

North Shoal Creek Neighborhood Association
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GENERAL MEMBERSHIP MEETING
November 4, 2014

1. Call to Order of Open Public Meeting

The Public Meeting portion of the General Membership Meeting of the North Shoal Creek Neighborhood Association was held on Tuesday, November 4, 2014, at Pillow Elementary School. The meeting was convened at 6:35 p.m. by Vice President Mike Blood with the Secretary being present.

Acting President Mike Blood opened the meeting by explaining that the meeting is open to all, but only NSCNA members will be able to vote.

2. Presentation 1: Rezoning for 8611 ½ & 8627 Mopac Expressway. N. Bound. Presenter: Amanda Morrow, Land Development Consultant from Armbrust & Brown, PLLC, Case Number C14-2014-0156.

Ms. Morrow spoke about the project being developed at the old Harold Barn site (now Shoal Crossing Event center) and then there was a question and answer session. Request to go from LO (Limited Office) to GR (Community Commercial). She discussed the site and showed the plan, but there is no specific plan, it could be up to 100,000 sq. ft. and 60 ft. tall. Vehicle trips would be limited to 2000 vehicles coming in and out of site per day. There's a formula and ratio to figure out the number of vehicles. The site plan must identify the usage by the type of use. Could be used for any GR uses listed on sheet, doesn't have to be an office building. Zoning CS 1 does allow for a bar, CS 1 (Commercial Services) is a pretty permissible zoning category. The project is looking at building a structured parking garage. By code, they are not allowed to have any runoff from the site to Shoal Creek. Kevin Weir asked whether developers would do a traffic study. Because the developer is limiting trips to 2000 per day, city staff does not require a traffic study. Ms. Morrow said she could ask the developers about doing a traffic study. If there are uses on the GR zoning list that are offensive to the North Shoal Creek neighborhood, they would like to know what they are. There was discussion about traffic impact. They want 60 feet, increased building coverage and increased impervious coverage. The current zoning of LO allows for 40 feet or three stories.

3. Presentation 2: Rezoning for 8528 Burnet Road.

Presenter: Carter Sackman, Case Number C14-2014-0157.

Henry Gilmore, zoning attorney representing the applicant in this case, Freemont Holding, spoke first. He said the project is also represented by C. J. Sackman who will also speak. Also present is Bill Gabler from Bowman Consulting, the project engineer. This project would be located at the southwest corner of Burnet Road and Rockwood which is currently Gordon Automotive. They are requesting Multi-Family 6 zoning which is a high-density zoning category. They have tailored their request since the original filing limiting the height to no more than 60 feet although MF 6 allows 90 feet, limiting it to no more than 300 units, develop it to allow no more than 2000 trips per day, and agree to reserve 15percent of the units for what is called affordable housing under city's Smart Housing Program. It is currently zoned CS (Commercial Services) like much of Burnet Road. This is a permissive commercial zoning

category and allows a number of uses including warehouses. The apartments will be close to bus lines, envision most of tenants being college students or just-out-of college, who can't afford to buy a house yet, or empty nesters. Now CS zoned, MF6 would be a downgrade. Project will have all the bells and whistles, including a courtyard and pool. There were some questions and answers regarding the location -- Crump Plumbing, existing apartments, Gordon Automotive.

Carter Sackman, representing Sackman Enterprises which is behind the development, spoke regarding the project. They are planning underground parking with about a story and a half of parking with about 340 parking spaces and with five stories of residential above. They plan an open amenity space for their residents of at least 25,000 sq. feet. He discussed the history of the family-owned Sackman Company in New York, the company is new to Austin.

The units will be an average of 840 sq. ft. There will be 10percent studio, 55percent one bedroom, 25percent two bedroom, and 10percent three bedroom. There was discussion of traffic issues on Rockwood. This project will have transit access and allow people to live in comfortable environment with amenities, at a price range they can afford. Early-on price range projection is \$1000 for studio and \$2700 for three bedroom, and this could change depending on the market. This will be all rental units and there will be no retail space. They've closed on two other projects so far in Austin, and plan to be involved in four or five projects. None of the projects are completed so far. It will be 60 ft. – five stories. They want MS6 zoning for the sake of higher density, MS6 allows for the highest density. They don't want MS6 for the height – it would allow 90 feet and they only need 60 feet, they want it for the density. The 15percent affordable units would be 45 units for a term of five years.

There was some discussion regarding distance to people's backyards – now it's Woodchase Apartments on one side and Rockwood Apartments on the other so it doesn't back up to yards, but residents could probably see into some yards. There was discussion about short-term rental ban. They don't foresee people doing short-term rentals here. Mr. Gilmore aid let them chew on whether they would agree in writing to a short-term rental ban. They will look into it.

There was discussion on concerns about traffic effects on Rockwood Lane. They were asked if they would agree to traffic impact analysis and whether they would be willing to cut off access to the parking garage from the turn-about so that Burnet Road is the only entrance and exit. Per Mr. Gilmore, they would not agree to doing a traffic impact analysis, they are not required to do one.

The developer has closed on 2010 South Lamar (proposed 60 ft. height) and 70 Rainey Street, but hasn't done any building yet. In our neighborhood, the developer has met with the owner of Waterloo restaurant regarding possible disruption because of excavation and construction work. There was discussion about the water situation in Austin.

Sharon Justice requested they email a copy of site plan to her to put on our website and they agreed. The engineer said this is an early concept that will accomplish the developer's objectives and is just one possible concept. Kevin Weir said he thought the Domain would be a more appropriate location as far as being near transportation centers according to the plan for our city.

At the end of the presentation and the Q&A, Acting President Blood called for an informal, nonbinding show of hands regarding support or nonsupport for the Mopac proposal as described and the Burnet Road proposal as described. Then he added a voting option of supporting with caveats or modifications the Burnet Road project, without going into the specific modifications right now. He announced that if you are a guest, there are two surveys in your packet to be completed, one for each project. This is for informative purposes and also asks for your contact information.

The open public meeting portion of the general meeting was then concluded. Nonmembers can stay, but will not be able to vote.

4. Call to Order of General Membership Meeting

General meeting was called to order at 7:39 p.m. by Acting President Mike Blood. Erin Poole thanked Sharon Justice, Kevin Weir and Kenneth Webb for their work on the Development Committee. Mike Blood added thanks to Sharon Justice Kenneth Webb for helping him with being the Acting President.

a. Approval of Minutes

Dallas Maham (Kevin Weir) moved to approve minutes of all three meetings presented: the General Membership Meeting held on March 4, 2014; General Membership Meeting held on May 6, 2014 and General Membership Meeting held on September 2, 2014. The minutes were approved.

b. Announcement about Nominating Committee

The board appointed a Nominating Committee. Sharon Justice is the Chair of the Committee and the members are Kenneth Webb, Jeri Wines, Barbara Gaston and Donna Eagar. We will have elections in January 2015. Email nominating@nscna.org, if you have ideas for nominations for this committee.

c. Other Committee News and Updates

Amelia Cobb, the Chair of the Social Committee, spoke about Luminaria walk on Thursday, December 18, and pointed out the signup list on the table to help.

Treasurer Lois McEvoy said there will be a financial report included in minutes of this meeting. Lois said there are copies of profit & loss statements available. Our bank changed their computer system and right now the only person with access is Lois so she has printed copies of the bank statements. Right now the president is the one who should also have access and that issue will be addressed. There should also be some changes in the bylaws regarding this.

There was report on traffic calming devices on Steck from Rockwood to Burnet Road. There has been a personnel change and there is no money for this at this time. We will have to start over on this.

Kevin Weir reported that NSCNA Development Committee is involved in following the status of the Austin Oaks Planned Unit Development (PUD).

Roger Wines announced that the city is planning to resurface Stillwood with asphalt.

5. General Discussion about Rezoning Issues; Explanation of How Vote Works & Votes

a. Mopac Project

There was discussion about zoning issues with the Mopac project. The informal vote for that project showed most of the crowd in favor of this project. Approving it with caveats was not offered for the informal vote on this project.

The impact on traffic on Anderson Lane and Steck Avenue was discussed regarding the Mopac project. Kevin Weir stated he would like a traffic impact study to use as a benchmark. Sometimes the city requires a traffic study, but generally, it's the Wild West now. There was discussion about doing a traffic count ourselves. There was discussion about down-zoning from CS1 to GR and up-zoning from LO to GR. There was discussion about traffic analysis and the expense to the developer. This is why both projects that were presented tonight said they would limit their project to 2000 trips a day which does not trigger the requirement for a traffic impact study. There is no enforcement for the 2000 trips a day limit once it is built. We could ask the city to ask the developer to do the study if the developer won't do it voluntarily. Traffic studies have been done and we should check on what studies have been done and when they were done.

Next week, Wednesday morning, November 12, the Planning Commission will meet to consider this project. Then the city council is scheduled to hear it later this month. We need to decide tonight how the association feels about it so that we have a voice. The Mopac project can't get the density they want without this zoning change.

The Development Committee suggests we vote to approve with certain changes. We want a conditional overlay with five restrictions:

- buildings are closed between 10:00 p.m. to 6:00 a.m.;
- traffic analysis be conducted;
- height limitations in terms of number of floors or otherwise;
- look at the GR commercial purposes and specify which ones we don't want to see; and
- change the CS zoning that is on part of the property to GR.

Discussion about why we want them to give up the CS. They say they want to have office buildings so they don't need CS zoning for that. Their current CS zoning would give them the option to have a bar. GR zoning would allow for a restaurant. Discussion about height restrictions if we want it lower than the GR-allowed 60 feet.

Chip Rosenthal (Dallas Maham) moves that we adopt a position that we object to the proposal as planned. We say to Planning Commission that we have meet with Amanda Morrow regarding the Mopac project and have concerns, but would like to work with them on our concerns.

Roger Wines (Mike Blood) moves for an amendment to the motion to appoint committee to talk to Planning Commission and developer. Amanda Morrow said they are willing to listen to what we bring to them. The president will appoint the Development Committee to do this.

There was discussion about the issue. Roger Wines called the question. Kenneth Webb advised that the proper procedure now is to end debate and vote on the question. Motion passed to vote on Mopac project now with one nay vote.

We now vote on appointing the Development Committee to go before Planning Commission to say we oppose this but are interested in talking further with developer to refine the plan. We are in favor of the rezoning with certain restrictions.

Levi Bullock discussed the importance of the wording when doing this. There was discussion that Kevin and Kenneth have worked on these issues and have personal relationships with people involved in this.

Final version of the motion: We support the Mopac rezoning request with certain caveats/restrictions and will be glad to work with the developer to resolve them. We give the NSCNA Development Committee discretion to communicate this. Motion passed with one nay vote.

b. Burnet Road Project

There was discussion about the traffic issue because of the Rockwood exit planned. There was also discussion of rezoning it to MF6 which is an extreme category and allows for a height up to 90 feet. Although the developer says they would only go up to 60 feet, they would be zoned for more. Lois McEvoy reported that Mike Gordon of Gordon Automotive said he is not selling. They are trying to get it rezoned before they have purchased the property. This is one of the issues which can set up a developer to be able to flip the property once they get the zoning change. The new owner could use any options allowed by the MF6 zoning.

Betsy Todd (Dallas Maham) moved that we oppose this development. Motion passed with one nay.

6. Announcements and New Business

Amelia Cobb asked about how to go about lowering the speed limit on Burnet Road. There was discussion that it is an arterial road and the speed limit slows as you get further from 183.

There was no new business.

7. Adjournment

Dallas Maham (Mike Blood) moved for adjournment and the meeting adjourned at 8:29 p.m.

Submitted by Karen Denton, NSCNA Secretary

Minutes approved at General Membership meeting January 6, 2015