

ZONING CHANGE REVIEW SHEET

CASE: **C14-2024-0121**– Red River Rezone

DISTRICT: 9

ADDRESS: 4305, 4307 & 4309 Red River Street

ZONING FROM: SF-3-CO-NP

TO: ~~LR-MU-DB90-NP~~
GR-MU-CO-NP, as amended

SITE AREA: 0.35 acres

PROPERTY OWNER: Sierra Halo LLC (C. Copeland)

AGENT: Thrower Design, LLC (Victoria Haase)

CASE MANAGER: Marcelle Boudreaux (512-974-8094,
marcelle.boudreaux@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial– mixed use building – vertical mixed use building - conditional overlay - neighborhood plan (GR-MU-V-CO-NP) combining district zoning.

The Conditional Overlay would:

- 1) Establish a height limit of 50 feet;**
- 2) Limit number of residential units to 16;**
- 3) A 5-foot wide vegetative buffer shall be provided and maintained along any property line adjacent to a property developed or zoned single-family residential. Improvements permitted within the buffer zone are limited to landscaping, fencing and utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized; and**
- 4) Prohibit the following uses permitted within the GR base zoning district: alternative financial services; automotive rental; automotive repair services; automotive sales; automotive washing of any kind; consumer convenience services; consumer repair services; commercial off-street parking; exterminating services; funeral services; medical offices exceeding 5,000 square feet; pawn shop services; service station; custom manufacturing; business or trade school; indoor sports and recreation; outdoor entertainment; outdoor sports and recreation; hospital services (general) and hospital services (limited); club or lodge; college and university facilities; communication service facilities; community recreation (private); community recreation (public); plant nursery; printing and publishing; bail bond services; and urban farm. And make conditional the following uses: community garden; bed & breakfast (group 1); bed & breakfast (group 2); and medical offices – not exceeding 5,000 sq. ft. gross floor area.**

PLANNING COMMISSION ACTION / RECOMMENDATION:

August 12, 2025: APPROVED GR-MU-V-CO-NP, AS STAFF RECOMMENDED, ON CONSENT, WITH ADDITIONAL CONDITIONS READ INTO THE RECORD:

- 1. Modify the 5 foot vegetative buffer to a 10 foot vegetative buffer at east and south property lines adjacent to single family zoning, subject to any greater setbacks required by code or law at the time of the filing of a site plan,*
- 2. Expanding the list of prohibited uses to also include: Hotel/Motel, Restaurant-General, Restaurant -Limited, Food Sales, Food Preparation, drop-off recycling collection facility, and pedicab storage and dispatch uses.*

VOTE: AHMED; BRETON -2ND (9-0) WOODS, LAN, BARRERA-RAMIREZ – ABSENT; 1 VACANCY ON DAIS

July 8, 2025: APPROVED NEIGHBORHOOD POSTPONEMENT REQUEST TO AUGUST 12, 2025, ON CONSENT.

VOTE: POWELL; MAXWELL – 2ND; (10-0) – HOWARD, BARRERA-RAMIREZ, BRETON - ABSENT

February 11, 2025: APPROVED LR-MU-DB90-NP, AS APPLICANT REQUESTED AND AS AMENDED BY PLANNING COMMISSION, WITH CONDITIONAL OVERLAY TO PROHIBIT USES PERMITTED WITHIN THE LR BASE ZONING DISTRICT: ALTERNATIVE FINANCIAL SERVICES; CONSUMER CONVENIENCE SERVICES; COMMUNICATION SERVICES FACILITIES; FINANCIAL SERVICES; OFF-SITE ACCESSORY PARKING; PLANT NURSERY; PRINTING AND PUBLISHING; SAFETY SERVICES; SERVICE STATION; URBAN FARM; CLUB/LODGE; CUSTOM MANUFACTURING; COLLEGE AND UNIVERSITY FACILITIES; COMMUNITY EVENTS; COMMUNITY RECREATION (PRIVATE); COMMUNITY RECREATION (PUBLIC); HOSPITAL SERVICES (LIMITED); AND SPECIAL USE HISTORIC; AND TO MAKE CONDITIONAL USES PERMITTED WITHIN THE LR BASE ZONING DISTRICT: COMMUNITY GARDEN; BED & BREAKFAST (GROUP 1); BED & BREAKFAST (GROUP 2); AND MEDICAL OFFICES – NOT EXCEEDING 5,000 SQ. FT. GROSS FLOOR AREA.

[R. JOHNSON; G. ANDERSON – 2ND] (9-1) G. COX - AGAINST; P. HOWARD, A. PHILLIPS, A. HAYNES – ABSENT

APPROVED AMENDMENT TO ADD CONDITIONAL OVERLAY TO APPLICANT'S REQUEST, INTRODUCED BY COMMISSIONER AZHAR

[A. AZHAR; F. MAXWELL – 2nd] (9-0-1) G. COX – ABSTAIN; P. HOWARD, A. PHILLIPS, A. HAYNES – ABSENT

MOTION TO APPROVE STAFF RECOMMENDATION BY G. COX FAILED DUE TO LACK OF A SECOND

January 28, 2025: APPROVED AN APPLICANT POSTPONEMENT REQUEST TO FEBRUARY 11, 2025, ON CONSENT.

[R. JOHNSON; F. MAXWELL – 2ND] (10-0); G. ANDERSON, A. WOODS, A. HAYNES – ABSENT

CITY COUNCIL:

September 25, 2025: APPROVED APPLICANT POSTPONEMENT REQUEST TO OCTOBER 9, 2025, ON CONSENT.

VOTE: VELAZQUEZ; VELA - 2nd (UNANIMOUS)

September 11, 2025: APPROVED A POSTPONEMENT REQUEST BY COUNCIL MEMBER QADRI TO SEPTEMBER 25, 2025, ON CONSENT.

VOTE: VELA; ELLIS – 2ND (UNANIMOUS)

ORDINANCE NUMBER:
ISSUES:

On February 11, 2025, the Planning Commission approved recommendation of the applicant's requested rezoning to LR-MU-DB90-NP, with an amendment proposed by Commissioner Azhar and approved by Commissioners to add a Conditional Overlay with prohibited and conditional uses (see more details above in action for February 11, 2025 PC hearing). At request of the applicant, this request was not noticed for City Council. Subsequently the applicant amended their rezoning application to request GR-MU-CO-NP. The applicant proposes a Conditional Overlay with development standards to limit height and number of residential units, and prohibition of some uses (outlined in more detail above) staff also re-incorporated additional prohibited and conditional uses proposed by Commission on February 11, 2025. After the postponement at hearing on February 11, 2025, the applicant expanded regulations in the CO and prohibited uses. Further, during the 2004 rezoning for the Hancock Neighborhood Plan (NP) area, a CO was placed on the site, and others, to limit height to 30 feet and two stories. In order for the 50 foot height limit to be applicable for this rezoning removing the height limitation from the NP area rezoning is recommended by Staff (Ordinance 040826-59).

Staff recommends GR-MU-V-CO-NP combining district zoning. Staff does support rezoning this site as mixed use and supports an increase in housing density. Staff recommends rezoning the site to include the Mixed Use (MU) and Vertical Mixed Use Building (V) combining districts, which allows for a reasonable use of the property without detrimental impacts to the adjacent neighborhood. There is an existing transition of sites from single family land use to neighborhood commercial land use across the street and south along Red River Street. The base district of community commercial (GR), with the proposed Conditional Overlay to limit height, density and uses, supports and promotes a transition between adjacent and nearby zoning districts, especially those immediately adjacent properties zoned single family.

CASE MANAGER COMMENTS:

The subject rezoning area consists of two legally platted lots ("site") and is approximately 0.35 acres. They are developed with three single-family residences, which are occupied. The

rezoning area is on the east side of Red River Street, at the corner of and also with access to East 44th Street. Development along Red River Street in the vicinity of the site is primarily residential in nature, with some intermittent neighborhood commercial and civic uses, such as small medical office, guitar store, middle school and church, with a multifamily apartment and commercial shopping center further to the south (SF-3-CO-NP; LO-MU-NP; LR-MU-CO-NP; LR-MU-NP; CS-CO-NP). ***Please refer to Exhibits A (Zoning Map), A-1 (Aerial View).*** The site is less than a third of a mile from the Imagine Austin activity corridor on Airport Boulevard and equidistant from three Imagine Austin activity centers (approximately .6 miles from each).

Based on updated requested zoning and proposed uses, TPW staff has determined that a Neighborhood Traffic Analysis (NTA) is no longer required. A NTA was required for the applicant's original request of LR-MU-DB90-NP. For that original rezoning request, TPW issued a memo on February 5, 2025 analyzing traffic on the neighborhood streets, at the corner of the site at East 44th Street and at Bennet Avenue. That analysis found that based on the LDC criteria, East 44th Street and Bennett Avenue are currently operating at desirable levels and would continue operating at desirable levels with the addition of site traffic.

The Applicant proposes to rezone the property to community commercial – mixed use – conditional overlay – neighborhood plan (GR-MU-CO-NP) combining district zoning. The maximum permitted height would be 50 feet and the number of residential units permitted would be no greater than 16, per the Conditional Overlay. The applicant's requested zoning of GR-MU-CO-NP does promote compatibility with adjacent and nearby uses.

This area of Red River is low-slung, primarily single family or townhome-type density with some pockets zoned for and being used as neighborhood commercial uses. It is not an area of numerous sites developed for dense and intense multifamily uses also situated in tall (greater than 40 feet) buildings. The Hancock commercial center with anchor H-E-B is located less than 250 feet south from the site. This segment of Red River Street is designated as transit priority street. A Cap Metro bus stop is located immediately adjacent to the property on Red River Street, with two lines being served. This segment of Red River Street is also categorized as ASMP level 3. Two blocks north is East 45th Street and designations shift for Red River Street: the transit priority designation heads east along East 45th Street towards its intersection with Airport Boulevard, and as Red River Street continues north it changes to ASMP level 1.

This site is within a ½ mile of both the Bennett and Hancock ETOD station areas (Include - Bus). The rezoning to -V allow for relaxed development standards in exchange for affordable units, consistent with the "Include" ETOD typology. ETOD efforts should take advantage of the change occurring today to enable even more community members, especially low-income households and communities of color, to access existing services and opportunities while incrementally growing with more housing units for all income levels.

On balance, Staff's recommendation is for GR-MU-V-CO-NP, which would also allow for a mix of uses, including residential, and multi-family. The -V combining district allows for relaxation of some development standards, such as building coverage, setbacks and floor-to-

area (FAR) ratio, in exchange for income-restricted housing; however, no additional height is incentivized. (See Issues section for more information).

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Community Commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

Mixed Use combining district (MU) is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

Vertical Mixed Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.

The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

This rezoning authorizes a property to participate in a voluntary density bonus or incentive program that provides modifications to dimensional requirements in exchange for income-restricted housing. The recommendation for the -V combining district continues to align with City objectives to increase density and affordability in exchange for relaxed development standards.

3. *The rezoning should be consistent with the policies and principles adopted by the City Council.*

City Council has provided policy and direction for having more residential density and increased affordability, as well as incentivizing vertical mixed use buildings throughout the City. This supports the Climate Equity Plan's goal to locate new housing within half mile of Imagine Austin activity corridor.

4. *Zoning changes should promote an orderly relationship among land uses.*

The staff recommends rezoning the site to include the Mixed Use (MU) and Vertical Mixed Use Building (V) combining districts, which allows for a reasonable use for the property without detrimental impacts to the adjacent neighborhood. The base district of neighborhood commercial (GR), with the proposed Conditional Overlay to limit height, density and uses, promotes a transition between adjacent and nearby zoning districts, especially those immediately adjacent properties zoned single family. Staff's recommendation is also based on the following considerations:

- 1) Recognizing the site's location on Red River Street, which is a level 3 street and priority/core transit corridor;
- 2) Recognizing the site's close proximity to Airport Blvd., which is an Imagine Austin Corridor and a core transit corridor;
- 3) The site adjoins a public sidewalk, shared path, and/or bike lane and is located within 0.25 miles of public transit stop;
- 4) There are pockets of commercial and multifamily residential across the street and south of the site, including H-E-B anchored commercial center 250 feet south of the site;
- 5) The number of units and housing choice that could be produced would suit a variety of household sizes, incomes, and lifestyle needs of a diverse population in support of Imagine Austin and the Strategic Housing Blueprint;
- 6) The rezoning is consistent with the intent of the "Include" ETOD typology.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-CO-NP	Single family residential
<i>North</i>	SF-3-CO-NP; LR-MU-NP	Single family residential; Private secondary educational facilities
<i>South</i>	SF-3-CO-NP; CS-CO-NP	Single family residential; Undeveloped/ Construction staging; Commercial center anchored by Food sales, includes General retail sales (convenience), Personal improvement services, Personal services, Pet services, Medical offices, Restaurant (Limited & General)
<i>East</i>	SF-3-CO-NP	Single family residential
<i>West</i>	LO-MU-NP; SF-3-CO-NP; LR-MU-CO-NP	Professional office; Single family residential; General retail sales (convenience)

NEIGHBORHOOD PLANNING AREA: Central Austin Combined (Hancock)

WATERSHED: Boggy Creek – Urban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Lee Elementary School

Kealing Middle School

McCallum High School

COMMUNITY REGISTRY LIST:

Austin Neighborhoods Council	North Austin Neighborhood Alliance
Austin Independent School District	Hancock Neighborhood Assn.
Friends of Austin Neighborhoods	45 th Street Concerned Citizens
CANPAC (Central Austin Neigh Plan Area Committee)	
Homeless Neighborhood Association	
Preservation Austin	

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0065 – Austin Vintage Guitars – 4306 Red River St	LO-MU-NP to LR-MU-NP	To Grant (7/24/12) LR-MU-CO-NP per Staff recommendation, with CO Prohibiting uses: Alternative financial services, consumer convenience services, communication services facility, counseling services, financial services, food sales, local utility services, off site accessory parking, personal improvement services, pet service, plant nursery, printing and publishing, restaurant (limited and general), safety services, service station, urban farm, community recreation, club/lodge, custom manufacturing, college and university facilities, community events, community recreation (private and public), guidance services, hospital services (limited), residential treatment and special use historic. And CO establishing	Apvd LR-MU-CO-NP, as Commission recommended

		Conditional Uses: community garden, day care services (general and commercial), family home, bed & breakfast (group 1 & group 2), medical offices – not exceeding 5,000SF gross floor area.	
C14-2014-0063 – Commodore Perry Estate – Tract 3 – 710 East 41 st Street	SF-3-CO-NP to SF-6-CO-NP	To Grant SF-6-CO-NP, as staff recommended (7/22/14)	Apvd SF-6-CO-NP, as Commission recommended (8/7/14)
C14-2014-0064 – Commodore Perry Estate – 710 East 41 st Street	GR-MU-CO-NP, GR-CO-H-NP to GR-MU-CO-NP, GR-MU-CO-H- NP to change conditions of zoning	To Grant GR-MU-CO- NP, GR-MU-CO-H-NP to change conditions of zoning (regarding access to Red River Street and residential setbacks) (5/27/14)	Apvd GR-MU-CO- NP, GR-MU-CO-H- NP to change conditions of zoning (6/26/14)

RELATED CASES:

The subject property is within the boundaries of the Central Austin Combined (Hancock) Neighborhood Planning Area. The –NP combining district was added to the existing SF base district in 2004 (Ordinance No. 040826-56).

NPA-2022-0019.01 – corresponding amended neighborhood plan amendment request to change the Future Land Use Designation from Single Family to Mixed Use.

ADDITIONAL STAFF COMMENTS:

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire Department

No comments.

PARD – Planning & Design Review

Parkland dedication will be required for the new applicable uses proposed by this development, (Mixed use in the GR-MU-CO-NP zoning category) at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609, as amended.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact me at: scott.grantham@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when the site plan is submitted.

Compatibility Standards:

The site is subject to compatibility standards due to the surrounding SF3 properties.

Reference 25-2-1051, 25-2-1053

Any structure that is located:

- a. At least 50 feet but less than 75 feet from any part of a triggering property may not exceed 60 feet.

b. Less than 50 feet from any part of a triggering property may not exceed 40 feet.
Reference 25-2-1061

c. Less than 25 feet from any part of a triggering property requires a compatibility buffer.

An on-site amenity, including a swimming pool, tennis court, ball court, or playground, may not be constructed 25 feet or less from the triggering property.

Reference 25-2-1062

This tract is already developed, and the proposed zoning change is a footprint within the existing development.

FYI, this site is within the Hancock Neighborhood Plan.

Transportation

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

As originally submitted, the proposed zoning and uses warranted an NTA, however the revised proposed zoning, uses and associated intensities no longer require one.

The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for RED RIVER ST. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for RED RIVER ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for E 44TH ST. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for E 44TH ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
RED RIVER ST	Corridor Mobility - Level 3	80 feet	58 feet	35 feet	Existing 6 feet sidewalks	Shared lane (on-street)	Yes

E 44TH ST	Local Mobility - Level 1	58 feet	46 feet	23 feet	No	No	Yes
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Austin Water Utility

No comments on zoning change.

The landowner intends to serve the site with existing City of Austin water utilities.

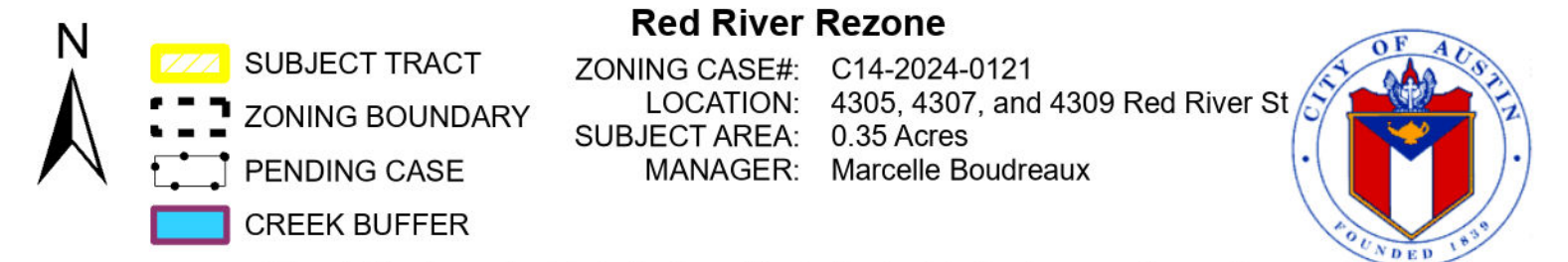
Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map

Exhibit A-1: Aerial Map

Exhibit B: Applicant's Summary Letters – as amended
Public Comment



Created: 1/23/2025



March 12, 2025

Ms. Marcelle Boudreaux
Planning Department
City of Austin
3610 Wilhelmina Delco Drive
Austin, TX 78752

Via Electronic Delivery

Re: Rezoning & Neighborhood Plan Amendment Application – 4305, 4307, 4309 Red River St.

Dear Ms. Boudreaux:

We hereby amend the rezoning application to change the rezoning requested from LR-DB90-NP to GR-MU-CO-NP. The Conditional overlay is to prohibit the following uses:

Alternative Financial Services
Automotive Rental
Automotive Repair Services
Automotive Sales
Automotive Washing of any type
Consumer Convenience Services
Consumer Repair Services

Exterminating Services
Funeral Services
Medical Offices Exceeding 5K sq. ft.
Off-Site Accessory Parking
Pawn Shop Services
Service Station
Custom Manufacturing

Please contact our office or me directly should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

A handwritten signature in black ink, appearing to be "Victoria Haase".

Victoria Haase

cc: Joi Harden, Housing & Planning Department (*via electronic delivery*)

**P. O. BOX 41957, AUSTIN, TEXAS 78704
1507 INGLEWOOD ST., AUSTIN, TEXAS 78741**



June 3, 2025

Ms. Marcelle Boudreaux
Planning Department
City of Austin
3610 Wilhelmina Delco Drive
Austin, TX 78752

Via Electronic Delivery

Re: Rezoning & Neighborhood Plan Amendment Application – 4305, 4307, 4309 Red River St.

Dear Ms. Boudreaux:

We further amend our application for rezoning from *LR-DB90-NP* to *GR-MU-CO-NP*, adding the following to the Conditional Overlay,

1. Height restriction of 50ft.
2. Density restriction of 16 units.

Please contact our office or me directly should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

A handwritten signature in black ink, appearing to be "Victoria Haase".

Victoria Haase

cc: Joi Harden, Housing & Planning Department (*via electronic delivery*)

P. O. BOX 41957, AUSTIN, TEXAS 78704
1507 INGLEWOOD ST., AUSTIN, TEXAS 78741

From: [Victoria](#)
To: [Boudreaux, Marcelle](#)
Subject: RE: Revised NPA Application: Red River rezone - next steps
Date: Wednesday, August 6, 2025 11:09:30 AM
Attachments: [image002.png](#)

External Email - Exercise Caution

I spoke with landowner and have the following additions to the CO:

Additional uses approved for prohibition:

- Business or Trade School
- Indoor Sports & Recreation
- Medical offices, (large)
- Outdoor Entertainment
- Monument Retail Sales
- Outdoor Sports & Rec.
- Hospital Services (General and Limited)

Add a 5ft vegetative screening buffer when adjacent to Single Family Zoned property.

Victoria Haase

victoria@throwerdesign.com

C: 512-998-5900 | O: 512-476-4456



throwerdesign.com

Mail: P.O. Box 41957, Austin, Texas 78704

Physical: 1507 Inglewood St., Austin, Texas 78741-1141

For your security, we will never send ACH or sensitive payment information via email. Please verify any payment details through secure channels.

From: Victoria
Sent: Wednesday, August 6, 2025 10:14 AM
To: Boudreaux, Marcelle <Marcelle.Boudreaux@austintexas.gov>
Subject: RE: Revised NPA Application: Red River rezone - next steps

Marcelle,

From: [Victoria](#)
To: [Azhar, Awais - BC](#)
Cc: [Ron Thrower](#); [Thomas, Eric](#); [Harden, Joi](#); [Meredith, Maureen](#); [Boudreaux, Marcelle](#)
Subject: PC - 7/8/25 - Red River Rezone #2 & #3
Date: Monday, July 7, 2025 9:10:09 PM

External Email - Exercise Caution

Hello Chair Azhar,

There has been a change, and we are now in agreement to postpone the Red River Rezone and NPA cases. However, we request that the cases come back to PC on August 12th. Both Ron and I will be in and out of town for at least two weeks in July and therefore, will not be able to meet with the neighborhood between tomorrow and July 22nd.

I will be at PC tomorrow if there are questions or comments regarding our agreement to the postponement.

Thank you,

V

Victoria Haase

victoria@throwerdesign.com

C: 512-998-5900 | O: 512-476-4456



throwerdesign.com

Mail: P.O. Box 41957, Austin, Texas 78704

Physical: 1507 Inglewood St., Austin, Texas 78741-1141

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For any additional questions or concerns, contact CSIRT at
"cybersecurity@austintexas.gov".

From: [Victoria](#)
To: [Boudreaux, Marcelle](#)
Cc: [Meredith, Maureen](#); [Ron Thrower](#)
Subject: RE: C14-2024-0121/ Red River rezone - July 8 PC
Date: Monday, July 7, 2025 8:18:58 AM
Attachments: [image003.png](#)

External Email - Exercise Caution

Hello Marcelle,

We do not agree to the postponement and would like to have the hearing on Tuesday. I communicated with Charles that we would like to move forward with the PC hearing on Tuesday evening and that we will continue dialogue and any further agreements prior to City Council, which will take place no earlier than August 28th.

Thank you.

Victoria Haase

victoria@throwerdesign.com

C: 512-998-5900 | O: 512-476-4456



throwerdesign.com

Mail: P.O. Box 41957, Austin, Texas 78704

Physical: 1507 Inglewood St., Austin, Texas 78741-1141

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From: Boudreaux, Marcelle <Marcelle.Boudreaux@austintexas.gov>
Sent: Monday, July 7, 2025 7:51 AM
To: Victoria <Victoria@throwerdesign.com>
Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Re: C14-2024-0121/ Red River rezone - July 8 PC

Update: Charles d'Harcourt, president of Hancock NA has requested a postponement to July 22. Please let me know if you agree to that or not. Thanks!

Marcelle Boudreaux

From: [Charles d'Harcourt](#)
To: [Boudreaux, Marcelle](#); [Meredith, Maureen](#)
Cc: [Deller, Natalie](#)
Subject: Re: Case Number: C14-2024-0121 4305, 4307, and 4309 Red River
Date: Monday, July 7, 2025 7:16:05 AM
Attachments: [image001.png](#)

You don't often get email from charles.hna@icloud.com. [Learn why this is important](#)

External Email - Exercise Caution

Thank you for the copy of the notice Marcelle,

Since the case review can't be postponed for the minor error in the notice, the neighborhood association would ask for it to be postponed to the next planning commission meeting so we can continue to discuss with the owner's representatives and try to come to an agreement we can both support at planning commission and council. This would apply to both the neighborhood plan review and zoning change.

Thanks,

- Charles

Charles d'harcourt, president, Hancock Neighborhood Association
+1 512 484 9625, charles.hna@icloud.com

On Wed, Jul 2, 2025 at 9:04 PM Boudreaux, Marcelle
<Marcelle.Boudreaux@austintexas.gov> wrote:

Hi Charles,

Thanks for reaching out. Although the applicant's phone number is incorrect, this detail is not a required element per Code. It is unfortunate; however, the contact information (email and phone) for me, the case manager, was listed correctly so interested persons are able to reach out to me in order to obtain more information. At this time, Staff is not recommending postponement or re-notification.

On the notice list for this property, Barbara Epstein is listed as Hancock NA president, so notice would have been mailed to her. It is good to hear that interested parties informed you. There may be a time lag between when the update occurs in Community Registry and the address system. Here is the contact info for Victoria Haase with Thrower Design:

victoria@throwerdesign.com

Cell: 512-998-5900 | Office: 512-476-4456

The Planning Commission hearing is next Tuesday at 6pm, at City Hall. I've attached a PDF of the rezoning notice to this email.

Please let Maureen or me know if you have questions about the NPA or rezoning applications. Once we have received the speaker registration link, one or both of us will share that with you and other interested parties.

Thank you,



Marcelle Boudreaux, MCRP, AICP, Assoc. AIA

Planner Senior

Planning Department

512-974-8094

marcelle.boudreaux@austintexas.gov

Please note: Email correspondence to and from the City of Austin is subject to required disclosure under the Texas Public Information Act.

From: Charles d'Harcourt <charles.hna@icloud.com>

Sent: Wednesday, July 2, 2025 1:27 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Boudreaux, Marcelle <Marcelle.Boudreaux@austintexas.gov>

Cc: Deller, Natalie <Natalie.Deller@austintexas.gov>; Walters, Mark <Mark.Walters@austintexas.gov>

Subject: Re: Case Number: C14-2024-0121 4305, 4307, and 4309 Red River

You don't often get email from charles.hna@icloud.com. [Learn why this is important](#)

External Email - Exercise Caution

Hi Maureen and Marcelle,

I heard from another party that this case was placed on the agenda for the July 8th planning commission, but I did not receive any notice of this. My contact information is correctly recorded for the Hancock Neighborhood Association in the city's [community registry](#), and the property concerned falls within our association boundaries.

I've also been told by people who did receive the notice that the phone number for the applicant on that notice was not that of the applicant but instead that of an unrelated medical office.

If the applicant's contact information was indeed incorrect, would it be possible to postpone this case to the July 22 planning commission meeting so it can be re-noticed correctly to give everyone affected an opportunity to contact the applicant if they want to?

Natalie Deller from council member Qadri's office has been informed of this potential notice issue and may be contacting you about it also. She is CC'ed on this message.

Thanks for letting me know what's possible.

Best regards,

- Charles d'Harcourt

Hancock Neighborhood Association volunteer and current president

+1 512 44 9625, charles.hna@icloud.com

On Mon, Jun 9, 2025 at 1:18 PM Meredith, Maureen
<Maureen.Meredith@austintexas.gov> wrote:

From: [Andy Schulz](#)
To: [Boudreaux, Marcelle](#)
Cc: [Deller, Natalie](#); [Charles d'Harcourt](#); [Dohn Larson](#); [Liz MacPhail](#); [Margo Whitt](#); [Skidmore, Danielle - BC](#)
Subject: Red River NPA & Rezoning (4305, 4307, 4309 Red River St)
Date: Monday, July 7, 2025 12:36:56 PM

External Email - Exercise Caution

Dear Ms. Boudreaux,

I write to urge the Planning Commission to grant the Hancock Neighborhood Association's request to postpone consideration of the above-referenced application. If a postponement is not granted, the Planning Commission should reject the application.

The pending application would allow this site to be redeveloped with several highly objectionable elements. A postponement would allow the neighbors who will be affected by this project an opportunity to discuss their objections with the applicant with the aim of resolving them. A postponement is also appropriate for three additional reasons: (i) The notice that this application would be on the Planning Commission's agenda for tomorrow evening included an incorrect phone number for contacting the applicant, impeding the possibility of resolving the objections prior to tomorrow's meeting; (ii) The applicant has proposed that certain conditions be included in the Conditional Overlay, but as best as I can determine the CO has not been provided to the Planning Commission; consequently, the Planning Commission lacks all of the information necessary to properly evaluate this application; and (iii) I am unable to attend tomorrow evening's meeting, either in person or by remote connection.

The above-referenced application concerns two lots that are currently zoned SF-3. The application was filed last year and initially sought to have the lots rezoned DB-90. The application was subsequently amended and now requests GR-MU-CO-NP. As amended, the application offers little or no benefit to the city or the community, and in fact would be destructive to the neighborhood. Specifically:

(1) The project would demolish three small affordable homes and replace them with no affordable units. Although the initial application for DB-90 was also objectionable for many reasons, at least it would have required the owner to build some affordable units.

(2) The applicant has proposed including in the CO a height limitation of 50 feet and a maximum of 16 units. While a reduction in the maximum height is an improvement, the building still would be too high and out of character with the surrounding mostly single-family bungalow-style homes. The Planning Department correctly recognized this at the time of the initial application seeking DB-90 designation, and instead recommended LR-MU-V-CO-NP with a 40-foot height limit. As the staff stated at the time, the original application

“...does not promote compatibility with adjacent and nearby uses. This area of Red River is low-slung, primarily single family or townhome-type density with some limited sites zoned for and being used as neighborhood commercial uses. It is not a transition area of sites developed for dense and intense multifamily uses also situated in tall (greater than 40 feet) buildings.”

The same remains true today with the amended application and proposed CO allowing a building as tall as 50 feet. Such a tall building is incompatible with our neighborhood.

(3) Although the requested zoning classification allows for a commercial-mixed use building, the applicant has stated on several occasions that their intention is to limit the project to all-residential units. This limitation, combined with the proposed CO that would limit construction to 16 units, means that the property would be exempt from otherwise applicable side compatibility buffers and setback requirements.

This last aspect of the application is what makes it so destructive to the neighborhood. As noted above, a 50-foot building would be problematic in any event due to its disproportionate size in relation to the surrounding mostly single-story bungalows. This problem would be greatly compounded by the absence of any side compatibility buffers or setbacks, which would create an overwhelming building façade right on the property line of the adjacent SF-3 lots that have only a 5-foot setback. This tall structure, even if limited to 40 feet, would loom over the neighbor's homes with an oppressive and devastating effect. The redevelopment of this site should not be allowed to have such a destructive impact on other people's lives. Such a tall building should be subject to side compatibility buffers and setback requirements regardless of whether it is all residential or mixed use.

(4) Finally, GR-MU zoning would allow for many uses of the property that would be inappropriate for our neighborhood. Yet the applicant has included in the proposed CO only a small number that would be prohibited. Many of the otherwise allowable uses should be prohibited because they would bring an influx of vehicular traffic (as opposed to neighborhood pedestrian traffic), and a consequent demand for parking. Red River is narrow on this block, with just one lane in each direction and no on-street parking. East 44th Street is even narrower and with limited on-street parking that is often used by the residents. Many commercial activities that would be allowed under GR-MU also would bring unwanted noise, odors and trash (such as food waste) to our neighborhood. The small size and location of these two lots also makes many of the allowable uses simply impractical for the site. Below is a list of the uses that the applicant proposes to prohibit in the CO, followed by a list of additional uses that also should be prohibited.

In sum, I am hopeful that a postponement of the Planning Commission's

consideration of this matter would allow the neighbors an opportunity to speak with the applicant and resolve these objections on a mutually satisfactory and beneficial basis. If no postponement is granted, the application should be denied for the above reasons.

Thank you very much for your consideration.

Sincerely,
Andrew Schulz

USES PROPOSED TO BE PROHIBITED IN THE AMENDED APPLICATION:

Alternative Financial Services
Automotive Rental
Automotive Repair Services
Automotive Sales
Automotive Washing of any type
Consumer Convenience Services
Consumer Repair Services
Custom Manufacturing
Exterminating Services
Funeral Services
Medical Offices $\geq 5,000$ sq. ft.
Off-Site Accessory Parking
Pawn Shop Services
Service Station

ADDITIONAL PROPOSED PROHIBITIONS:

Bail Bond Services
Business or Trade School
Business Support Services
College and University Facilities
Commercial Off-Street Parking
Communication Service Facilities
Community Events
Community Recreation (Public)
Community Recreation (Private)
Congregate Living
Counseling Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Drop-Off Recycling
Family Home
Financial Services
Food Preparation
Food Sales
General Retail Sales (General)
Group Home, Class I (General)

Group Home, Class I (Limited)
Group Home, Class II
Guidance Services
Hospital Services (General)
Hospital Services (Limited)
Hotel-Motel
Indoor Entertainment
Indoor Sports and Recreation
Local Utility Services

Medical Offices < 5000 sq. ft.

Monument Retail Sales
Outdoor Entertainment
Outdoor Sports and Recreation
Pedicab Storage and Dispatch
Personal Improvement Services
Pet Services
Plant Nursery
Printing and Publishing
Private Primary Educational Facilities
Private Secondary Educational Facilities
Public Secondary Educational Facilities
Restaurant (General)
Restaurant (Limited)
Urban Farm
Religious Assembly
Residential Treatment
Safety Services
Short-term rentals
Telecommunications Tower

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at
"cybersecurity@austintexas.gov".

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>



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

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For information on the City of Austin's land development process, visit www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2024-0121
Contact: Marcelle Boudreaux, 512-974-8094
Public Hearing: September 11, 2025, City Council

RAUBER NATION
Your Name (please print)

1007 E. 43rd 78707
Your address(es) affected by this application (optional)

☒ I am in favor
☐ I object

MS
Signature

2/25/25
Date

Daytime Telephone (Optional):

Comments:

YES!

*Not detrimental to the neighborhood
as Red River is a transit corridor*

If you use this form to comment, it may be returned to:
City of Austin, Planning Department
Marcelle Boudreaux
P. O. Box 1088, Austin, TX 78767
Or email to:
Marcelle.boudreaux@austintexas.gov

From: [Jackie Burniske](#)
To: [Boudreaux, Marcelle](#)
Cc: [Meredith, Maureen](#); [District 9](#)
Subject: Case #: C14-2024-0121, City of Austin Planning Dept
Date: Tuesday, September 9, 2025 3:56:33 AM

External Email - Exercise Caution

This is for the September 11, 2025, City Council Public Hearing
Marcelle Boudreaux

I OBJECT

Jacqueline (Jackie) Burniske
800 East 44th St
Austin, TX 78751
808-429-8613

Hancock is already a dense, central Austin neighborhood and the neighborhood is eclectic, charming, and walkable. I am very concerned about a 5-story building being crammed into a small lot and causing flooding, increased traffic, and other issues in a quiet residential neighborhood. There are no buildings of this height nearby. The charming neighborhood feeling of central Austin historic neighborhoods like Hancock and nearby Hyde Park are disappearing. These and other neighborhoods contribute to the UNIQUE CHARACTER of Austin, and make Austin a desired place to live and work. By creating unnecessary density you are destroying Austin.

Please build PLANNED DENSITY in additional areas like Mueller and the Grove, not change the character of well established neighborhoods. Keep building high rises in downtown Austin. There are lots of large areas of vacant land by the airport and other Austin locations - create planned dense neighborhoods in areas that are undeveloped. Thank you.

~~~~~  
Jackie Burniske

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## PUBLIC HEARING INFORMATION

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Case Number: C14-2024-0121  
Contact: Marcelle Boudreaux, 512-974-8094  
Public Hearing: July 8, 2025, Planning Commission

JACQUELINE BOURNISE

Your Name (please print)

800 EAST 44th St 78751

Your address(es) affected by this application (optional)

7/2/25

Signature

Date

Daytime Telephone (Optional): 808 429 8613

Comments:

The project location on Red River is in a residential neighborhood. The location is not appropriate for commercial use with a high multistory building increased traffic. It will destroy the peaceful, historic character of the surrounding neighborhood and the charm Austin is known for.

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

City of Austin, Planning Department

Marcelle Boudreaux

P. O. Box 1088, Austin, TX 78767

Or email to:

Marcelle.boudreaux@austintexas.gov

## PUBLIC HEARING INFORMATION

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**Case Number:** C14-2024-0121  
**Contact:** Marcelle Boudreaux, 512-974-8094  
**Public Hearing:** September 11, 2025, City Council

*RAUBER NATION*  
Your Name (please print)

*1007 E. 43rd 78707*  
Your address(es) affected by this application (optional)

|                                                   |
|---------------------------------------------------|
| <input checked="" type="checkbox"/> I am in favor |
| <input type="checkbox"/> I object                 |

*MS* \_\_\_\_\_  
Signature  
*2/25/25* \_\_\_\_\_  
Date

Daytime Telephone (Optional): \_\_\_\_\_

Comments: *YES!*

*Not detrimental to the neighborhood  
as Red River is a transit corridor*

If you use this form to comment, it may be returned to:  
City of Austin, Planning Department  
**Marcelle Boudreaux**  
P. O. Box 1088, Austin, TX 78767  
Or email to:  
**Marcelle.boudreaux@austintexas.gov**

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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Case Number: C14-2024-0121

Contact: Marcelle Boudreaux, 512-974-8094

Public Hearing: September 11, 2025, City Council

David Gray  
Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application (optional)

David Gray  
Signature

9/11/2025  
Date

Daytime Telephone (Optional):

Comments: Please refer to the email from Andy Schulz to Marcelle Boudreaux dated 7/7/2025 regarding objections to the zoning request from the Hancock Neighborhood Association. I agree with the objections stated and urge the Planning Commission to deny the application to change the zoning.

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

City of Austin, Planning Department

Marcelle Boudreaux

P. O. Box 1088, Austin, TX 78767

Or email to:

[Marcelle.boudreaux@austintexas.gov](mailto:Marcelle.boudreaux@austintexas.gov)

## PUBLIC HEARING INFORMATION

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

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

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

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

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

*Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.*

*Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes de la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial. La correspondencia y la información enviada a la Ciudad de Austin están sujetas a la Ley de Información Pública de Texas (Capítulo 552) y pueden ser publicadas en línea.*

## PUBLIC HEARING COMMENT FORM

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

Maureen Meredith  
City of Austin - PDC  
Planning Department  
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-2024-0019.01

**Contact:** Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov

**Public Hearing:** September 11, 2025 -City Council

☒ I am in favor  
☒ I object

SANDRA SMITH GRAI

Your Name (please print)

911 E. 43rd St.

Your address(es) affected by this application

Signature

Date

Comments:



September 25, 2025

Ms. Marcelle Boudreaux  
Ms. Maureen Meredith  
City of Austin, Planning Department  
6310 Wilhelmina Delco Drive,  
Austin, TX 78752

***Via Electronic Delivery***

Re: Rezoning & Neighborhood Plan Amendment Application – 4305, 4307, 4309 Red River St.  
C14-2024-0121 and NPA-2024-0019.01

Dear Ms. Boudreaux and Ms. Meredith:

On behalf of the Owner(s) of the properties referenced above, we respectfully request a postponement of these cases from the September 25, 2025 City Council agenda to the October 9, 2025 to allow continued dialogue on private agreements with the Hancock Neighborhood Association.

Kind regards,

A handwritten signature in black ink, appearing to be "Victoria Haase". The signature is fluid and cursive, with a large initial "V" and "H".

Victoria Haase

cc: Joi Harden, Planning Department (*via electronic delivery*)

P.O. BOX 41957, AUSTIN, TEXAS 78704  
1507 INGLEWOOD ST., AUSTIN, TEXAS 78741