



# An Opposition to...

**Plan Amendment Case #: NPA-2021-0026.01**  
**Zoning Case #: C14-2021-0039**

**Property Addresses:** 10609, 10611, 10613, 10615 Brownie Dr. and 10610, 10612, 10614 Middle Fiskville Rd.

**Applicant:** Brownie & Grady Investments LLC (Mohammad Memon) Agent: Thrower Design

**Application Proposing:**

Tract 1 - SF-3-NP (Family Residence District—Neighborhood Plan) to MF-4-NP (Multifamily Residence Moderate-High Density district—Neighborhood Plan)

Tract 2 - LR-NP (Neighborhood Commercial district—Neighborhood Plan) to CS-MU—NP (General Commercial Services district—Neighborhood Plan) for multifamily residential and commercial uses.

# Detrimental Impacts

- Displacement of long-term and life-long residents
- Gentrification
- Further Oppression and systematic racism
- Negative Environmental Impacts including flooding in crease, increased heat, removal of green space and shadowing effect
- Diminished quality of life and health
- Incompatibility with current neighborhood culture and infrastructure
- Traffic & Safety concerns
- Not affordable
- Benefiting Demographic is not to current resident base
- Against what Austin says it stands for

# Systematic Challenges

- Severe Inequity of Experience and system navigation
- Civic Bullying
- Misleading and incomplete information passed to residents by city staff members, to prevent community involvement
- Lack of true community engagement with community
- Severe Inequity of Experience and system navigation
- Policies that hinder community input
- Severe Inequity of Experience and system navigation compared with high dollar developers
- Socioeconomic Oppression
- Systematic Racism
- Prey on highly minority, english as a second language community
- Exploitation of blue-collar working class neighborhood
- Further overlooking of an already dismissed and uncared for minority neighborhood
- Outreach to build community base from scratch
- Learning Curve
- Covid-19 Challenges

# Environmental, Quality of Life and Health Factors



The shadow effect posed to nearby homes pose to increased illnesses and decline in overall physical and mental health of current long-term residents, including depression, increase suicide rates, diabetes, high blood pressure and migraine headaches.

The City of Austin has identified North Austin as a prominent heat island in Austin, with up to 15 degrees hotter than other areas in the city. According to the Office of Sustainability, and outlined in the Climate Equity Plan.



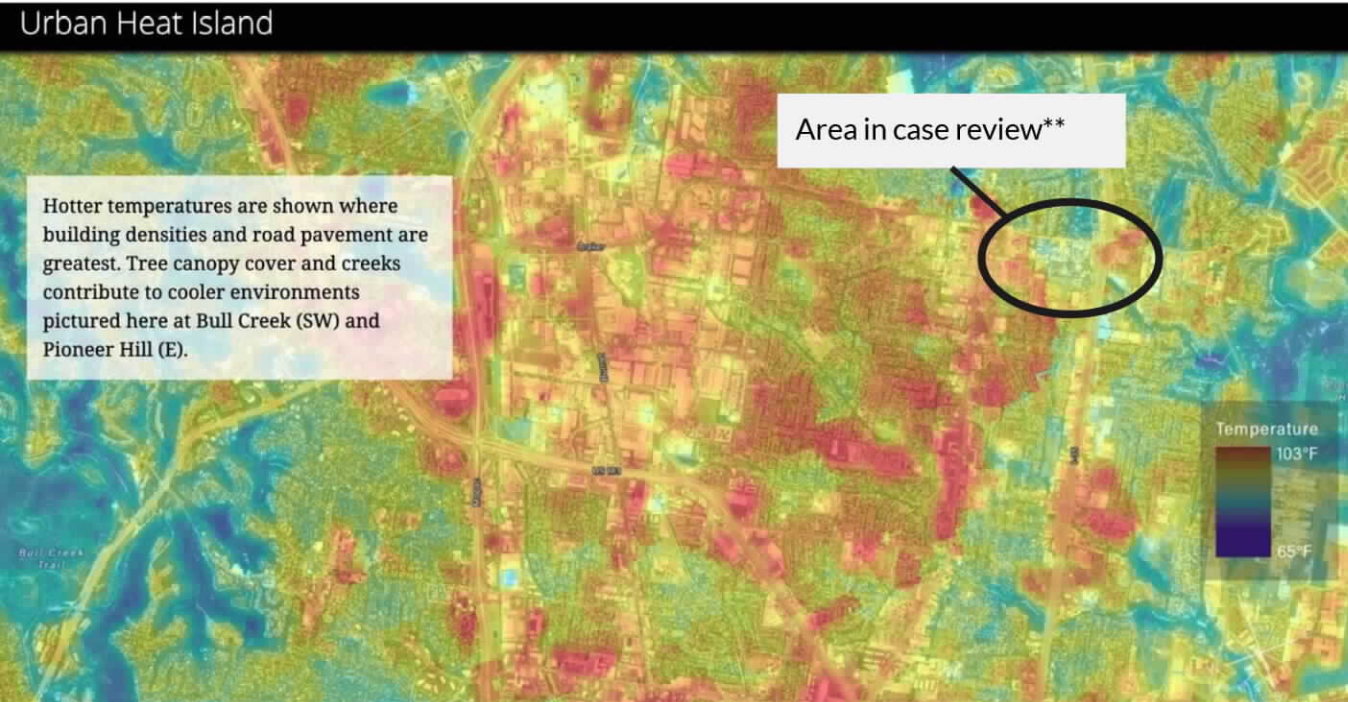
This property is located in the Little Walnut Creek Watershed and development at the proposed scale poses life and property threatening flooding concerns.



# Heat Mapping - Austin Urban Heat Island Study



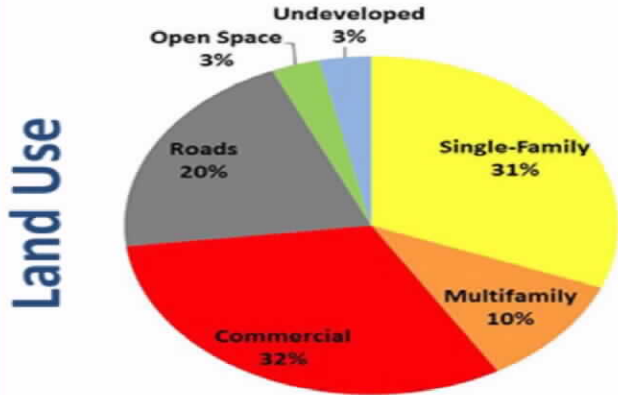
## Urban Heat Island



Average land surface temperatures are shown. Red areas are hottest. Dark blue areas are coolest. Notice the high heat at Lamar Corridor, The Domain and adjacent area at Braker and IH35.

\*\* Area in this case review shows it to be one of the only areas in N. Austin, West of 35 to be in less than extreme heat ranges. This Development will close the gap of red on this map to the demise of the neighborhood.

**56% Impervious Cover**  
**19% Tree Canopy Cover**



District 4 Land Use - only 3% is undeveloped

#### The Little Walnut Creek Watershed:

- ★ *Is the largest watershed in the city*
- ★ *Is located in the 100 year floodplain*
- ★ *Is the cause of one of the worse flooding problems in the city*

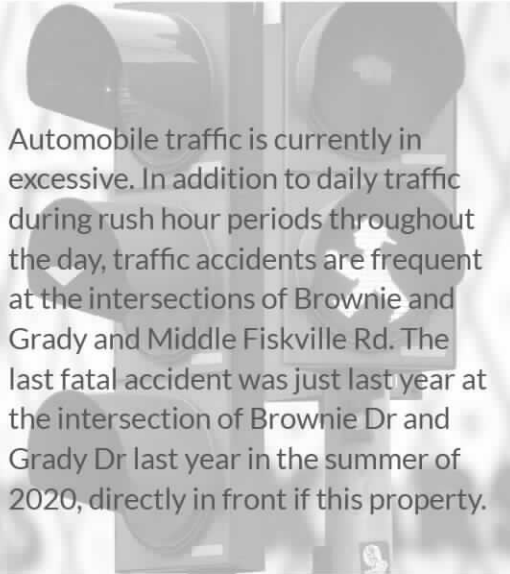
“The watersheds in District 4 are extensively urbanized, with the highest level of impervious cover and the lowest level of undeveloped land of all the districts. In addition, the majority of the development was built out prior to the adoption of any watershed protection regulations for drainage or water quality.”

-The City of Austin

# Traffic, Parking and Safety



High volume of traffic, excessive speeding and no sidewalks in the neighborhood, harbor dangerous pedestrian traffic. Adding 70+ units plus high level commercial development would pose an extreme threat to pedestrian safety, especially for children.



Automobile traffic is currently in excessive. In addition to daily traffic during rush hour periods throughout the day, traffic accidents are frequent at the intersections of Brownie and Grady and Middle Fiskville Rd. The last fatal accident was just last year at the intersection of Brownie Dr and Grady Dr last year in the summer of 2020, directly in front of this property.



A traffic study is essential prior to consideration of approving rezoning of this land





# Market Analysis

## Active Condo Listings in the area (average current listing price of \$295,760)

The most recent residential project of the Grady & Brownie LLC owners was The Flats at 935 on La Posada Dr, near St.Johns. It was an old apartment complex(1980) was renovated and converted into condominiums for ownership.

**\*\*Per TCAD unit 135 is a 2/2, 1030 sqft - \$255,627 (Last assessed value, not market price)**

### Stoneleigh Condominiums on Gracy Farms Ln, year built 2002.

2bed/2bath, 1091 sqft, **\$274,900** current listing price (MLS#4480889)

### Edgecreek Condominiums on Metric Blvd, year built 1986.

1bed/1bath, 727 sqft, **\$200,000** current listing price (MLS#9079225)

2bed/2bath, 1004 sqft, **\$259,000** current listing price (MLS#3333669)

### Summertree Condominiums on Rundberg Lane, year built 1980.

2bed/2bath, 1170 sqft, **\$300,000** current listing price (MLS#6954763)

### Kramer Station Condominiums on Kramer Lane, year built 2019


3bed/4bath, 2104 sqft, **\$444,900** current listing price (MLS#6954763)

\*per 2019 city-data.com



**GENTRIFICATION  
ZONE**

**POOR PEOPLE PLEASE  
LEAVE QUIETLY**



Gentrification: a process of neighborhood change that includes economic change in a historically disinvested neighborhood —by means of real estate investment and new higher-income residents moving in - as well as demographic change - not only in terms of income level, but also in terms of changes in the education level or racial make-up of residents.



# Displacement and Gentrification



1

Minorities make up 86% of the population (hispanic, black and asian) in the neighborhood.\* Our culture lives here. Our families live here. Our legacy lives here.

2

According to Project Connect Racial Equity Anti-Displacement Maps (2019), our neighborhood is at at a vulnerable risk to displacement

3

The City of Austin has recognized the tragic result of allowing spot upzoning and overlooking the greater picture in East Austin, Bouldin Creek, Rundberg and St. Johns area. In which, COA has recently adopted the Right to Stay, Right to Return Resolution to aid in undoing the damage and displacement. Let's do the right thing now, so we don't have to make up for it later.

\*city-data.com

\*\*<https://www.arcgis.com/apps/MapSeries/index.html?appid=799dbd68b43a4d9d8c0292befe8c9b34>

## Definition for Compatible Land Development Code

### **Compatible** |kəm'patəbəl|

A development, building and/or land use that is designed to be able to exist or occur without conflict with its surroundings - in terms of its uses, scale, height, massing and location on its site.

# Incompatibility

The proposed development is incapable of co-existing in harmony with the current established neighborhood and would have direct undue physical, functional adverse impact on the existing area.

§ 25-2-103 - GENERAL COMMERCIAL SERVICES (CS) DISTRICT DESIGNATION.



General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

Source: Section 13-2-71; Ord. 990225-70; Ord. 031211-11.

This is a neighborhood, not the general public. Unjust exposure by way of general commercial uses is highly invasive and detrimental to the well being of the neighborhood.

\*\*Excerpt definition taken directly from the city of Austin Library of Municode



## Apathy of current residents

There is a clear disconcert with the current residents. I recall the first neighborhood information meeting I attending on this case in April. When I asked the developer, if they had considered the concerns or needs of the current residents, an immediate and baffled response of no was given.

Communication with the neighborhood was only considered after we pushed for it. And, the true consideration is non-existent. They are not willing to truly negotiate with the neighborhood. The few asks that we have had - traffic analysis, details of true intentions/plans for long-term possibilities, ballpark anticipated or desired market rates - have all been denied and unavailable.



# Summary in closing



The owner/developer has a brand new sign up for sale- says available. It is extremely likely that they are rezoning simply to be able to resale and make enormous profit. Leaving us to be subjected to any development built here

The city is focused on affordable housing. The owner has said that he has no interest in affordable housing and not willing to explore the affordable unlocked city program as it would cause too much red tape and regulations/cost.

Austin has a long history of segregation and is still currently known as the most segregated city in the US. While 'racism' is no longer distinctly stated in action, history is continuing to repeat itself and essentially act continue further segregation by way of socio economic status. And, we all know a large majority of low-income economically challenged people are people of color

The owners claim to want to enhance and support the neighborhood and provide an additional housing option, however, this is clearly not for the current people of the neighborhood. As a matter of fact, there is not one single benefit to the neighborhood or the neighborhood people.

Our health. Our culture. Our community. Our security. Our inclusion. Our hometown. Our pride. Our families. Our kids. Our parents. Our grandparents. Our uncles and aunts. Our voice. Our vote. Our importance. Our value. Our memories. Our future. Our peace. Our consideration. Our jobs. Our retirement. Our money. Our friends. Our neighbors. Our happiness. Our lives. Our livelihood.

I am showing up and reaching out to be the voice of the collective in our neighborhood, many residents are not able to communicate their thoughts and feelings directly whether due to language barrier or due to the common fear of speaking up as a minority. Our voices deserve to be heard, our values deserve to be considered, our families and future concern of our quality of life deserve to be a priority focus. I kindly ask for empathy and understanding to what is in the greatest and highest good of the future of our neighborhood and our neighbors quality of life.