

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: East Riverside/Oltorf Combined

CASE#: NPA-2020-0021.02

DATE FILED: July 21, 2020 (In-cycle)

PROJECT NAME: 1100 Manlove St.

PC DATE: December 8, 2020
November 24, 2020

ADDRESS: 1100 Manlove St.

DISTRICT AREA: 9

SITE AREA: 0.3567 acres

OWNER/APPLICANT: Schuler Family Trust of 1998

AGENT: Husch Blackwell, LLP (Nikelle Meade) – Agent as of September 24, 2020
(Agent at time application was filed on July 21, 2020 – Thrower Design (Ron Thrower & Victoria Haase))

CASE MANAGER: Maureen Meredith, Housing and Planning Dept.

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.meredith@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: C14-2020-0081

From: SF-3-NP

To: NO-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: November 16, 2006

PLANNING COMMISSION RECOMMENDATION:

December 8, 2020 – Motion by Commissioner Shieh, seconded by Commissioner Llanes Pulido to grant Neighborhood Mixed Use for NPA-2020-0021.02 - 1100 Manlove Street located at 1100 Manlove Street failed on a vote of 6-1. Those voting aye were Chair Shaw, Vice-Chair Hempel and Commissioners Shieh, Llanes Pulido and Connolly, and Schneider. Commissioner Anderson voted nay. Commissioners Azhar, Thompson and Howard abstained. Commissioners Seeger and Flores absent. One vacancy on the Commission.

Item forwarded to Council without recommendation due to lack of an affirmative vote.

November 24, 2020 – Postponed on the consent agenda at the request of the neighborhood to December 8, 2020. [P. Seeger – 1st; P. Howard – 2nd] Vote: 9-0 [T. Shaw, J. Shieh and Y. Flores absent. One vacancy].

STAFF RECOMMENDATION: To deny applicant's request for Neighborhood Mixed Use land use.

BASIS FOR STAFF'S RECOMMENDATION: The request to change the land use on the future land use map from Single Family to Neighborhood Mixed Use is not compatible with the Goals, Objectives, and Recommendations of the neighborhood plan because the request is commercial encroachment into an established residential area, which the plan does not support.

The property is located at the end of a cul-de-sac in an established residential area. Converting the single family home to an office use would be encroachment into a residential neighborhood. For more information on the proposed zoning of NO-MU-NP, please see the associated zoning case report C14-2020-0081.

Land Use

Goal 1

Preserve and enhance the character of existing residential neighborhoods.

- R1 Retain single family uses in established single family neighborhoods (NPZD; Neighborhood).
- R2 Consider existing residential densities and current housing stock in future land use and zoning decisions to promote compatibility (NPZD; Neighborhood).
- R3 Promote and support compatibility between single family residences by (NPZD; Neighborhood):
 - retention of scale between structures regarding height, mass and impervious cover in both remodeling and new home construction.
 - encouraging City Council to incorporate the following recommendation developed by neighborhood stakeholders into their proposed Single Family Development Regulations:
 - Retain the existing scale and massing in new single family structures and remodels adjacent to residences and limit height to 35 feet, measured from existing grade of the adjacent residences.
- R4 The significant canopy created by the mature trees is a highlight of our planning area and especially of our traditional single-family neighborhoods. Therefore, whenever possible, mature trees should be preserved (Neighborhood).

Obj 1.1 Minimize the negative effects between differing intensities of uses by:

- R5 Requiring strict adherence to Compatibility Standards (NPZD).
- R6 Encouraging City Council to modify the Land Development Code to require compatibility standards between residential uses (including multifamily) and all office and commercial uses,

and require vegetative buffers of 25 feet within the setback (Neighborhood).

Obj. 1.3 Identify strategies to address code enforcement and maintenance issues for residential and commercial properties.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

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

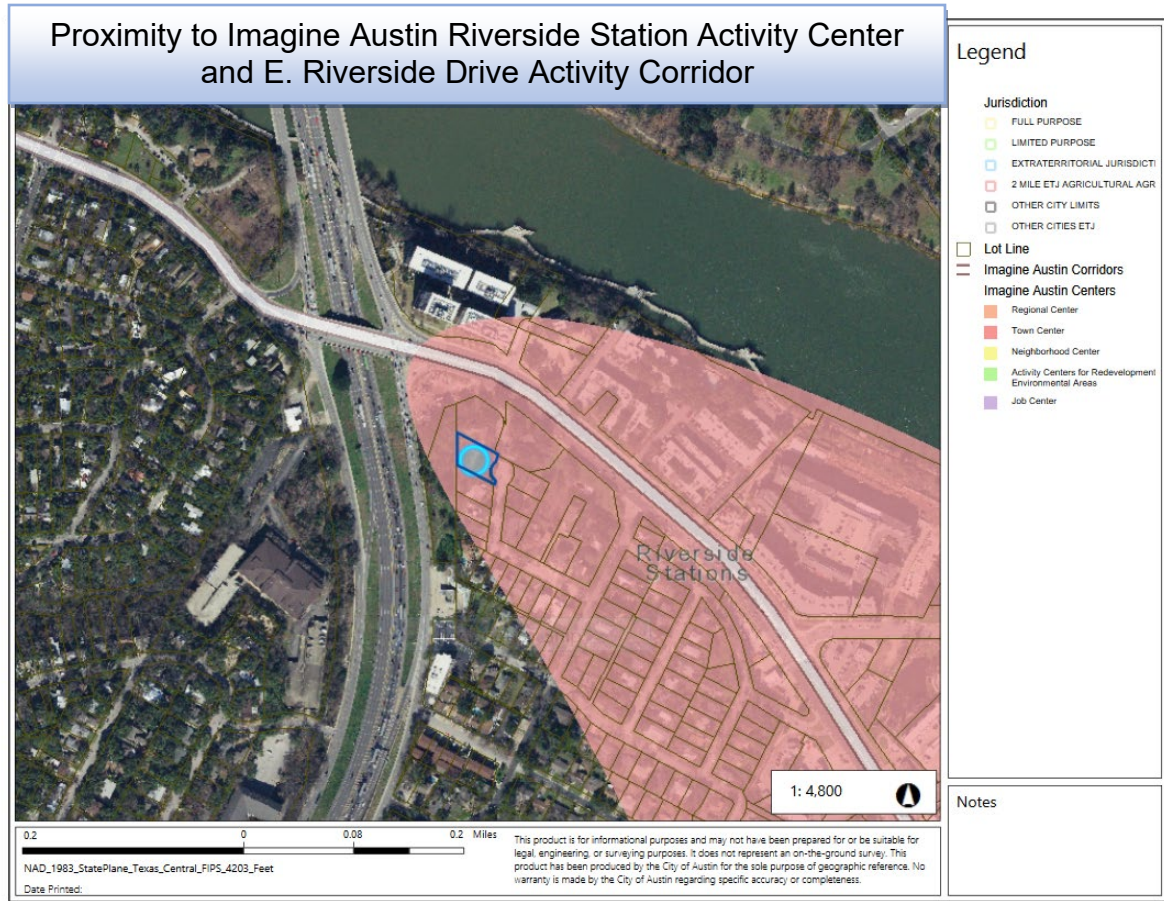
1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and

2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

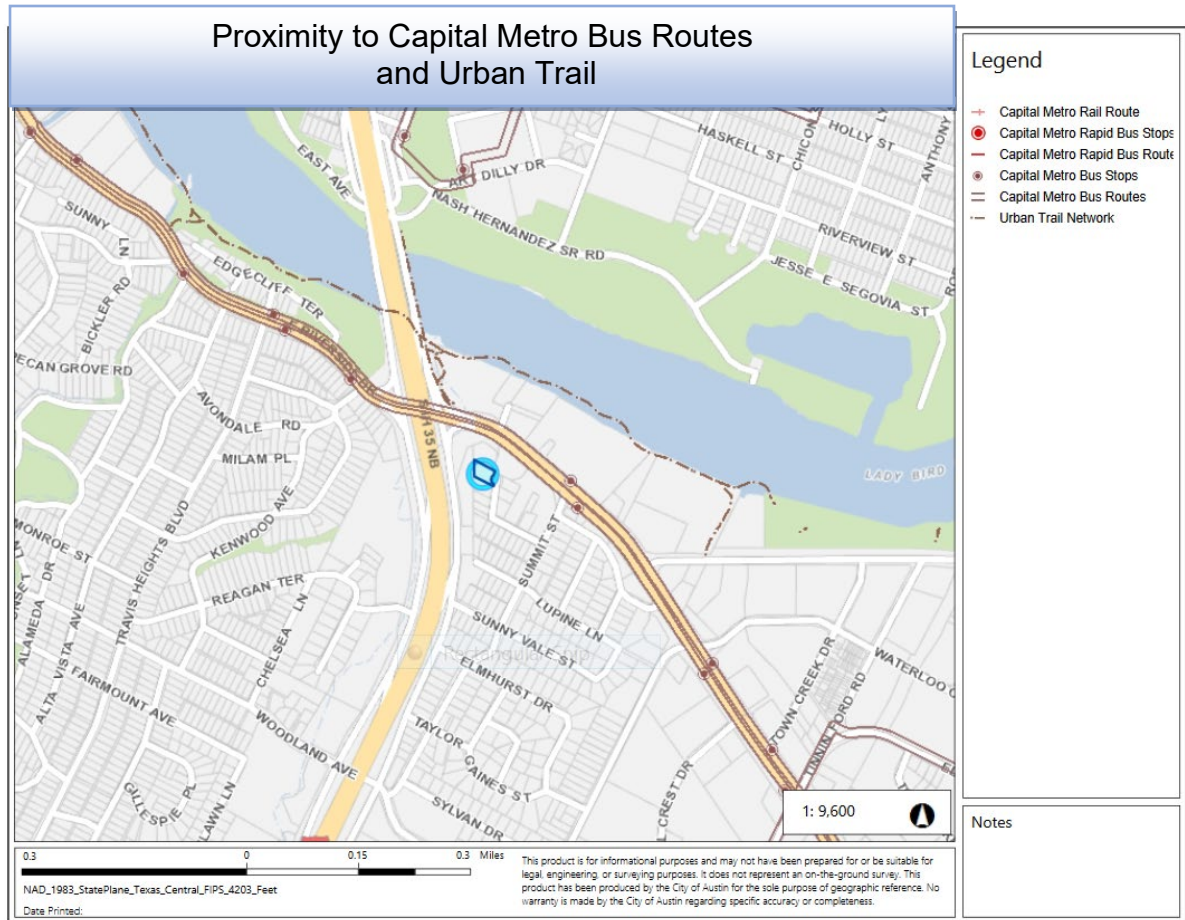
IMAGINE AUSTIN PLANNING PRINCIPLES

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 property is an existing single family home that the applicant proposes to rezone the property to NO-MU-NP. The proposed zoning would allow for additional residential units, although the applicant says no additional residential uses are proposed. The property is near East Riverside Drive activity corridor and within the Riverside Station activity center. East Riverside Drive has numerous businesses and has public transportation options.***
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 near East Riverside Drive activity corridor and within the Riverside Station activity center. East Riverside Drive has numerous businesses and has public transportation options.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***The property is not located on an activity corridor, although it is located within the Riverside Station Activity Center.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***The applicant's request for NO-MU-NP zoning could expand the number and variety of housing choices because the MU overlay allows residential uses, although the applicant states there are no plans to build additional residential uses as part of the rezoning.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***The property is located at the end of a cul-de-sac in a residential area, but on the edge of a commercial corridor. Singling out this one lot that is part of a cohesive residential area is not supported by staff.***
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 not located in an environmentally sensitive area such as the Drinking Water Protection Zone.***
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.
 - ***Not applicable.***
 8. Protect, preserve and promote historically and culturally significant areas.
 - ***There are not historic or cultural significance to this property.***
 9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
 - ***Not directly applicable.***
 10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - ***Not directly 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.
 - ***Not applicable.***







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

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

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

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

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

BACKGROUND: The plan amendment application was filed on July 21, 2020 which is in-cycle for neighborhood planning areas located on the east side of I.H.-35.

The request is to change the future land use map from Single Family to Neighborhood Mixed Use.

The proposed zoning change request to change the zoning on the property from SF-3-NP to NO-MU-NP to convert the existing single-family home to an administrative office to be used

in conjunction with the business at 1317 E. Riverside Drive, Time Insurance Agency. For more information on the associated zoning case, please see case report C14-2020-0081.

This is the second attempt to change the land use on the future land use on 1100 Manlove Street. On July 31, 2012, a plan amendment application was filed on the property requesting a change in the future land use map from Single Family to Neighborhood Mixed Use. No zoning change application was filed at that time. There was opposition to that proposed change. The applicant withdrew the plan amendment application on April 23, 2013 before either Planning Commissioner or City Council could act upon it.

PUBLIC MEETINGS: The ordinance-required virtual community meeting was held on October 15, 2020. Approximately 292 community meeting 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 through the Community Registry. Two staff members and Micah King from Husch Blackwell, the applicant's agent attended the meeting in addition to 27 people from the neighborhood.

To watch the recorded community meeting, please go to: <https://www.speakupaustin.org/npa>.

After staff made a brief presentation, Micah King gave a presentation and answered questions from attendees.

Micah King said he wanted to listen to your concerns and go back to the client to see what they can do to address them. The property owner has been there for 15 years. He wants to be a good neighbor and really wants to work with everyone. The plans for the property are to have an administrative office in the building to serve the existing building on 1317 E. Riverside Drive. He said he knows there are concerns about parking and traffic on the property. There will be no driveway from the property to the office on E. Riverside Drive and they will agree to prohibit that and will not have parking on the street. The structure will serve the office workers and not the clients.

Micah presented the difference in site development standards between the SF-3 zoning and the proposed NO-MU zoning noting that there was not much difference. *See site development standards chart in his presentation in this report.* He said NO – Neighborhood Office zoning is appropriate for placement within a neighborhood. In terms of height, under SF-3 the maximum height is 35 feet. For NO the proposed is 35 feet or two stories. Setbacks 25 feet front and 15 from street side yard, so there is no change. Rear yard set-back is 5 feet.

He said NO is a very appropriate request because it is the least intensive commercial zoning. Compatibility standard would be triggered by the adjacent SF-3 zoning so it will limit what can be built on the property. Compatibility standards would limit what could be built if the structure would to be demolished. Off-street parking and lighting would be screened and there would be noise restrictions such as mechanical noise.

The way around compatibility standards, but it is not something the applicant is proposing to use is the Affordability Unlocked. The property could be redeveloped with the density bonus without a zoning change if they satisfied the affordability requirements. They could build six to eight units depending on level of affordability. There would be no compatibility standards, no maximum FAR and they could go taller under SF-3 than under the proposed NO zoning.

After his presentation, the following questions were asked:

Q: I believe the owner has overall plans to combine the properties and sell it. But why doesn't he just expand his existing commercial property because the lot is big enough to expand on instead of rezoning this home at 1100 Manlove Street?

A: It would be a big financial decision to expand on the existing property especially in these economic times. Why not take advantage of what is existing. You said you believe there is an overall plan for the owner to sell the property, but I can't predict the future on what will happen with the property, I can only talk about what the plans are now and they are not to do that. This is an expensive process. He would not be going through this process for no reason only to do it again six months later.

Q: The neighborhood has a clause that prohibits building more multifamily housing. Developers have built condos to get around this prohibition. This feels like the beginning of this. There are 17 employees listed on Linked In. I don't know why they need this property.

A. I don't know how many employees he has. Duplexes are allowed under the existing SF-3 zoning, but that is not his plans. Any property along the highway already has the zoning. NO- Neighborhood Office provides a little more certainty. We will do what we can to address your concerns. We want to provide safeguards for surrounding property owners.

Q: Did Mr. Schuler tell you about his previous plans in 2012 to develop this tract with property along IH-35?

A: Yes, we did discuss it briefly and I looked at the plans on the website. The zoning case was withdrawn because of neighborhood opposition. He is not planning on doing what he was proposing in 2012. He doesn't plan on demolishing the building. He plans to add some desks. People access the site from the parking area below.

Q. Can you put dumpsters on this property with this type of zoning? Can you have tattoo parlor at this property?

A. There are very strict conditions on where to place dumpsters on property. The size of a future structure would probably not necessitate a dumpster, but I don't know. I'll have to get back to you on this.

There can be no tattoo parlor in NO –Neighborhood Office zoning. There is always a possibility of a Restrictive Covenant for ways to enshrine agreements that aren't controlled by the Land Development Code. Perhaps we can do this with the neighborhood, such as entrance to parking garage, dumpster placement, parking and access. I don't know if Mr. Schuler would be willing to do this, but I can talk to him.

Q. Why doesn't he want to rent out the property as a single family home?

A: This hasn't been a home because it doesn't make sense for him to use it as a home. If he can't use it for an administrative office then what purpose would he keep it. He could sell it to a developer for affordable housing for six to eight units.

Q: What does he want to do with this property?

A: He wants to have an office.

Q: What are the planned changes to the property?

A: Anyone can demolish their home, but we don't want to see that. The zoning has nothing to do with demolition.

Comment: The 6-8 units component worries me.

Response: Six to eight units is what would be allowed already if he chose to do Affordability Unlocked under the current zoning, but that's not his plan which is why he is seeking to rezone.

Q. What are the environmental considerations for the Heritage Tree that exists on the property?

A. The Heritage tree ordinance would apply which prohibits removing tree unless the tree is dying or it could potentially hurt someone if it falls over. There are protections to the tree during construction.

Comment: Mr. Schuler has already turned numerous single family properties to commercial that are adjacent to our homes.

Response: I'll have to talk to him about that so I can get more information to understand your concerns.

Q. What guarantees do we have that he won't tear down after zoning change?

A: All I can say is that is not part of the plan right now. Anyone can get a demolish permit, so I can't provide guarantee it will survive for "X" number of years.

Q: Why do his employees need to work from the office? Is there a need for them all to be there? How much walk-in business do they get...isn't most of the business conducted by phone? What is the cost difference between renovating the property or providing his employees with a call service at their home number? Wouldn't this be more cost effective?

A: How someone wants to operate their business is something we should not be dictating.

Comment: The city will no longer enforce Public Restrictive Covenants. The neighborhood would need to pay a lawyer to enforce a Private Restrictive Covenant.

Response: The City will enforce Public Restrictive Covenants if they are a party to them, but Private Restrictive Covenants are not enforced by the City. However, conditional overlays could be use and those are enforced by the City.

Comment: It sounds like you are using Affordability Unlocked as a threat.

Response: No, this is not a threat. I brought it up to highlight what could be developed there in the future and Affordability Unlocked could be more intense than what we are proposing with the NO- Neighborhood Office zoning. Affordability Unlocked was approved by City Council to address our lack of affordability housing. This is a policy that the City decided upon, but it's not what we propose to do.

Q: Could he use this property as access to his I.H.-35 property?

A: That is not clear because under the Land Development Code because you have restrictions based on curb cuts and it is a feeder road. I'll have to look this up.

Q: You said the purposed NO – Neighborhood Office zoning is to serve the neighborhood. How is Mr. Schuler's business serving the neighborhood?

A: Insurance is something people everywhere would need, even people in the neighborhood. The description of the NO zoning in the Code says, "*Neighborhood Office district is the designation for a small office use that serves neighborhood or community needs, is located in or adjacent to a residential neighborhood and on a collector street that has a width of 40 feet or more, and does not unreasonably affect traffic*". I was talking about compatibility with the intent of the zoning district of NO – Neighborhood Office. The property backs up to commercial property. A big structure is not allowed under the NO zoning.

Q: Under Code Next the intent was to remove conditional overlays, so if any CO applied to this property would it be gone if Code Next passes?

A: If new Code is adopted, there is no provision for more Conditional Overlays (CO), but my understanding is any CO would be given a placeholder zoning of F25 zoning and would be there until a future City Council would take action on that zoning change or through a planning process that would change that zoning.

Q: He bought the 1100 Manlove Street as a single-family house. Is he running out of space in his office building on Riverside Drive? Neighborhood concern is how it effects Manlove Street, but how to enforce if people want to drive on Manlove Street to access the property? Also, if there were an agreement that people would park at the office on E. Riverside Drive, what if he sold the Manlove property after it was rezoned and then there is no parking for the business?

A: The Manlove property would have to stay as part of the larger tract if we were to enshrine those restrictions to not allow vehicular access.

Comments:

- We don't want a commercial property on the end of a dead-end street.
- Whoever buys the property, could put all the services deliveries in the back and have garbage trucks in our neighborhood. It doesn't matter what promises are, but what could be done.
- Don't want to live, someday, in the SHADOW of large condo complex...& have views blocked
- This property sought another zoning change trying to integrate it into it being part of the larger property.

- Ultimately, this is a residential neighborhood. The neighbors do not want an office - it sets a dangerous precedent and opens the door for further expansion. We live here. He does not. If he wants to live there, great! Otherwise sell it so someone else can.

CITY COUNCIL DATE:

ACTION:

December 10, 2020

Postponed to January 27, 2021 at the request of the neighborhood. [A. Kitchen- 1st; P. Ellis – 2nd]. Vote: 11-0

January 27, 2021

Postponed to March 25, 2021 at the request of the applicant. [A. Kitchen – 1st; P. Ellis – 2nd] Vote: 9-0 [K. Tovo recused. G. Cesar off the dais].

March 25, 20201

New Agent Authorization Form for Husch Blackwell, LLC
(Nikelle Meade)

5, 2021

The Schuler Family Trust of 1998
1405 E. Riverside Dr.
Austin, Texas 78741-1137

AGENT DESIGNATION LETTER

September 24, 2020

City of Austin
Planning and Zoning Department
505 Barton Springs Road
One Texas Center
Austin, Texas 78704

Re: C14-2020-0081 and NPA-2020-0021.02; Rezoning and Neighborhood
Plan Amendment Applications and related matters for property located at
1100 Manlove Street in Austin, Travis County, Texas 78741 (the
"Property")

To Whom It May Concern:

The undersigned, as the owner of the above-referenced Property, hereby appoints Husch
Blackwell LLP (Nikelle Meade), as agent in connection with the rezoning, neighborhood plan
amendment and any related matters with the City of Austin.

The Schuler Family Trust of 1998

By:

John Schuler

Date:

9/24/2020

HB: 4851-3847-1884.1



July 16, 2020

Maureen Meredith
Senior Planner

Heather Chaffin
Senior Planner

Planning & Zoning Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

Re; Neighborhood Plan Amendment & Rezoning Applications - 1100 Manlove Street.

Dear Maureen & Heather –

On behalf of the Owner, we submit the attached Neighborhood Plan Amendment and Rezoning applications for the property located at 1100 Manlove Street. The property is 0.356 acres legally described as Lot 3, BLK A BURNEYS RESUB BELLVUE PARK RESUB and is located on the block south-east of the intersection of Riverside Drive and I-H35.

The property is within the East Riverside Planning Area and is designated for Single-Family future land use. The application is submitted to amend the Future Land Use Map for this property from *Single-Family* to *Neighborhood Mixed Use*. A successful FLUM amendment to *Neighborhood Mixed Use* will allow for a rezoning of the property from SF-3-NP to NO-MU-NP.

The property owner of this subject tract also owns the tract of land that is immediately to the north, fronting Riverside Drive at 1317 E Riverside Drive whereby the current use is administrative/business office use. The proposal is to allow the existing house at 1100 Manlove to provide additional office space to support the current business operations at 1317 E Riverside Drive in the pandemic crisis that is requiring social distancing. This additional office space will allow the property/business owner to provide a safe workspace for his current business

P.O. BOX 41957, AUSTIN, TEXAS 78704

operations. The existing residential structure will be repurposed only. Even so, redevelopment of the property would be significantly hindered by a 65-inch live oak at the front (yard) of the property. As such the request is congruent with this element of the proposal is congruent with the desire stated in the Neighborhood Plan to preserve the character of the single-family homes.

As per the East Riverside Neighborhood Plan goals, a balanced mix of uses is encouraged so long as uses do not adversely affect the adjacent residential neighborhoods. The Neighborhood Plan Amendment and Rezoning will not adversely impact the neighbors on Manlove Street as the proposed administrative & business office use is a quiet, non-residential uses and vehicular parking will be provided on the lot at 1317 E Riverside Drive. The property on E. Riverside Drive does not have vehicular access to Manlove and therefore will have little, if any, vehicular activity on Manlove Street.

Goal 1, Objective 1.1 – R7 encouraged retention of office uses as a transition between commercial and residential uses. A successful NPA and Rezoning will provide a graded transition in land uses that does not exist today between the least intense single-family uses and the most intense commercial uses fronting Riverside Drive. The Neighborhood Office (NO) zoning district is the least intense office use while the Mixed Use (MU) overlay will allow the property to retain residential uses for the future.

In summary, the conditions of the edge of the planning area have changed in that there is greater intensity of uses as proposed with the East Riverside Corridor Plan. Sound land planning principles direct that there be a transition in zoning districts and uses as a natural way to provide compatibility among uses. The requests with this application will achieve the much-needed transition along the southern edge of E. Riverside Drive at this location.

We respectfully request your support for both the Neighborhood Plan Amendment and the Rezoning. Please reach out to me by phone or email for any questions or concerns you may have.

Thank you,



Victoria Haase

**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

From: Malcolm Yeatts

Sent: Sunday, November 15, 2020 5:39 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Clark, Kate
<Kate.Clark@austintexas.gov>

Cc: 'Toni' <

Subject: NPA-2020-0021.02

*** External Email - Exercise Caution ***

The EROC Contact Team has voted to oppose the Neighborhood Plan Amendment NPA-2020-0021,02. The reasons for this opposition are included in the attached document. Please send this document to the Planning Commission. The EROC Contact Team would like to request a postponement of the Planning Commission hearing to Tuesday, December 22. The neighborhood has collected almost enough signatures for a Valid Petition, but there has been a recent change in ownership of the two houses close to this property, and the neighborhood has not been able to contact the new owners yet.

Malcolm Yeatts Chair, EROC Contact Team

To: Case Managers Maureen Meredith, Kate Clark

Re: 1100 Manlove Street - Zoning Case C14-2020-0081 and NPA Case No. NPA-2020-0021.02

In response to the referenced zoning and NPA cases, the EROC NPCT has voted to oppose the Neighborhood Plan Amendment and to support the neighborhood in its opposition to the zoning change.

The Contact Team does not support a *permanent change* to its Future Land Use Map in order to address a *temporary issue* for the sole benefit of the property owner. The granting of these Applications will set a bad precedent, not just for the EROC NPA, but for all neighborhood planning areas in Austin.

The zoning change would be a grant of special privilege to an individual owner which would result in spot zoning within the neighborhood.

During the October 15, 2020 Community Meeting, Applicant failed to adequately explain why such a change is truly necessary. Applicant owns three acres of ERC-zoned property directly below 1100 Manlove. Most of the ERC property is undeveloped except for the structures he is currently using for his business. There is ample room for him to expand his business on the already ERC-zoned property.

The requested NPA and zoning change conflict with the EROC NP FLUM and the EROC NP's No. 1 goal to "[p]reserve and enhance the character of existing residential neighborhoods."

Furthermore, 1100 Manlove is not a collector street. The fact that Applicant's business is located directly below Manlove clearly shows that the proposed use does not serve a neighborhood need.

As to applying a conditional overlay or restrictive covenant to the property, there is no guarantee that any CO or RC with the City would be enforced in the future, much less remain in force should the property be sold.

Applicant's claim that the house hasn't been used as a residence during the ten years he's controlled it was his choice. The addition of 17 new dwellings on Manlove and Inglewood since 1999 proves that the best use of the property is residential. The two newest additions to Manlove sold within days of being posted.

Please deny both the NPA and zoning applications and include this email in the back-up for the referenced zoning and NPA cases. Thank you.

Postponement Request by Neighborhood

From: Toni

Sent: Tuesday, January 26, 2021 11:29 AM

To: Clark, Kate <Kate.Clark@austintexas.gov>

Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Adria & Ron Ann Kettner Haraguchi Dean Haraguchi islandbreeze98@; Chris Cavello Vivé <vivegriffith@ Jeff Taylor <>>; Henning Schmidt Landis Coulbourn Alexandra Aponte baselbb@; Lynn Barmada Malcolm Yeatts Dan Fredine gayle goff

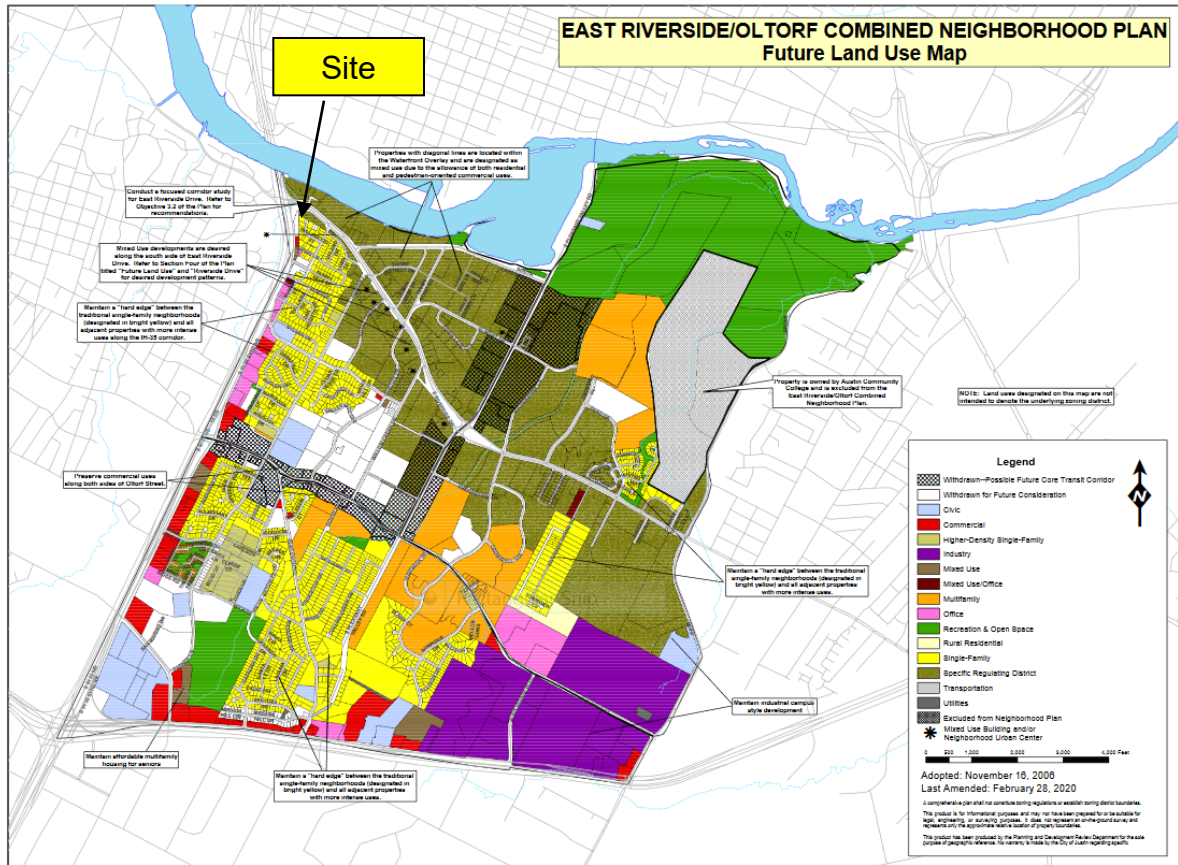
Subject: C14-2020-0081 - 1100 Manlove - Request for Postponement

*** External Email - Exercise Caution ***

During the time between the Oct. 15th Community meeting and the Planning Com'n hearing, Applicant made no effort whatsoever to contact any of the neighbors to attempt to reach a compromise. Since the Planning Commission hearing on December 8th, Applicant has made no efforts to contact any of the affected owners. If he had something to offer, he's had ample time to do so. During the Dec. 8th Planning Commission meeting the applicant was asked if he could wait and meet again with the neighborhood to come to an agreement, and he said no. He felt that ship had sailed. What has changed since then?

Should we agree to not contest the postponement, we expect the same courtesy from Applicant should we ask to postpone the March 25 setting. Will he agree to this request?

Toni House
1503 Inglewood Street
Austin, TX 78741
512.447.8090





East Riverside/Oltrof Combined (Riverside) Neighborhood Planning Area NPA-2020-0021.02

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

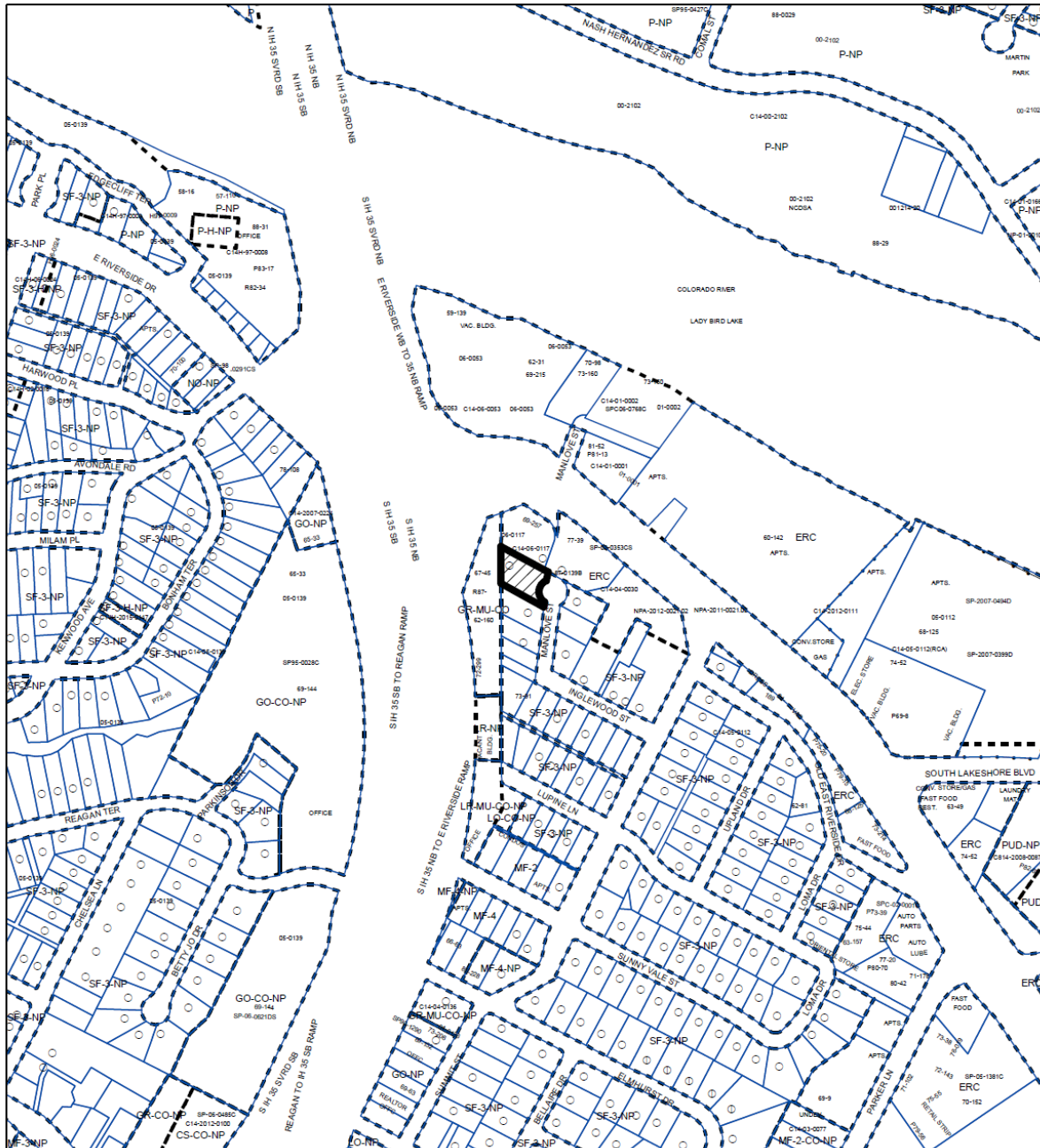
This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



City of Austin
Planning and Zoning Department
Created on 7/27/2020, by: meredithm

Future Land Use

	500 ft. notif. boundary		Specific Regulating District
	Subject Property		Office
	Single-Family		Mixed Use/Office
	Higher-Density Single-Family		Civic
	Multi-Family		Recreation & Open Space
	Commercial		Transportation
	Mixed Use		Excluded from FLUM



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

ZONING

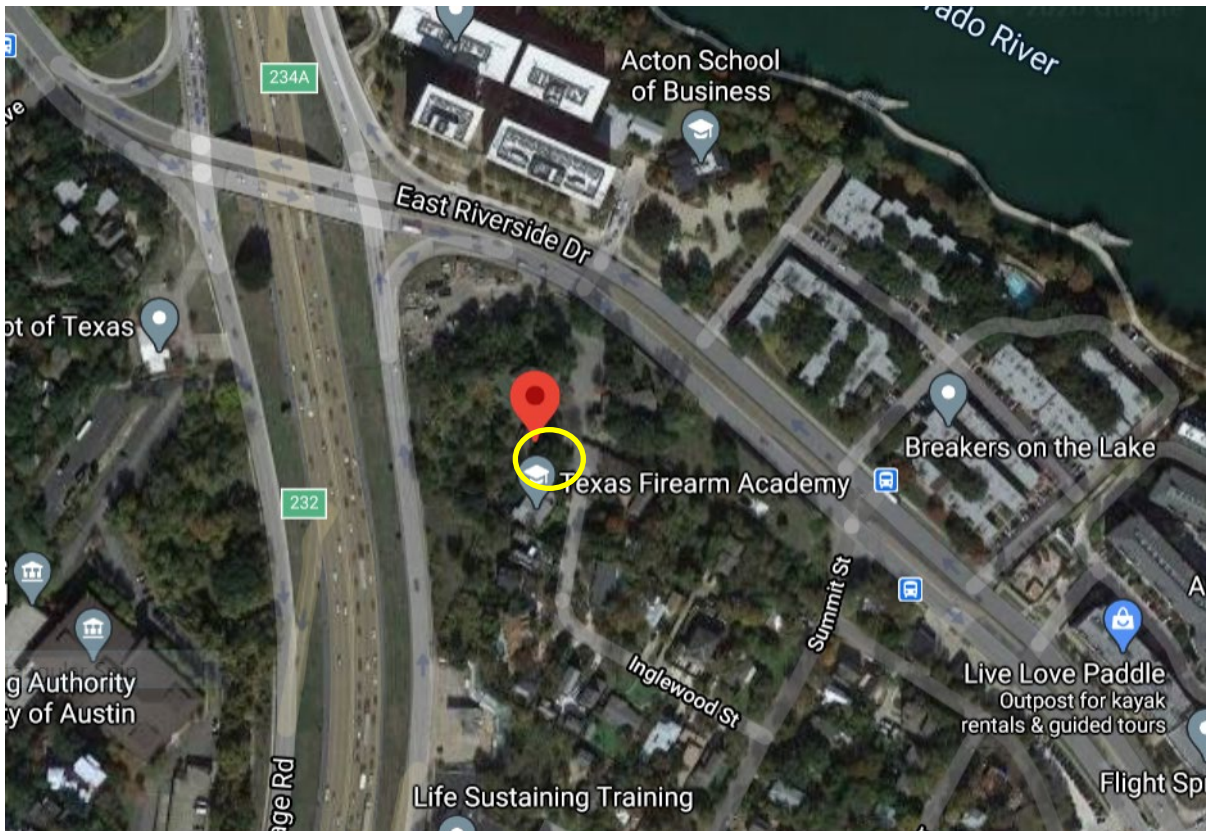
ZONING CASE#: C14-2020-0081

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

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



Created: 7/22/2020





Applicant's October 15, 2020 Community
Meeting Presentation at

1100 MANLOVE STREET

Neighborhood Meeting
October 15, 2020

PLANS

- ❖ No ingress / egress to and from Manlove Street.
- ❖ No parking next to residential; parking on Riverside Drive.

COMPARISON OF SITE DEVELOPMENT REGULATIONS

SF-3

Family Residence

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

Site Development Standards

Lot		Massing	
Minimum Lot Size	5,750 sq ft	Maximum Height	35 ft
Minimum Lot Width	50 ft	Minimum Setbacks	
Maximum Units Per Lot	1	Front yard	25 ft
Maximum Building Coverage	40%	Street side yard	15 ft
Maximum Impervious Cover	45%	Interior side yard	5 ft
		Rear yard	10 ft

NO

Neighborhood Office

Neighborhood Office district is the designation for a small office use that serves neighborhood or community needs, is located in or adjacent to a residential neighborhood and on a collector street that has a width of 40 feet or more, and does not unreasonably affect traffic. An office in an NO district may contain not more than one use. Site development regulations applicable to an NO district use are designed to preserve compatibility with existing neighborhoods through renovation and modernization of existing structures.

Site Development Standards

Lot		Massing	
Minimum Lot Size	5,750 sq ft	Maximum Height	35 ft
Minimum Lot Width	50 ft		or 2 stories
Maximum Building Coverage	35%	Minimum Setbacks	
Maximum Impervious Cover	60%	Front yard	25 ft
Maximum Floor Area Ratio	.35:1	Street side yard	15 ft
		Interior side yard	5 ft
		Rear yard	5 ft

COMPATIBILITY STANDARDS

- ❖ No structure within 25' of adjacent residential properties.
- ❖ Max. 2 stories / 30' within 50' of adjacent residential properties.
- ❖ Min. 25' front setback.
- ❖ Screening requirements for:
 - ❖ Off-street parking;
 - ❖ Placement of mechanical equipment;
 - ❖ Storage; and
 - ❖ Refuse collection.
- ❖ Shielded exterior lighting.
- ❖ Restriction on noise.

AFFORDABILITY UNLOCKED

- ❖ Already allowed under existing zoning.
- ❖ Could provide 6 – 8 dwelling units.
- ❖ Would waive Compatibility Standards.
- ❖ Would reduce front setback by 50%.
- ❖ Would waive max. Floor-Area-Ratio.
- ❖ Would waive Residential Design and Compatibility Standards (except side setbacks).
- ❖ Could increase max. height by 1.25x to 1.5x more than currently permitted.

From: Ann Kettner Haraguchi
Sent: Sunday, November 08, 2020 10:17 AM
To: Ann Haraguchi <
Cc: Clark, Kate <Kate.Clark@austintexas.gov>; Meredith, Maureen
<Maureen.Meredith@austintexas.gov>; Dean Haraguchi
Subject: Neighborhood Opposition: Zoning Case No. C14-2020-0081 and NPA Case No. NPA-2020-0021.02, 1100 Manlove Street, Austin, TX

*** External Email - Exercise Caution ***

Dear Planning Commission Member,

I live at 1106 Manlove Street and am writing to express my **opposition to the proposed rezoning of the property at 1100 Manlove Street**, which is three doors down from my home. (Zoning Case No. C14-2020-0081 and NPA Case No. NPA-2020-0021.02)

The owner of this property, and applicant for the zoning change, argues that he needs to use the existing residential home at 1100 Manlove Street as an office space. I think he desires to incorporate this residential piece of land into a much larger commercial development plan for the large swath of property he owns along the I-35 access road and Riverside Drive. I believe changing the zoning from residential to "neighborhood office" is the first step in this direction.

It makes no sense to me that the applicant's business space is so crowded with employees during the COVID-19 pandemic that he requires overflow into the space of 1100 Manlove Street, a house on a quiet cul-de-sac. If he needs to encourage social distancing among his employees, he can use the other residential building next to Time Insurance, or he can have his employees work remotely from home during the COVID pandemic crisis, as have many other Austin businesses. There is no need to rezone 1100 Manlove Street as an office building for this temporary public health situation.

Our neighborhood is a residential neighborhood with single-family homes. Having a "neighborhood office" on a cul-de-sac does not contribute in any way to the quality of the neighborhood and would benefit nobody but the applicant. In short, rezoning would go against one of the stated goals of the EROC NP:

Preserve and enhance the character of existing residential neighborhoods.

I worry that if the property at 1100 Manlove is rezoned as a "neighborhood office," it will lead to other similar rezoning attempts that will change the **fundamental residential nature** of the neighborhood. In the two years that I have lived on Manlove Street, I have witnessed healthy growth of the neighborhood, with new homes built and new families moving in. Our neighborhood consists of single-family homes in a larger area of commercial and multi-family residences and should be preserved as such.

Thank you for your consideration of this matter.

Ann Haraguchi, Homeowner
1106 Manlove Street
Austin, TX 78741
(415) 939-5745

From: Clark, Kate
Sent: Tuesday, November 10, 2020 11:42 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Toni
Subject: RE: 1100 Manlove Street - Zoning Case C14-2020-0081 and NPA Case No. NPA-2020-0021.02

Toni,

For zoning cases we try and post the sign when residents receive the Notice of Filing. Because this case was submitted earlier this year, the sign was posted on August 14, 2020.

Kate Clark, AICP, LEED AP

Senior Planner

City of Austin | Housing and Planning Department

Mailing Address: P.O.Box 1088, Austin, Texas 78767

Physical Address: [505 Barton Springs Rd, 5th floor, Austin, Texas 78704](#)

Tel: 512-974-1237

Email: kate.clark@austintexas.gov

From: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Sent: Tuesday, November 10, 2020 11:02 AM
To: Toni <>; Clark, Kate <Kate.Clark@austintexas.gov>
Subject: RE: 1100 Manlove Street - Zoning Case C14-2020-0081 and NPA Case No. NPA-2020-0021.02

Toni,

There are no requirements for plan amendment applications to have a sign posted on the property. There is a requirement for zoning changes, but I'll let Kate respond with more details.

Maureen

From: Toni <

Sent: Tuesday, November 10, 2020 10:43 AM

To: Clark, Kate <Kate.Clark@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: 1100 Manlove Street - Zoning Case C14-2020-0081 and NPA Case No. NPA-2020-0021.02

*** External Email - Exercise Caution ***

Have the regulations regarding posted public notice of zoning cases changed? Are notices of neighbor plan amendments required to be publicly posted on the property? There haven't been any notices posted on 1100 Manlove when I've walked by (albeit not every day) and there still aren't this morning.

Toni House

1503 Inglewood St.

Austin, TX 78741

512.447.8090

From: snowdavel@

Sent: Thursday, November 12, 2020 10:24 AM

To: Thompson, Jeffrey - BC <bc-Jeffrey.Thompson@austintexas.gov>; Anderson, Greg - BC <bc-Greg.Anderson@austintexas.gov>; Schneider, Robert - BC <BC-Robert.Schneider@austintexas.gov>; Seeger, Patricia - BC <bc-Patricia.Seeger@austintexas.gov>; Shaw, Todd - BC <BC-Todd.Shaw@austintexas.gov>; Howard, Patrick - BC <BC-Patrick.Howard@austintexas.gov>; Hempel, Claire - BC <BC-Claire.Hempel@austintexas.gov>; Azhar, Awais - BC <BC-Awais.Azhar@austintexas.gov>; Llanes, Carmen - BC <bc-Carmen.Llanes@austintexas.gov>; Shieh, James - BC <bc-James.Shieh@austintexas.gov>; Flores, Yvette - BC <bc-Yvette.Flores@austintexas.gov>; Teich, Ann - BC <BC-Ann.Teich@austintexas.gov>

Cc: snowdavel@; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Clark, Kate <Kate.Clark@austintexas.gov>

Subject: Zoning Case No. C14-2020-0081 and NPA Case No. NPA-2020-0021.02...1100 Manlove St

*** External Email - Exercise Caution ***

From: Dave Snow
Sent: Wednesday, November 11, 2020
To: Austin Planning Commission members
Cc: Dave Snow
Subject: Zoning Case No. C14-2020-0081 and NPA Case No. NPA-2020-0021.02...1100 Manlove St

This letter is in regards to the request to change the zoning for 1100 Manlove St from SF3 to Neighborhood Mixed Use (Zoning Case No. C14-2020-0081 and NPA Case No. NPA-2020-0021.02) that will be heard at the Planning Commission on November 24, 2020. I'd like to state my strongest objections to this proposal. This request should be denied for the reasons noted below.

My wife and I own the home at 1506 Lupine Lane, a block and a half south of the proposed change. Our land (two city lots) has been in my family since my mom and dad (Azalee and Ruel Snow) purchased it in 1946. They built a garage apartment there in 1949, added a house in 1953, and added on to the house in the early 1960s. My wife and I remodel the house in 2010 and remodeled and rented the garage apartment in 2011. My wife and I live half the year in this home. During this 70-plus year period, the entire neighborhood has been devoted to single family housing built largely in the 1940s, 1950s and 1960s.

Today the neighborhood is occupied by a few original homeowners but in recent years we have seen a renaissance of home remodeling and building by families who see value and character in the well-constructed homes in this area of Austin.

In the last few years, we have also seen new homes being added on empty lots. For example in the Inglewood and Manlove corridor, we have new homes at 1502 Inglewood St. (two homes built in 2007), at 1491 Inglewood St. (2000), at 1495 Inglewood St. (1999), at 1499 Inglewood St (two homes built in 2019), at 1501 Inglewood St (two homes built in 2019), at 1504 Inglewood St. (two homes built in 2014), at 1507 Inglewood St (2013), at 1509 Inglewood (2019), at 1511 Inglewood (2013), at 1106 Manlove St. (2016), at 1104 Manlove St (2018), and two homes under construction at 1103 Manlove St (across the street from 1100 Manlove).

The property under question has a 1900 sq. ft. home on it in 1952 at the end of a residential corridor (Summit to Inglewood to Manlove) on a cul-de-sac. The owner currently also owns the land immediate to the north consisting of two former homes facing onto Riverside which he has turned into an insurance business (Time Insurance Agency) with no direct access to Manlove. His representatives have mentioned in on-line discussion groups and in a meeting with neighbors that the owner wishes to use the home at 1100 Manlove as added workspace for his insurance business rather than expanding the structures that he already has to the north that face onto Riverside.

My fear is that the real reason for this request is that in the future the owner of 1100 Manlove St. will want to combine this land with the land immediately to the north that he owns (the Time Insurance Agency land) that is accessed only from Riverside and is zoned as GR-MU-CO to eventually provide either parking and/or commercial access to that land. That land already has access from IH-35 and from Riverside. It does not need access from Manlove and Inglewood generating additional traffic through this residential area. Even if a business is built at 1100 Manlove St. completely separate from the land to the north, it will still generate unwanted traffic along this long residential access path (Summit/Inglewood/Manlove). None of this is consistent with the current SF3 zoning as described below.

History is many times a predictor of the future. Back in 2012/2013 the owner of 1100 Manlove tried to change the zoning of 1100 Manlove to Neighborhood Mixed Use in order to combine it with the Time Insurance Agency land to the north, land on Riverside to the east of the Time Insurance Land that he controlled, and land in IH-35 to the southwest of the Time Insurance Agency land that he controlled to build a very large, 4-story multi-use structure (see Case Number NPA-2012-0021.01 from that time period). There is still on City websites plans for that very large structure (see <http://www.austintexas.gov/edims/document.cfm?id=187611>). After a meeting with the owner and 30 objecting neighbors, the owner removed his request and it never came to the Planning Commission. I fear that this is another effort to get the zoning changed now or in the future to Neighborhood Mixed Use such that the owner (or possibly a successor if he sales the land) can in the future ask to use 1100 Manlove in a large development effort.

The land has a perfectly good residential home on it today and should be left as residential single-family zoning. The owner bought the house in 2010 knowing that this was a residential area. The house on the land should be either re-modeled to be an updated residence or a new house should be built on the land. Commercial use is inconsistent with the neighborhood.

If you look at the city SF3 zoning description, it exists to...

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

Its application should be...


- Existing single-family areas should generally be designated as single family to preserve established neighborhoods.

There is an existing house on this lot. The house is accessed following three residential roads (Summit, Inglewood and Manlove) which have no non-residential usage. And the existing neighborhood is growing by the infill development of new single-family housing as noted above.

Yes, the property does border on mixed use zoning areas which themselves were set up as a transition space with setbacks to the noted single-family housing neighborhood. However, this home/lot has no direct access to the streets (Riverside and IH-35) that provides access to this mixed use area. It would be inconsistent with the usage of this neighborhood to allow mixed use zoning to intrude for the first time into the neighborhood for the purpose of using the house as a commercial building or to negate existing setbacks. Please deny the request and keep 1100 Manlove zoned as single family residential.

Thank you for considering my concern and I truly hope you will listen to the concerns of the many residents in the neighborhood and keep this house/lot as single family zoning.

David L. Snow
1506 Lupine Lane
Austin, Texas 78741
408-550-4435



*** External Email - Exercise Caution ***

Hi, in case of technical difficulties tonight, I'd like to submit my feedback on the proposed rezoning of 1100 Manlove.

We (myself and my husband) own the property at 1101 Manlove, directly across the street from 1100 Manlove Street. We are AGAINST the rezoning for the following reasons:

- 1). The property in question is at the end of a cul-de-sac in a 100% residential neighborhood with NO OUTLET. This is a dead end street.
- 2) The area is a quiet neighborhood with children, neighbors and pets abound. There are no sidewalks, so additional traffic would be a safety issue for the kids that ride bikes and play ball, neighbors that jog, walk pets, etc.
- 3). Multi-use property in this location would negatively impact both the quality of life and property values that we and our neighbors have invested our lives in. We bought our home in a residential neighborhood at the end of a cul-de-sac because of the privacy and seclusion that brings from the city. This would impact our quality of life immensely.
- 4) The owner of 1100 manlove owns the property on 3 sides of our home. He has expressed plans in the past to develop the property and needed access from the I35 frontage road to do so, access he could only get by rezoning 1100. He, in the past, intended to create a parking structure where the home currently stands.
- 5) The owner uses the home in an illegal fashion now, having workers park in the driveway and using the garage as storage for his adjacent commercial property. Any statements made by his agent that Inglewood and Manlove will not be used to access future mixed use offices is just false.
- 6) The owner claims he needs more space for his employees due to Covid. This is a weak and transparent excuse to permit a zoning change. This change is simply intended to make his property portfolio more valuable. We should not rezone residential homes because of a temporary need. The existing commercial property on Riverside could easily be developed/remodeled for more space. There are people living full time in the "offices", those people could be moved into the house to open more office space. The owner and his children could easily work from 1100, as he owns the home, so he would be working from home, thus creating additional space.
- 7) It is very clear given his past attempts that the owner wishes to develop (or sell) the entire property portfolio that spans Manlove, Riverside, Inglewood and Summit Streets and making 1100 manlove mixed use will open the door to more lucrative deals. As it stands, the home is literally "in his way". However mixed use in this location would change the dynamic of our community and of our neighborhood in a very negative way.
- 8) Ultimately this would cause serious negative impacts to the 20+ families in the immediate area, plus all the families on Summit as well. We should be preserving single family neighborhoods in Austin and ensuring that children and families have safe, quiet places to grow, to walk, to play, and to build communities. We should not have to worry about offices and office buildings popping up next door when we buy

or rent homes in residential areas. This change would only benefit 1 person while it would harm, at minimum, 50+ lives and set a precedent that would allow other residential zoned neighborhoods to be taken over by offices and businesses that do not need to be in residential areas.

Please help save our neighborhood by recommending this change be denied.

I have attached a Next Door petition, and while I know it can't be submitted in an official capacity, I thought it would be helpful for you to know that all those who signed are against this change as well.

Thank you very much! We hope to see you tonight!

Adria Escalante & Ronnie Woodall

Neighbors Against Proposed Zoning Changes at 1100 Manlove Street

To: Neighbors, Homeowners, Residents, and Others

We would like to express our collective opposition to the proposed zoning changes to 1100 Manlove Street. We would like to inform the City of Austin that we stand together against the zoning change from SF-3 Single Family Residence to NO-MU Neighborhood Office District and Neighborhood Mixed Use.

Why is this important?

The proposed zoning change would allow for offices, retail, commercial, professional services, markets, and small to medium residential development. This property is currently a single family home located in a quiet, residential neighborhood on a dead end street with no outlet. This change would severely and negatively impact traffic in our neighborhood, compromising the safety of our families, our privacy, our sense of community, and our ability to ensure that our home values are protected within a neighborhood that adheres to single family residence standards. Please stand with your neighbors against this proposed zoning change and keep Offices and Mixed Use Developments out of Single Family Residence zones.

Signed by 40 people:

Name	Zip code
Adria Escalante	78741
Carol Stall	78702-5635
Shirrie Garcia	78758
Kelly Blancas	78702
Mario Morales	78741
Jennifer Conroy	78702
Brandon Baer	78741
Kristen Sabala	78741
Dana Kays	78741
Whitney Hall	78704
Pablo Alvarez	78741
Skye Olsen	78741
Cynthia Sechrest	78704
Janet Roberts	78702
Jo Webber	78704
Lisa Mazina	78702
Carol Athey	78741

Name	Zip code
Sarah Twyman	78741
Patrick Ramirez	78741
Vive Griffith	78741
Grace Kirby	78702
Jeff Strange	78741
CYNDI BARBOUR	78741
Victor Madera	78741
Mandy Regan	78741
Janelle Silva	78702
Davidf Szabo	78704
Stephen Prince	78704
Dean Haraguchi	78741
Mary Anne Duprey	78741-1147
Hans Granheim	78741
Ashlee Moya	78741
Ramona Williams	78741
Brittany Phillips	78741
Molly DiMaggio	78741
Andrea LaPointe	78741
Kathleen House	78741
John D	78702
Casey Burson	78702
Jelisa Peterson	78741

From:

Sent: Monday, August 17, 2020 2:43 PM

To: Maureen.meredith@austintexas.gov

Cc: snowdavel@g

Subject: Concerns regarding Case Number NPA-2020-0021.02

Hi Maureen, it seems like just yesterday that you sent me a similar request from the Schuler Family Trust to change the zoning of 1100 Manlove Street from Single family-3 to Mixed-Use (Case# NPA-2012-0021.01...1100 Manlove St. [the case numbers are almost the same 😊]). Of course, that was back in 2012 (now time flies) and after a large negative response from the neighborhood, Mr. Schuler withdrew his request. At the time, his reason for the change was to allow the property to be combined with the land that he controls on IH-35 and Riverside in such a way to allow an exit from his planned 4-story mammoth mixed-use structure to the IH-35 north bound feeder road. Today nothing is said about this mammoth building in this request. Rumor in the neighborhood is that Schuler “wants to allow more social distancing in the other buildings that he uses for insurance offices just north of 1100 Manlove that face on Riverside” by using 1100 Manlove as a third office building. A Covid-19 justification sounds good in today’s environment! 😊. Of course, I wonder if the real future reason is his plans for the mammoth structure that was mentioned back in 2012 that are described here...

<http://www.austintexas.gov/edims/document.cfm?id=187611>

As an owner of a home in the neighborhood, I would like to express my strongest concerns at this proposal. This request should be denied for the reasons noted below. Could you pass these concerns on to those in the City Planning Office and perhaps the City Council who will be considering this case?

My wife and I own the home at 1506 Lupine Lane, a block and a half south of the proposed change. Our land (two city lots) has been in my family since my mom and dad (Azalee and Ruel Snow) purchased it in 1946. They built a garage apartment there in 1948, added a house in 1953, and added on to the house in the

early 1960s. My wife and I remodeled the house in 2010 and remodeled and rented the garage apartment in 2011. During this 70-plus year period, the entire neighborhood has been devoted to single family housing originally built in the 1940s, 1950s and 1960s.

Today the neighborhood is occupied by a few original homeowners but in recent years we have seen a renaissance of home remodeling by families and young couples who see value and character in the well-constructed homes of this area. In the last few years, we have also seen new homes being added on empty lots. For example in the Inglewood and Manlove corridor, we have new homes at 1502 Inglewood St. (two homes built in 2007), two homes at 1504 Inglewood St. (2018), at 1491 Inglewood St. (2000), at 1495 Inglewood St. (1999), four homes at 1499/1501 Inglewood St. (2019), at 1507 Inglewood (2017), at 1509 Inglewood (2019), at 1511 Inglewood St. (2017), at 1104 Manlove St. (2017) and at 1106 Manlove St. (2018). We also have had a recent sale of an empty lot at 1103 Manlove St. (across the street from the home under discussion) that is having two homes built on it.

As noted above, my fear is that the real long term reason for this request is that Mr. Schuler, the owner of 1100 Manlove St. (at the end of the Inglewood/Manlove corridor), will want to combine this land with the land immediately to the north that is accessed only from Riverside and/or the land immediately to the west that is accessed from IH-35 which are zoned commercial/mixed use to provide either parking and/or commercial access to that land. The lands north and west already have access from major roads Riverside and IH-35 and do not need access from Manlove and Inglewood generating additional traffic through this residential area. Even if a business is built at 1100 Manlove St. separate from the land to the north and west, it will still generate unwanted traffic along this long residential access path (Summit/Inglewood/Manlove). And if the current owner assures the neighbors that he has no need to provide access to Manlove, once a Mix-Use zoning is approved, a subsequent owner could have differing ideas on the subject and do whatever Mixed-Use

zoning allows. The land has a perfectly good residential home on it today and should be left as residential single-family zoning.

If you look at the SF3 zoning description on the city websites, it exists to...

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

Its application should be...

- Existing single-family areas should generally be designated as single family to preserve established neighborhoods.

The request to change the zoning violates all these principles.

There is an existing house on this lot. The house is accessed from Riverside following three residential roads (Summit, Inglewood and Manlove) which has no non-residential usage. And the existing neighborhood has been growing by the infill development of new single-family housing.

Yes, the property does border on mixed use zoning areas which themselves were set up as a transition space to the noted single-family housing neighborhood. However, this home/lot has no direct access to major streets (Riverside and IH-35) that provides access to this mixed-use area. It would be inconsistent with the usage of this neighborhood to allow mixed-use zoning to intrude for the first time into the neighborhood. And a subsequent owner would probably not abide with any informal agreement that Mr. Schuler makes. Please deny the request and keep 1100 Manlove zoned as single-family residential.

Thank you for considering my concerns and I know you will listen to the concerns of the residents in the neighborhood as you did back in 2012/2013 and keep this house/lot as single-family zoning.

David L. Snow

1506 Lupine Lane

Austin, Texas 78741

408-550-4435

From: skye olsen

Sent: Thursday, October 15, 2020 3:41 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Case #: NPA-2020-0021.02 // Zoning Case #: C14-2020-0081 // 1100 Manlove St.

*** External Email - Exercise Caution ***

Hello,

I hope you are well. I am emailing in regards to my concern about the proposed rezoning of 1100 Manlove Street and hope that this email can be presented during tonight's meeting.

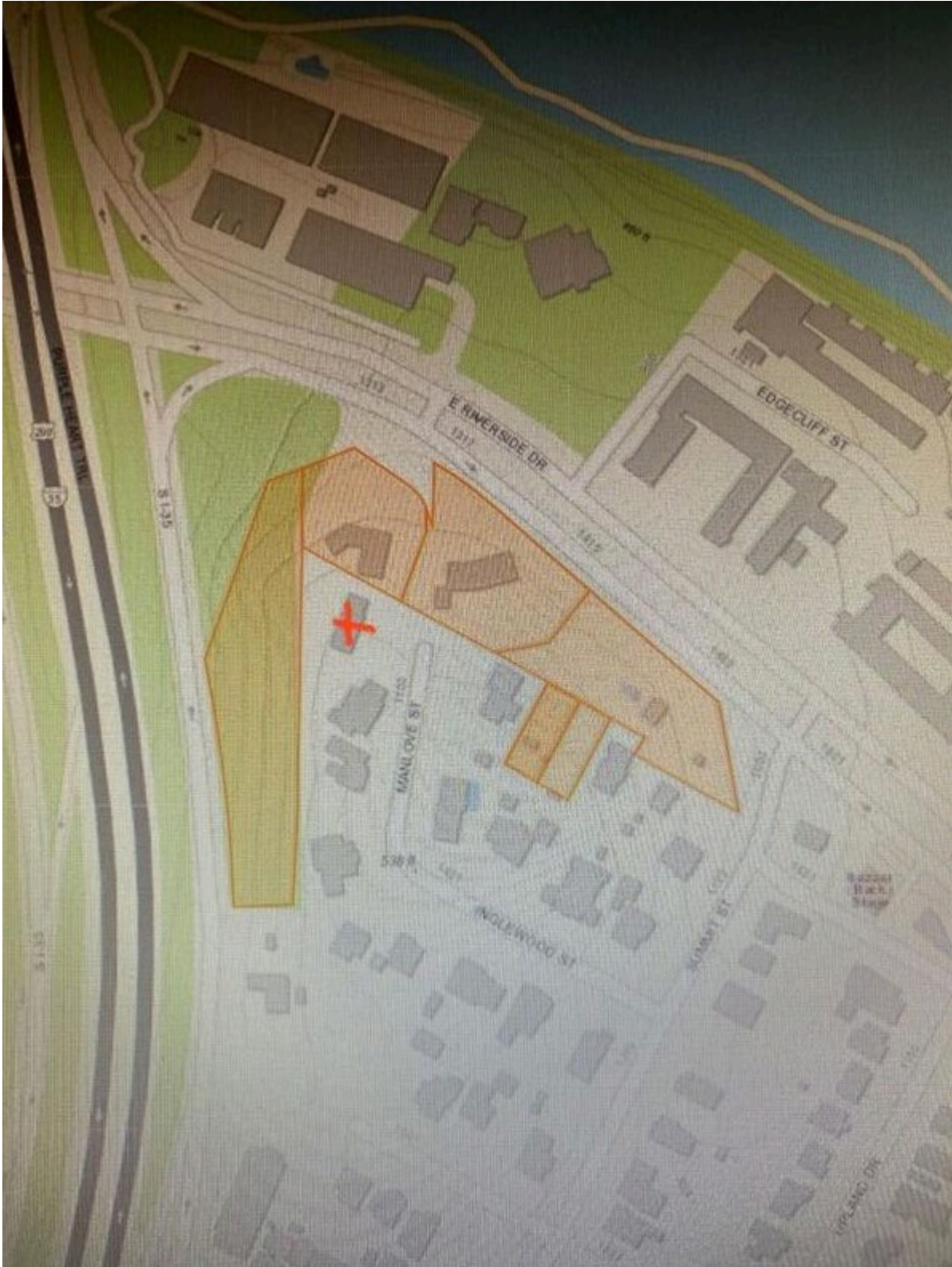
The residents of our neighborhood are **AGAINST** the rezoning of 1100 Manlove Street for many reasons. First, allowing this property to be rezoned would disrupt the quiet neighborhood that we have all come to love and call our home. If this property is allowed to be rezoned, there is potential for the entire property owned by the same owner (all along the IH 35 frontage road combined with the property that his current insurance business is on- see attached photos) to be developed. This could lead to major disruption throughout our neighborhood, especially considering the property at risk of being rezoned is located on a dead end street.

The owner of the property has used the pandemic as an excuse to get the property rezoned, despite his previous attempt to rezone the same property to multi-use (to build a 4 story building) a few years ago which included putting a club at the corner of Summit and Riverside, the same location as the entrance to our quiet, peaceful neighborhood. (Please see attached proposal from the City of Austin in 2013) The owner of 1100 Manlove is needing the property rezoned to allow for an exit onto 35 north however the current house that is there is empty and in great condition. It would be much better off being resold as a residential property to a family who will love and enjoy our neighborhood like we have all grown to. We do not need non-residential uses ruining our neighborhood.

The owner of 1100 Manlove has had past violations of city zoning laws as well and is using our current crisis as an excuse to turn the private residential home into part of a massive development. Allowing this property to be rezoned will only disrupt the neighborhood and prevent the established families living there from residing in a quiet, peaceful neighborhood like we are accustomed.

Please consider blocking this rezoning attempt and his efforts to destroy the neighborhood. Thank you for your time.

Best,
Skye Olsen
Resident at 1101 Manlove Street



PUBLIC HEARING COMMENT FORM

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

City of Austin
Housing and Planning Department
Maureen Meredith
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-2020-0021.02

Contact: Maureen Meredith, Ph: 512-974-2695

Public Hearing Dec 10, 2020 - City Council

Christopher Cavello

Your Name (please print)

☐ I am in favor
☒ I object

1500 Inglewood St Austin, TX

Your address(es) affected by this application

Ch Cavello

Signature

11/25/2020

Date

Comments: The subject address is not an appropriate area for mixed use. It is at the end of a quiet cul de sac of single family homes. The applicant will not serve a market at neighborhood scale. This change request is a Trojan Horse to try and merge it to applicant's commercial property. It is needed to increase market value.

From: Chris C
Sent: Wednesday, November 25, 2020 9:28 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Clark, Kate <Kate.Clark@austintexas.gov>
Subject: Object and Comment - NPA 2020-0021.02

*** External Email - Exercise Caution ***

Dear Maureen Meridith,

Please find my signed Public Hearing Form for change of neighborhood plan.

Case - NPA 2020-0021.02

Per the guidelines of Neighborhood Mixed Use this property is not an appropriate location to serve a market at neighborhood scale.

It is at the end of a quiet cul de sac of residential homes far from any commercial streets or feeder roads.

I formally object to this change. I believe I have standing in this case because the property is within 500 feet of my home.

Christopher Cavello
1500 Inglewood St.
Austin, TX. 78741
512 769-1717

-----Original Message-----

From: Landis C.

Sent: Tuesday, December 01, 2020 2:42 PM

To: Clark, Kate <Kate.Clark@austintexas.gov>; Meredith, Maureen
<Maureen.Meredith@austintexas.gov>

Cc: Thompson, Jeffrey - BC <bc-Jeffrey.Thompson@austintexas.gov>; Anderson, Greg - BC <bc-Greg.Anderson@austintexas.gov>; Seeger, Patricia - BC <bc-Patricia.Seeger@austintexas.gov>; Shaw, Todd - BC <BC-Todd.Shaw@austintexas.gov>; Howard, Patrick - BC <BC-Patrick.Howard@austintexas.gov>; Hempel, Claire - BC <BC-Claire.Hempel@austintexas.gov>; Azhar, Awais - BC <BC-Awais.Azhar@austintexas.gov>; Llanes, Carmen - BC <bc-Carmen.Llanes@austintexas.gov>; Shieh, James - BC <bc-James.Shieh@austintexas.gov>; Flores, Yvette - BC <bc-Yvette.Flores@austintexas.gov>; Teich, Ann - BC <BC-Ann.Teich@austintexas.gov>; Toni Manlove <Alexandra Aponte <
Subject: Re: 1100 Manlove Street - Zoning Case C14-2020-0081 and NPA Case No. NPA-2020-0021.02

*** External Email - Exercise Caution ***

Good afternoon all,

My name is Landis Coulbourn. My wife and I intend to close on single family residence, 1103 Manlove Street, this month. We were able to meet some pretty wonderful neighbors already. We learned that one of the residents is trying to rezone their single family residence for commercial purposes. The news was very discouraging to us as we decided to move into the neighborhood because the house is located in a quiet cul-de-sac. We have an infant son and wanted to move away from the busy street that we currently live on. Allowing ingress/egress for business traffic in front of our new residence would completely ruin our hopes of moving into a quiet neighborhood/street for our child to grow up on.

I'm writing to oppose the plans to change the zoning from single-family to NO-MU on Manlove. Please consider our position on this proposal, and include it in the record for the applicable cases (stated in subject).

V/r,

Landis Coulbourn
1103 Manlove Street
Austin, TX 78741

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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-2020-0021.02
Contact: Maureen Meredith, Ph: 512-974-2695
Public Hearing: Nov 24, 2020 - Planning Commission

STEFAN & KATHLEEN PEARSON

☐ I am in favor
☒ I object

Your Name (please print)

1105 MANLOVE ST 78741

Your address(es) affected by this application

Kathleen Pearson Stefan Pearson 12-4-20

Signature

Date

Comments: We ARE NOT in favor
of changing any zoning to over
Manlove Street. We would like
only single family zoning

From: Ann Kettner Haraguchi
Sent: Saturday, January 23, 2021 10:38 AM
To: Clark, Kate <Kate.Clark@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Opposing Proposed Rezoning of Property at 1100 Manlove Street

*** External Email - Exercise Caution ***

Dear Kate and Maureen,

I have sent my letter of opposition (copied below) to all City Council Members and Mayor Steve Adler.

Ann Haraguchi

*I live at 1106 Manlove Street and am writing to express my **opposition to the proposed rezoning of the property at 1100 Manlove Street**, which is three doors down from my home. (Zoning Case No. C14-2020-0081 and NPA Case No. NPA-2020-0021.02)*

The owner of this property, and applicant for the zoning change, argues that he needs to use the existing residential home at 1100 Manlove Street as an office space. I think he desires to incorporate this residential piece of land into a much larger commercial development plan for the large swath of property he owns along the I-35 access road and Riverside Drive. I believe changing the zoning from residential to "neighborhood office" is the first step in this direction.

It makes no sense to me that the applicant's business space is so crowded with employees during the COVID-19 pandemic that he requires overflow into the space of 1100 Manlove Street, a house on a quiet cul-de-sac. If he needs to encourage social distancing among his employees, he can use the other residential building next to Time Insurance, or he can have his employees work remotely from home during the COVID pandemic crisis, as have many other Austin businesses. There is no need to rezone 1100 Manlove Street as an office building for this temporary public health situation.

Our neighborhood is a residential neighborhood with single-family homes. Having a "neighborhood office" on a cul-de-sac does not contribute in any way to the quality of the neighborhood and would benefit nobody but the applicant. In short, rezoning would go against one of the stated goals of the EROC NP:

Preserve and enhance the character of existing residential neighborhoods.

*I worry that if the property at 1100 Manlove is rezoned as a "neighborhood office," it will lead to other similar rezoning attempts that will change the **fundamental residential nature** of the neighborhood. In the two years that I have lived on Manlove Street, I have witnessed healthy growth of the neighborhood, with new homes built and new families moving in. Our neighborhood consists of single-family homes in a larger area of commercial and multi-family residences and should be preserved as such.*

Thank you for your consideration of this matter.

*Ann Haraguchi, Homeowner
1106 Manlove Street
Austin, TX 78741
(415) 939-5745*

From: Vive Griffith
Sent: Monday, January 25, 2021 10:32 AM
To: Clark, Kate <Kate.Clark@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Toni <latoniahouse@hotmail.com>; Chris C <cavelloc@gmail.com>
Subject: Copy of letter to Mayor Adler + Council: Please deny Zoning Case No. C14-2020-0081 and NPA Case No. NPA-2020-0021.02

*** External Email - Exercise Caution ***

Dear Kate and Maureen --

Below is the letter I sent to Mayor Adler and Council regarding Zoning Case No. C14-2020-0081 and NPA Case No. NPA-2020-0021.02. Toni House asked us to share our correspondence with you. I am also registered to speak at the Council Meeting on 1/27.

Thanks so much --
Vivé Griffith

Dear Mayor Adler and City Council Members Harper-Madison, Fuentes, Renteria, Casar, Kitchen, Kelly, Pool, Ellis, Tovo, and Alter,

I am writing to ask that you deny the above zoning change and Neighborhood Plan Amendment (NPA) requests.

My husband, Chris Cavello, and I have lived at 1500 Inglewood Street, adjacent to the applicant's large commercially-zoned property, since 2005. We purchased our property in the midst of another zoning case with the applicant, one in which he arrived at the City Council meeting with elaborate plans for what he would design and develop on the property. Sixteen years later he has not made a single change to his property. In fact, he has let fences that separate the property from Riverside fall down and left a vacant swimming pool to gather fetid water. Most of the property is an untended tangle of weeds and trees.

He purchased the 1100 Manlove Street property in 2010 and has left it vacant since, having tried unsuccessfully in the past to rezone it to commercial. Then when the pandemic struck, he used Covid-19 as an argument for why he needed to upzone the property to a neighborhood office. By the time he reached the Planning Commission, he had changed his reasons again. He will show up before Council again with pretty pictures and plans, but based on more than 15 years of experience with the applicant, the neighborhood has no reason to believe they will come to be.

The applicant is simply trying to make his property as valuable as possible for sale. The cost of that to the neighborhood is placing a commercial property at the end of the residential cul de sac for an office that does not in any way serve the community. It is changing the established EROC NPA. It is risking commercial traffic on our residential streets. **In order to reach that property by car, an individual would drive past 23 residential houses.** And while the applicant claims he can guarantee that the property would only be accessed from the commercial property below, there is a 10-foot drop off between them, making ADA accessibility difficult and not impossible. An agreement about access cannot be enforced by the City.

It will be tempting to look at a map of this property and see only its proximity to Riverside and I-35. But if you were to visit the property, you would see how it sits in a residential neighborhood, where people walk their dogs and children ride bicycles and scooters up and down the street. In the years that we've lived here, 13 new houses have been built on Inglewood and Manlove Streets. The neighborhood has become more dense and reflective of the City's goals for the urban core. For us, that has meant the creation of a vibrant community, where neighbors know each other and "old Austin" and "new Austin" meet and mingle.

I ask you to not be swayed by the pretty pictures the applicant will show at City Council on January 27, as the applicant has no track record of developing—or even keeping up—his property. The applicant is entirely entitled to develop the 3+ acres he already owns in whatever way he sees fit, but he should not be allowed to turn a single family home into more commercial property to increase his possibilities of sale. As a long-term resident and community member, I ask you to deny these requests.

Sincerely yours,
Vivé Griffith
1500 Inglewood Street
Austin, TX 78741
512-736-3594

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Vivé Griffith
Writer | Educator | Advocate

From: Sarah Miracle
Sent: Wednesday, January 27, 2021 3:17 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Clark, Kate <Kate.Clark@austintexas.gov>
Cc: Jeff Watson
Subject: 1100 Manlove Street

*** External Email - Exercise Caution ***

Dear Ms. Meredith and Ms. Clark,
This email is to request that you deny both requests for rezoning and the Neighborhood Plan Amendment (NPA) for 1100 Manlove Street.

1100 Manlove is on a short street, at the end of a cul-de-sac, high above E Riverside and IH-35. Manlove is a quiet street with beautiful heritage oak trees. Our family lives just around the corner on Summit Street - the main thoroughfare through our neighborhood. When we look for a quiet street to let our four-year-old daughter practice riding her bike or scooter, we walk down to Manlove for the security of the cul-de-sac.

As a parent of a young child, I do not want to introduce higher traffic onto our street by introducing access to a commercial property through the neighborhood.

We fully appreciate and value the growth of Austin, particularly in the East Riverside corridor. The coming development in this area is one of the reasons we purchased our home less than 2 years ago as a lifetime investment, however, the peace and quiet of the neighborhood was an equally, if not more, important reason for our decision to purchase here.

We love walking south on Summit Street from Riverside. As you climb the hill, the noise from Riverside is replaced by bird song. We are so close to everything, but once you step into the neighborhood, it feels as though I-35 and Riverside were miles away. Introducing commercial access onto Manlove will drastically change the peace of our neighborhood.

That said, we ask that you please deny the zoning change requests.

Thank you very much for your time and attention,

Sarah Miracle and Jeffrey Watson

(Parents and residents at 1204 Summit Street)

Council District: 9

From: Joy Gilcrease
Sent: Wednesday, January 20, 2021 3:29 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Meeting Jan 27, 2021

*** External Email - Exercise Caution ***

This is to inform you that I have sent emails to Mayor Steve Adler and to all council members as follows:

- I reside at 1205 Summit St , Austin TX 78741. I am opposed to the request to change the zoning at 1100 Manlove St from Single Family to Neighborhood Mixed Use. I understand that this will be discussed at meeting Jan27, 2021.*
-

- From:** Alexandra Aponte
Sent: Monday, January 25, 2021 12:36 PM
To: Clark, Kate <Kate.Clark@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: 1100 Manlove Street - Zoning Case C14-2020-0081 and NPA Case No. NPA-2020-0021.02
-
- Dear Mayor Adler and Council Members:

This email is to encourage denial of both requests for rezoning and the Neighborhood Plan Amendment (NPA) for 1100 Manlove Street.

- I am writing you as a new mother and resident 1103 Manlove St. Unit 1 — which is located across from the aforementioned property. In fact, we admire its beautiful massive Heritage Oak from our windows daily. I would like to express you our disappointment when we learned of the rezoning issue — which after months of looking for the perfect home was dropped on us like a ton of bricks a few weeks prior to closing.
- This email is not to express disapproval of growth — we are very familiar with the area and know it is poised for growth especially after the recent passing of the rail line. We selected this home mainly because of the beautiful quiet community and unobstructed downtown views. This is truly a special location where we pictured teaching our son how to ride a bike and play without the dangers of busy street traffic. If my husband and I would have known sooner about the possibility of our lovely cul-de-sac hill being disrupted by a busy unsafe street, we would have likely continued our search instead of selecting this home.
-
- Our family has worked very hard to be able to obtain a home that is both in a great location — close to everything this wonderful city has to offer, as well as nestled in a community with established, quiet residents. These communities are becoming more rare near Austin's center. Allowing the re-zone to occur

will strip this unique community of its current peaceful vibe and detour attraction of growing families.

- **Please deny the zoning change requests.**
- Thank you so much for your time,
- Alexandra Aponte Coulbourn
- (Concerned mother and new Resident at 1103 Manlove Unit 1)

1100 Manlove

Zoning Case #C14-2020-0081

NPA Case #NPA-2020-0021.02

Christopher Cavello & Vive Griffith
1500 Inglewood St.



WHY ALLOW THIS AGAIN?

Privatization of the Profit
Socialization of the Cost