect and enhance the neighborhood.
- **Goal One:** "Create more public open space, including parks and green spaces, improve existing parks and increase recreational amenities in the neighborhood."
    - The proposed linear park along Fort Branch Creek will create green space, accessible to nearby residents, that makes use of one of our many creeks.

However, the EMLK NPCT grows increasingly concerned that, because our meetings and city land use hearings are happening virtually and therefore require internet access, and because local libraries and other venues that serve as access portals for many are currently closed, not all of our residents can fully participate in this process. The majority of our members therefore voted "neutral," believing that we cannot confidently support a plan amendment knowing that some of our members are unable to participate and vote using this platform.

For the reasons listed above, the EMLK NPCT **neither supports nor opposes the plan amendment request** for the Property.

Sincerely,



Jon Hagar
Chair, EMLK NPCT
[redacted]
(512) 739-4101

Comments in Favor and Against NPA Proposal

See the comments on the next pages

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 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.

During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- 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-2019-0015.01
Contact: Kathleen Fox, 512-974-7877
Public Hearings: January 14, 2020 - Planning Commission

■ **I am in favor**
☐ **I object**

CHRISTOPHER LYONS
Your Name *(please print)*

5103 WOODMOOR DR. AUSTIN, TX 78721
Your address(es) affected by this application

Signature

1-10-20
Date

Comments: WE NEED MORE DENSITY IN CENTRAL AUSTIN TO BOOST OUR TRANSIT-ACCESSIBLE HOUSING SUPPLY, WHICH IN TURN WILL HELP WITH AFFORDABILITY AND THE ENVIRONMENT. EVERY LITTLE BIT HELPS. I AM ALSO HOPEFUL THIS PROJECT WILL CONNECT WITH MY STREET, INCREASING CONNECTIVITY AS PROPOSED UNDER THE IMAGINE AUSTIN CITY PLAN.

From: digestedbug . [redacted]
Sent: Friday, May 22, 2020 11:50 AM
To: Fox, Kathleen
Subject: Case Number: NPA-2019-0015.01

*** External Email - Exercise Caution ***
Good morning Ms. Fox,

I received a public hearing notification in the mail for a rezoning (NPA-2019-0015.01) and I am writing to comment in favor of the rezoning.

The project location is 5010 and 5102 Heflin Lane. I live directly behind the location at 5103 Woodmoor Dr. I am in favor of this project upzoning because I believe the upzoning will allow more people to live in the area, which is good for the city of Austin as a whole, preventing costly sprawl. I also hope that increased density will bring more services and commercial opportunities to the area. Right now, there is nothing walkable to my home. Every resident is forced to drive to the grocery store, to the pharmacy, to anything.

I also hope that the redevelopment of this property will increase connectivity to my street. This property came up for development a few years ago and I attended the hearing that was held for the neighbors back then. The presentation included details about the planned connectivity with my street (Woodmoor/Stonegate.) I was, and am, very enthusiastic for a connection with Heflin Ln. My street, Woodmoor, runs in a U shape. The only access to my street is from Webberville Rd. If a connection to Heflin opened up because of this development that would save so much time and distance every single day. It would allow me to be able to walk or bike comfortably to so many more areas. A compact and connected city is one of the main goals of Imagine Austin and I see this as a great opportunity to advance the welfare of our community.

Thank you for considering my input as a close future neighbor of this development.

Chris Lyons
5103 Woodmoor Dr
Austin, TX 78721
512-903-5973
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PUBLIC HEARING INFORMATION

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- by submitting the Public Hearing Comment Form
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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-2019-0015.01
Contact: Kathleen Fox, 512-974-7877
Public Hearings: January 14, 2020 - Planning Commission

☐ **I am in favor**
☒ **I object**

Vicki Curry
Your Name *(please print)*

5001 Baker St, Austin, Tx 78721
Your address(es) affected by this application

Vicki Curry — 01/16/2020
Signature — Date

Comments: I'm in favor if the City of Austin will install a sidewalk and curve in front of my house at 5001 Baker St. Property value has risen from $7500 in 1962 to $414,+++, but very little has changed for me in terms of services for my tax dollar. Not saling

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Contact: Kathleen Fox, 512-974-7877
Public Hearings: January 14, 2020 - Planning Commission

☐ I am in favor
☒ I object

Delaine Leonard
Your Name *(please print)*

5202 Stone Gate DR
Your address(es) affected by this application

Signature 01/07/2020 Date

Comments: My objections:
- heavy traffic
- set back from Stone Gate Neighborhood
- density + flooding
- don't trust this developer - last time the plan submitted did not match their ~~ad~~ website advertising.

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Contact: Kathleen Fox, 512-974-7877
Public Hearings: January 14, 2020 - Planning Commission

☐ **I am in favor**
☒ **I object**

ABREY G THOMPSON
Your Name *(please print)*

5200 Stone Haven
Your address(es) affected by this application

Aubrey Thompson 31-12-20
Signature Date

Comments: My objection of this project is, you say one thing at the meetings & we know there will be flooding because we have had this issue & NO drains were put in to fix the problem. Why can't homes be limited (one story, not 2 stories?

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Case Number: NPA-2019-0015.01
Contact: Kathleen Fox, 512-974-7877
Public Hearings: January 14, 2020 - Planning Commission

☐ **I am in favor**
☒ **I object**

MAXINE JACKSON
Your Name *(please print)*

5200 Stone Gate Dr
Your address(es) affected by this application

Maxine Jackson — 01-10-20
Signature — Date

Comments: I, Maxine Jackson object to this proposed Amendment because of the flooding concerning this project. All the trees are being cut down.
The Webberville Rd is too narrow for all the traffic flow, it will be much more with this Project's Cars in the Neighborhood

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Case Number: NPA-2019-0015.01
Contact: Kathleen Fox, 512-974-7877
Public Hearings: January 14, 2020 - Planning Commission

Mirian Jones-Clark

☐ I am in favor
☑ I object completely

Your Name *(please print)*

Woodmoor and Stonegate Drives

Your address(es) affected by this application

Mirian Jones-Clark 1-16-20

Signature Date

Comments: I am totally against this change of zoning. We do not want all of this humongous 2 and 3 story monstrosities - they detract from our nice area in Stonegate. It has also caused a bad traffic problem. Take this crap out to West Lake. We are sick of the influx of weird outsiders. We do not like it a bit. It is destroying our good

We are sick of this messy shit put off on us. We planned our neighborhood and want it to remain similar to what was planned. Cut out all the shit. We really don't want you over here.

Owner
Miriam Jones

Fox, Kathleen

From: Leonard, Delaine E [redacted]
Sent: Sunday, January 12, 2020 7:44 PM
To: Fox, Kathleen
Subject: Fwd: NPA-2019-0015.01

*** External Email - Exercise Caution ***

Dear Kathleen,

I am writing to protest the planned development at 5010 & 5102 Heflin Lane. My primary objection is the change in zoning from Single Family to Higher Density Single Family.

My objections are:

- There isn't road infrastructure in the neighborhood to support the density of proposed development.
- This particular developer is not trustworthy—they previously filed one plan with the City of Austin and advertised a completely different, and even higher density, plan on their website.
- Flooding in this neighborhood has already increased due to development. Increasing the density of new development will only make it worse.

Thank you for your consideration.

Kind regards,

Delaine Fedson Leonard, Harpist and Educator
University of Texas Butler School of Music
Faculty, Austin Community College
Suzuki Harp Teacher Trainer for Suzuki Talent Education of Hong Kong and the Americas

[redacted]
512-413-3152

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Fox, Kathleen

From: Sam Reicks [redacted]
Sent: Saturday, January 11, 2020 3:06 PM
To: Fox, Kathleen
Subject: 5010 Heflin Rezoning

*** External Email - Exercise Caution ***

Hello Kathleen Fox,

My name is Sam Reicks. I own 5006 Heflin Ln, which is the lot neighboring 5010 Heflin ln. I received notice of the planning commission meeting on January 14th to rezone 5010 heflin lane to Higher-Density single family. From what I understand in the documents below, it appears that they will not be deciding on the rezone on January 14th....
http://www.austintexas.gov/edims/document.cfm?id=333648
http://www.austintexas.gov/edims/document.cfm?id=333592

My understanding is that this request will be postponed indefinitely, and I will receive notification before it comes up again.... is that correct?

If it is going to be discussed, I am interested in speaking out against it, as well as mobilizing some neighbors with similar interests. Could you please confirm for me whether or not it will be decided/discusssed on January 14th?

I apologize, I don't have much practice in dealing with city politics and it's a little confusing what I need to do and when.

thank you!
Sam Reicks
641 780 6182
[redacted]

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Fox, Kathleen

From: Billy Fenske [redacted]
Sent: Saturday, January 18, 2020 8:59 AM
To: Fox, Kathleen
Subject: 5010 & 5102 Heflin Lane

*** External Email - Exercise Caution ***

Hi Kathleen,

I hope this email finds you well. I'm reaching out regarding the amendment to the neighborhood plan on 5010 & 5102 Heflin Lane. My property is at 4401 Elmsgrove which is directly adjacent to the property in question. I would like to voice my strong opposition to this plan. The redevelopment of this land that is directly touching a dozen different properties, all at close proximity, would be very bad for this neighborhood. This is a quiet neighborhood that we chose specifically for the calmness away from other over-developed areas in the city. In addition, many of our neighbors have been in the neighborhood for years and have voiced their negative opinions to more change. Lastly, the property is currently heavily wooded and we appreciate not only the rustic value it adds to our property but also the safe haven it provides much of the wildlife in the area who have already seen much of their habitats destroyed. I understand the public hearing has occurred this week which I was unable to attend as my wife is 7 months pregnant and we've experienced complications in the past 2 weeks. Please consider our opinion before this is voted by the council.

Thanks,

Bill Fenske
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Fox, Kathleen

From: Rogers, Jen [redacted]
Sent: Friday, January 10, 2020 3:03 PM
To: Fox, Kathleen
Cc: monica kurtz
Subject: Case Number NPA-20190015.01

Importance: High

*** External Email - Exercise Caution ***

Kathleen,
My name is Jennifer B. Rogers and my address is 5113 Woodmoor Drive, Austin, Texas 78721. I write today regarding Case Number: NPA-2019-0015.01, Contact: Kathleen Fox, 512-974-7877, Public Hearings: January 14, 2020 – Planning Commission.

I write today to express my opposition to the requested change in land use designation within the East MLK Combined Neighborhood Plan from Single Family to Higher Density Single Family.

My primary opposition is related to the change in zoning greatly impacting the quality of the surrounding neighborhoods. As you know, East Austin has traditionally been the community that has been forced to create its own identity without support from Austin leadership. And so we have. We have created single family neighborhoods where families live for generations, passing on the properties that were purchased when the neighborhood was built and handed down to future generations. This neighborhood is one of the first places that black professionals were encouraged to create family neighborhoods and encouraged to create an environment within which they could launch their children successfully into the world. This has not been an easy path but it has been consistent. I feel honored to live among these amazing people who created such a wonderful pocket of neighborly folks.

Also of concern is the lack of transportation mitigation already impacting Webberville/Tannehill and Heflin Lane/Springdale/MLK. So many new communities have been built in the surrounding area already that traffic has increased exponentially along the aforementioned streets. Currently, the MLK/Springdale/Heflin intersection is deluged with new traffic and the associated difficulties of a five-way intersection. The Webberville/Tannehill road traffic has increased significantly due to traffic coming across 183/Ed Bluestein on 969, looking to find a way around that congestion, they are travelling down Tannehill to Webberville (at very high speeds, note the recent addition of multiple speed bumps) and creating backups on Heflin. The addition of approximately 140 cars to this area will only exacerbate the problems that are already occurring without mitigation. At this time approximately 2-3 cars are able to clear Heflin Lane turning onto MLK at any given green light. Add another 140 cars trying to head to work in the morning and traffic has become impossible which will inevitably lead to increased recklessness on the part of drivers trying to make it through before the light changes.

Of significant issue in this area is also the floodplain. This area has experienced significant flooding in the past that took the life of one child. Adding a significant amount of impervious cover to the area will not improve that situation. Indeed, the new floodplain map crosses right through and smacks right up against the proposed development. What happens when the floodplain map is updated in another five years and half of these properties end up in the flood zone?

Finally, my objections include climate change. Our green space is of great concern and should be protected in all ways. At the moment, Australia is burning, the Amazon is burning, and we need every blade of grass and every bush and every

tree on the planet to help control green house gasses. Our city is becoming hotter every year and reducing impervious cover is not the way to help that situation.

Currently, the developer is allowed to build up to about 40 homes on this property with zero zoning changes. This will cause significant enough impacts on the neighborhood without the need to change anything.

My name is Jennifer B. Rogers and I own my home at 5113 Woodmoor Drive, Austin, Texas 78721 and I strongly oppose changing the land use designation requested by the developer Heflin Phase I LLC.

Thank you for your time and attention to my concerns,
Jennifer

Jennifer B. Rogers, CP
Certified Paralegal

HUSCH BLACKWELL LLP
111 Congress Avenue,
Suite 1400
Austin, TX 78701-4093
Direct: [redacted]
Fax: [redacted]

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Case Number: NPA-2019-0015.01
Contact: Kathleen Fox, 512-974-7877
Public Hearings: May 26, 2020 - Planning Commission
Jun 04, 2020 - City Council

☐ I am in favor
☒ I object

Kylene Reese
Your Name *(please print)*

1902 Webberville Road, Unit A
Your address(es) affected by this application

Kylene
Signature

5/20/20
Date

Comments: Please don't ruin our quiet neighborhood! I love the trees and birds in my yard and those won't exist anymore w/ this plan

---------- Forwarded message ----------
From: Sam Reick[redacted]>
Date: Jun 23, 2020, 11:23 AM -0500
To: [redacted]
Subject: Remarks on the rezoning of 5010 & 5102 Heflin lane

The attempt to rezone this land is frustrating on many levels. I would like to speak vehemently against the rezoning of this lot for multiple reasons.

1. District 1 (this district) was specified in the 1928 Master plan as the "Negro District"… Throughout Austins horrible history of racism and redlining, black people were forced into east side neighborhoods, like this one. Now as the east-side including district 1 have become popular, those people who have been forced to live here, are now being forced to leave through gentrification. Building a development such as this one in this community will accelerate the rate of gentrification immensely pushing out more and more people of color who have spent generations building a community here because they weren't allowed to anywhere else.
2. The rezoning of this lot has been attempted repeatedly in the past. At each attempt the neighborhood has spoken out against the rezoning. The developers are adamant to push this through in spite of the will of the community. The only reason I can understand that they do not stop is that they assume with enough effort and money they can override the will of the community. This decision needs to be made in the interest of the community and not because the applicant is incessant and can afford good lawyers.
3. This neighborhood is NOT in the center of Austin we are a little bit further out and enjoy the space and speed of living in a smaller neighborhood, with the scale of construction they are applying for, we will lose all of our green space and be packed in in a way that does not fit the neighborhood.
4. 2-3 blocks away is Rob-Scott st, where they've been working on a housing development for a decade or so. Progress has been slow as there hasn't been an appetite for the new housing in this neighborhood. On top of that, with the current covid-19 epidemic there are questions about the future interest in dense-fill housing, now above all is not a time when increased density is needed.
5. Fort branch creek has a history of flooding, and many houses near it, including this site itself are in a flood zone. 1 of the biggest things that prevents flooding is the green grass and woods buffer area that surround the creek improving the watersheds ability to absorb water in flood-events. The entirety of these lots sit in this valuable flood-absorption area and are currently full of grassland and trees. Any development on this land will hurt our ability to absorb floodwaters, but a high-density development as they are proposing will exacerbate it entirely, replacing grass and trees with impermeable concrete and condos.

I implore the council to reject this rezoning. It clearly does not fit this community and the developers are trying to buy their way out of that clear fact.

Thank you,
Sam Reicks
6417806182

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Case Number: NPA-2019-0015.01
Contact: Kathleen Fox, 512-974-7877
Public Hearings: Jun 23, 2020 - Planning Commission
Jul 30, 2020 - City Council

☐ I am in favor
☒ I object

SAM AUSTIN
Your Name *(please print)*

4402 BLUMGROVE DRIVE
Your address(es) affected by this application

Signature

1 JULY 2020
Date

Comments: WE DO NOT NEED OR WANT HIGHER DENSITY HOUSING IN A NEIGHBORHOOD ALREADY IMPACTED BY OTHER QUALITY OF LIFE ISSUES.